Laws of the Royal Colony of New Jersey

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Volume V

Laws of the Royal Colony of New Jersey

1770 · 1775

with Addenda & Index

COMPILED BY

BERNARD BUSH

DIVISION OF

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Bernard Bush

Trenton, New Jersey
May 1986

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*In cases where more than one volume of a session law was published in a single year, the citation includes the number of the assembly and session, and, where necessary, the sitting. The laws passed in the Nineteenth Assembly, Ninth Session, First Sitting were printed by William Bradford in two separate publications, designated here as A and B. A bibliographical essay on the printed laws will appear in the final volume.

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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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Nj	New Jersey State Library, Trenton, New Jersey
NjGbS	Savitz Library, Glassboro State College, Glassboro, New Jersey
NjSaHi	Salem County Historical Society, Salem, New Jersey
PRO	Public Record Office, London, England

Compilation

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Twenty-first Assembly, Second Session

14-27 Mar. 1770

Burlington

All acts passed 27 Mar. 1770.

An ACT *to revive and amend 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;* 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 revived, and every Article and Clause therein contained, shall be and remain in full Force from the Publication hereof, to the First Day of *May,* which will be in the Year of our Lord, One Thousand Seven Hundred and Seventy One; 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* it has been a Custom of late in some of the Counties of this Colony, to choose the Militia Officers Constables: For preventing the same for the Future, BE IT ENACTED *by the Authority aforesaid,* That during the Continuance of this Act, it shall not be lawful for any Court of General Quarter Sessions of the Peace, or for any of the Inhabitants of this Colony at their annual Town Meetings, to appoint or choose any commissioned Officer, while in Commission, to be a Constable; any Law, Usage or Custom to the Contrary notwithstanding.

Parker (1770), pp. 3-4.

An ACT *for preventing dangerous Tumults and riotous Assemblies, and for the more speedy and effectual punishing the Rioters.*

WHEREAS there have been several dangerous Riots and Tumults in the Counties of *Monmouth* and *Essex,* to the Disturbance of the public Peace,

and Obstruction of the Courts of Justice: For preventing and suppressing of the like in Future,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That if any Persons to the Number of Twelve or more, shall unlawfully, riotously and tumultuously assemble together, with Intention to obstruct the Execution of the Laws, to the Disturbance of the public Peace, or to do Violence to the Persons of his Majesty's liege Subjects in this Colony, their Rights or Properties, at any Time after the Publication of this Act, and being required or commanded by any One or more Justice or Justices of the Peace, or by the Sheriff of the County, or by the Mayor, any Alderman or Head Officer of any City or Town Corporate where such Assembly shall be, by Proclamation to be made in the King's Name, in the Form herein after directed, to disperse themselves and peaceably depart to their Habitations, or to their lawful Business, shall to the Number of Twelve or more (notwithstanding such Proclamation made) unlawfully, riotously and tumultuously remain or continue together, for the Space of one Hour, after such Command or Request made by Proclamation as aforesaid; that then every Person and Persons, to the Number of Twelve or more, so continuing together, after such Command or Request made by Proclamation, shall, for every Offence, being thereof duly convicted, suffer such Fine, Pains, Penalties or Corporal Punishment, as shall be inflicted on them, by any Court wherein the same shall be cognizable, not extending to Life or Member.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Order and Form of the Proclamation, that shall be made by the Authority of this Act, shall be as hereafter followeth, that is to say; the Persons authorized by this Act to make the said Proclamation, shall, among the said Rioters, or as near to them as he safely can come, with a loud Voice, command, or cause to be commanded Silence to be, while Proclamation is making; and after that, shall openly and with a loud Voice, make or cause to be made Proclamation in these Words, or the like in Effect:

> OUR *Sovereign Lord the* KING *chargeth and commandeth all Persons being assembled, immediately to disperse themselves, and peaceably to depart to their Habitations, or to their lawful Business, upon the Pains contained in the Act of the General Assembly of this Colony, made in the Tenth Year of King* GEORGE *the Third, for preventing Tumults and riotous Assemblies.*
>
> GOD *save the* KING.

PROVIDED ALWAYS, *and be it further Enacted by the Authority aforesaid,* That if any Person or Persons, do or shall, with Force and Arms, wilfully and knowingly oppose, obstruct, or in any Manner wilfully and knowingly let, hinder or hurt any Person or Persons that shall begin to proclaim, or go to proclaim, according to the Proclamation hereby directed to be made, whereby such Proclamation shall not be made; that then every Person and Persons so opposing, obstructing, letting, hindering or hurting such Person or Persons, so beginning or going to make such Proclamation as aforesaid, shall, for every such Offence, being thereof duly convicted, suffer the Pains

and Penalties aforesaid; and that also every such Person or Persons, so being unlawfully, riotously and tumultuously assembled, to the Number of Twelve as aforesaid, or more, to whom Proclamation should or ought to have been made, if the same had not been hindered as aforesaid, shall likewise, in Case they, or any of them, to the Number of Twelve or more, shall continue together, and not disperse themselves within one Hour after such Let or Hindrance so made, having Knowledge of such Let or Hindrance, every Person or Persons, so continuing together to the Number of Twelve or more, as aforesaid, shall for every such Offence, being thereof duly convicted, suffer the same Pains and Penalties, as if the Proclamation aforesaid had been actually made.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if such Persons so unlawfully, riotously and tumultuously assembled, or Twelve or more of them, after Proclamation made in Manner aforesaid, shall continue together, and not disperse themselves within one Hour, that then it shall and may be lawful, to and for every Justice of the Peace, Sheriff or Under-Sheriff of the County where such Assembly shall be, and also to and for every High or Petty Constable, and other Peace Officer within such County, and also to and for every Mayor, Justice of the Peace, Sheriff, Bailiff and other Head Officer, High or Petty Constable, and other Peace Officer, of any City or Town Corporate, where such Assembly shall be, and to and for other Person and Persons, as shall be commanded to be assisting unto any such Justice of the Peace, Sheriff or Under-Sheriff, Mayor, Bailiff, or other Head Officer aforesaid, (who are hereby authorized and impowered to command all his Majesty's Subjects of Age and Ability, to be assisting to them therein) to seize and apprehend, and they are hereby required to seize and apprehend such Persons so unlawfully, riotously and tumultuously continuing together, after Proclamation made as aforesaid, and forthwith to carry the Persons so apprehended, before one or more of his Majesty's Justices of the Peace of the County or Place where such Persons shall be so apprehended, in Order to their being proceeded against for such their Offences according to Law; and that if the Persons so unlawfully, riotously and tumultuously assembled, or any of them, shall happen to be killed, maimed or hurt in the dispersing, seizing or apprehending, or endeavouring to disperse, seize or apprehend them, by Reason of their resisting, the Persons so dispersing, seizing or apprehending, or endeavouring to disperse, seize or apprehend them; that then every such Justice of the Peace, Sheriff, Under-Sheriff, Mayor, Bailiff, Head Officer, High or Petty Constable, or other Peace Officer, and all and singular Persons being aiding or assisting to them, or any of them, shall be free, discharged and indemnified, as well against the King's Majesty, his Heirs and Successors, as against all and every other Person and Persons of, for or concerning the killing, maiming or hurting of any such Person or Persons so unlawfully, riotously and tumultuously assembled, that shall happen to be so killed, maimed or hurt as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this

Act shall be openly read at the next, and every other Court of General Quarter Sessions of the Peace in each County respectively, during the Continuance thereof, by the Clerk of such Court, by Order of the Justices thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall be and continue in full Force and Virtue, during the Term of one Year, from the Publication thereof, and from thence to the End of the next Sitting of Assembly, and no longer.

Parker (1770), pp. 4-6.

An ACT *to revive and continue the Process and Proceedings lately depending in the Inferior Court of Common Pleas, and Court of General Quarter Sessions of the Peace, for the County of* Monmouth.

WHEREAS the Inferior Court of Common Pleas, and Court of General Quarter Sessions of the Peace for the County of *Monmouth,* stood adjourned to the Fourth *Tuesday* of *January,* in the Tenth Year of his Majesty's Reign, but by Reason of a Number of riotous Persons, then and there assembled, who with Force and Arms, did obstruct and prevent the Attornies of said Courts, from entering the Court-House, and transacting the Business of their Clients depending therein, the Judges and Justices of said Courts thought it not expedient to open the same. Now, for preventing the Injuries that from thence may arise to the Suitors,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That all Process and Proceedings whatsoever, depending in the said Courts, or either of them, on the said Fourth *Tuesday* of *January,* shall be, and hereby are revived and continued, as fully and effectually, as if the said Courts had met and continued the said Process and Proceedings, by Adjournment to the Fourth *Tuesday* of *April* next to come; and all Process to be issued returnable to the said next Court, shall and may be tested on the said Fourth *Tuesday* of *January;* and all such Process shall be as effectual, as if the said Court had met and adjourned on the said Day, any Matter or Thing to the Contrary hereof in any wise notwithstanding.

Parker (1770), p. 7.

An ACT *to provide a more effectual Remedy against excessive Costs, in the Recovery of Debts under Fifty Pounds, in this Colony, and for other Purposes therein mentioned.*

WHEREAS the present Mode of recovering of small Debts in the Courts of Common Law in this Colony, is found by Experience to be grievous to his Majesty's good Subjects within the same, by Reason of the Costs attending each Action; for the Remedy whereof 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 first Day of *July* next, it shall and may be lawful for any Person or Persons, in Order to recover any Debt or other Demand, in any Court of Common Law in this Colony, for any Sum above *Ten Pounds,* and under *Fifty Pounds,* Proclamation Money, to apply by himself or Attorney, to the Clerk of such Court, who is hereby authorized, required and commanded, to issue a Summons, if against a Freeholder, directed to the Sheriff or Coroner, which Summons shall be in the Words following.

GEORGE *the Third, by the Grace of God of* Great Britain, France *and* Ireland, *King, Defender of the Faith,* &c. *To our Sheriff of our County of* GREETING. *We command you, that you summon* A.B. *personally to be and appear before us, (if in the Supreme Court, and if in the Inferior Court of Common Pleas, before the Judges of our Inferior Court of Common Pleas to be held at in and for our said County of) on the Tuesday in next, to answer unto* C.D. *in a Plea (if in Debt) that he render unto him (the Penalty) which he owes, and unjustly detains, (if in Case) of Trespass, on the Case to his Damage, (any Sum amounting to double the Damage) and any other Action to be varied according to the Nature thereof; and have you then and there this Precept.* WITNESS A.B. *Esq; Chief Justice of* New-Jersey, *(in the Supreme Court, and if the Common Pleas,* E.F. *Esq; Judge of our said Court) at aforesaid, the Day of in the Year of our Reign.*

A Copy of which Summons shall be served on the Defendant, or left at his House or usual Place of Abode, at least one Week before the Return, in Presence of one or more white Persons of the Family, above the Age of Fourteen Years; and the real Debt or Demand shall be endorsed on the said Summons and Copy; for which Service the said Clerk shall be intituled to the Sum of *Two Shillings and Six-pence,* including the entering of the Action, and the Sheriff for serving the same, shall be intituled to the Sum of *Six Shillings,* including Milage, and *Nine Pence* for the Copy of the Summons, and no more.

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, he or she will be in Danger of losing the Debt thereby; then and in that Case, the said Clerk shall issue a Capias, directed to the said Sheriff, who shall, on the Arrest of the Defendant, take a Bail Bond, with good and sufficient Bail for the said Defendant's

Appearance, to answer the said Demand: And it shall and may be lawful for any such Plaintiff, to proceed, either by Summons or Capias, at his or her Election, against any Person or Persons whatsoever, not being a Freeholder.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Plaintiff or Plaintiffs, his, her or their Attorney, shall, within Twenty Days after the Return of the said Summons or Capias, file in the Clerk's Office from whence such Process issued, true Copies of any Writing or Writings, on which his, her or their Action is founded, for which said Copies of such Writing or Writings, the said Plaintiff or Plaintiffs, his, her or their Attorney, shall be paid the Sum of *One Shilling,* and no more: And in Case the said Action shall have arisen on a verbal Contract or Promise only, then the said Plaintiff or Plaintiffs, his, her or their Attorney, shall file a short State in Writing, of such verbal Contract or Promise; for which said State in Writing, the said Plaintiff or Plaintiffs, his, her or their Attorney, shall be paid the Sum of *Three Shillings,* and no more; and every Defendant or Defendants, his, her or their Attorney in such Action, shall, within Twenty Days thereafter, file his or their Plea in short, in the Clerk's Office of said Court; for which Plea, the Defendant or Defendants, his, her or their Attorney, shall be paid the Sum of *One Shilling,* and no more; and also true Copies of all such Writings upon which the said Plea may be founded, and for a Copy or Copies of the said Writings, on which the said Plea may be founded, the Sum of *One Shilling and Six-pence,* and no more. And in Case such Defendant or Defendants, his, her or their Attorney, shall neglect to file such Plea and Copies, Judgment shall be entered against such Defendant or Defendants the next Term by Default.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That no Judgment Rolls shall be made upon any Action to be brought in any of the said Courts, until after a Writ of Fieri Facias, against the Goods and Chattels of the Defendant has been returned, and it shall appear that the Judgment cannot be satisfied therefrom; in which Case only, it shall and may be lawful, after the Return of such Fieri Facias, for the Plaintiff to draw up his Judgment in common Form, if there are Lands whereon the said Execution can be levied. *Provided always,* That the Lands, Tenements and real Estate of the Defendant, shall be bound by the said Judgment, from the Time of entering the same in the Court Records.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in all Actions on the Case, that shall be hereafter brought in any of the said Courts, wherein the Defendant or Defendants shall not have filed a Plea; the Court to which such Process is returnable, shall, at the Term next after the said Return, assess the Damages, and give final Judgment, unless the Defendant shall appear in Person, or by Attorney, requesting that a Writ of Inquiry shall issue; in which Case, the Court shall order a Writ of Inquiry to issue, returnable to the next Term, and thereupon give Judgment and award Execution; for which Service, in assessing the Damages as aforesaid, the Judge or Judges who shall perform the same, shall have and receive the Sum of *Six Shillings,* and no more. *Provided nevertheless,* That no Execution of any

Judgment given by Virtue of this Act, shall issue against any Defendant, in less than two Months after the said Judgment was obtained, unless the Party in whose Favour such Judgment is given, shall make it appear to the said Court, on Oath, or if a Quaker on Affirmation, that he or she is in Danger of losing his or her Debt, if such Delay be allowed; in which Case the said Court shall order Execution to issue immediately, unless the Defendant shall thereupon give Security to the Plaintiff, that such Defendant shall appear to answer the Plaintiff when called for, and that such Defendant's Estate shall not be of less Value at the End of two Months, than at the Time of giving such Security, the Defendant at the same Time filing an Inventory of all, or a sufficient Part of his Estate; which Estate, mentioned in the said Inventory, shall be bound for the Payment of the said Debt, from the Time of filing the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Sheriff, upon all Capiasses where he takes a Bail Bond, shall file the same with the Writ, which shall be as effectual in Law, to all Intents and Purposes, as if the Defendant had entered into special Bail, and the Action may be proceeded on to Judgment, and Execution shall issue against the Defendant as in other Cases. *Provided always,* That if Execution issues against the Defendant, and is returned *non est,* that it shall and may be lawful for the Plaintiff, to proceed on the Bail Bond by Scire Facias, as if special Bail had been filed, and the Bail shall have the same Advantage against the Defendant, for whom he became bound in the Bail Bond, to all Intents and Purposes, as if he had entered special Bail, any Law to the Contrary thereof in any wise notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Sheriff or Coroner, shall wilfully or negligently omit or refuse to confine any Defendant in Gaol, for two Months after the Service and Return of the Capias ad Satisfaciendum, (unless by the Consent of the Plaintiff or his Attorney) or where the Execution shall be by Fieri Facias, shall neglect filing a just and true Inventory of the Goods and Chattels, Lands and Tenements, so taken in Execution (unless such Sheriff or Coroner shall return, that he hath levied to the Value of the Debt and Costs) or shall, without such consent as aforesaid, wilfully or negligently delay rendering the Money arising from the Estate and Effects of the Defendant, in the Term next after the Return of the Execution, he shall be amerced to and for the Benefit of the Plaintiff, in the Value of the Debt and Costs; which said Amerciament, shall and may be recovered by Action of Debt, as any other Debt of Record.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That upon any Bond, Bill, Promissory Note, or other written Agreement, entered into by two or more Persons, one Process shall issue against them; but the Plaintiff shall not be at Liberty to proceed to Execution against more than one, unless his Debt and Damages shall remain unsatisfied after the first Execution thereon had issued for three Months, in which Case it shall and may be lawful for the Plaintiff to proceed against either or all of the said Defendants.

AND for avoiding the Delay too frequently happening in the Actions commenced in this Colony; BE IT ENACTED *by the Authority aforesaid,* That at some convenient Time in every Term, to be appointed by the Judges of the several Courts respectively, the several Actions depending in said Courts, shall be called over in open Court, or a List thereof be laid before the Court by the Clerk; and if it shall appear that any Action or Suit has remained undetermined for more than three Terms, the Attornies, in such Suits, shall be interrogated thereon, and unless good Reasons can be assigned to the Court for such Delay in such Suit, said Action shall be struck off from the Docket, and the same Judgment awarded as in Case of a Nonsuit; and if it shall appear that such Delay was occasioned by the Neglect or Mismanagement of the Attorney of either Party, it shall be so entered, and the Costs awarded to be paid by him accordingly.

AND BE IT ALSO ENACTED *by the Authority aforesaid,* That the Court may and shall consolidate or join together several Actions between the same Parties, when the Nature of the Suits will permit; and if any Attorney or Practitioner of the Law, shall commence or prosecute divers Actions for one and the same Demand, or where it shall appear, that the Plaintiff or Plaintiffs in such Suits might receive full Satisfaction by one Suit only; then and in such Case, one Bill of Costs only shall be taxed, and such Attorney or Practitioner of the Law, shall lose the Costs of such unnecessary Suits, and become liable to pay to the Defendant or Defendants, his, her or their Costs of Defence in the same, to be awarded by the Court on Motion.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case it shall be thought for the Safety of the Creditor, that Judgment should be entered up in the Vacation, on a Bond or Bill, conditioned for the Payment of any Sum above Ten Pounds and under Fifty Pounds, when there is a Warrant of Attorney to confess said Judgment, and where the Execution shall issue against the Goods only of the Defendant, there shall be an Entry of the Action made in the Court Records, specifying the Parties, the Date and Condition of the said Bond or Bill; and the Defendant's Attorney, shall file a Copy of his Warrant, with a Confession of Judgment thereupon for the Sum due, a Note of which shall be entered under the Entry of the Action, and Execution shall issue, by Order of any one of the Judges of the said Court where the Proceedings are entered, and such Record and Note thereof, shall be received in all Courts as full Evidence of the said Judgment.

AND *Whereas* a late Practice of taking short Bills with Warrants of Attorney, for Confession of Judgment included therein, hath been found to introduce great Mischiefs, and ignorant Men have thereby been unwarily drawn to execute Warrants of Attorney, and Judgments have been thereupon entered, and Execution issued, contrary to, and without the Intention of the Defendant; to remedy which, and to prevent such Impositions for the Future: BE IT ENACTED *by the Authority aforesaid,* That from and after the First Day of *July* next, all Warrants of Attorney for confessing of Judgments, shall be drawn up and executed on a distinct and separate Piece of Paper, and that no Judgment shall, after the said first Day of *July,* be permitted to be entered

in any of the Courts of this Province, by Virtue of any Warrant of Attorney written and included in the Body of any Bond, Bill or Writing given and executed after the said first Day of *July,* for the Payment of Money, and that every Warrant of Attorney, so included in any Bond, Bill or other Writing, thereafter to be given and executed for the Payment of Money, shall be utterly void and of none Effect.

AND *Whereas* it too often happens, in Actions for the Recovery of Debts, that Defendants plead thereto with no Intention to try the Cause, but to gain Time, and thereby delay Plaintiffs in their just Suits, and often while the said Pleas are defending, confess Judgments in other Suits, and deprive the first Plaintiff of the Benefit of his Action, and occasion the Loss of his whole Debt, as well as subject him to the Payment of Costs: Therefore, BE IT ENACTED *by the Authority aforesaid,* That from and after the first Day of *July* next, whenever it shall be suggested, in any or either of the Courts of Common Law of this Province, by the Plaintiff or Plaintiffs, or their Attornies, in any Suit; or the Court shall suspect that any Plea, pleaded by any Defendant or Defendants, in any Action before the said Courts, or any of them, is for Delay only, it shall and may be lawful for the said Court or Courts, to refuse the said Plea or Pleas; or if such Plea or Pleas should be filed in the proper Office of the said Court, or any of them, it shall and may be lawful for the said Courts, or any of them, to take off from the File, and set aside such Plea or Pleas, and give Judgment by Default or otherwise, as if no Plea had been filed or pleaded in the Cause; unless the Defendant or Defendants, shall, upon such suggestion to, or Suspicion of the Court, make his, her or their Affidavit, or if of the People called Quakers, make his, her or their Affirmation, that the Plea or Pleas so by him, her or them pleaded, is not for any Delay with a View to give Advantage or Preference to other Creditors.

AND *Whereas* it often happens that Persons are indicted, fined and committed, for criminal Offences, who are unable to satisfy the Fine and Fees, whereby they remain long confined in Gaol, and a Burthen upon the Community: Therefore, BE IT ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, when any Person or Persons shall be committed and convicted for any criminal Matter, and unable to discharge the Fine and Fees for which they are confined, any otherways than by Servitude; it shall and may be lawful, for any two Justices of the Court of General Quarter Sessions of the Peace, of any City or County where such Criminals are confined, to sell and assign the Person or Persons so confined, to any Person or Persons, who will pay and discharge the Fine and Fees for which they are confined, for so long Time, and in such a Manner as the said Justices shall think reasonable and just, not exceeding Five Years.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That whenever any Sheriff, Coroner or other Officer, impowered to serve and return Writs of Capias or Execution, although it be for a Sum more than *Fifty Pounds,* shall have returned on any such Writ, that he has taken the Body of the Defendant therein mentioned, and has the same in his Custody; any Writ of Capias, or Execution in another Action, which shall thereafter come to the

Hands of such Sheriff, Coroner or other Officer, against the same Defendant so as aforesaid returned, shall not be *ipso facto* esteemed as legally served or executed; but that the said Sheriff, Coroner or other Officer, upon the coming of every such other Writ of *Capias* or Execution, shall, and is hereby ordered to make an actual Service of every such other Writ, on the Person of the Defendant, if he shall return the same as served, and on Failure of such actual Service, all the Proceedings which may be thereafter had on such Writs, are hereby declared to be null and void, and the Officer having such Writ to serve, shall pay unto the Plaintiff or Plaintiffs in the Action, the Costs thereupon to be taxed. *Provided nevertheless,* that no such Officer shall be compelled to return any such other Writ as served, unless he has been able to make an actual Service thereof.

AND BE IT ENACTED *by the Authority aforesaid,* That whenever one or more Execution or Executions shall hereafter issue for the same Debt, although it be for a Sum more than *Fifty Pounds,* that in all such Cases, Poundage shall only be charged on the Sum actually made by the Sale of the Sheriff, for the Use of the Plaintiff, and that the Sheriff, Coroner, or other Officer impowered to serve such Writs of Execution, shall in no Case receive the Fees payable to them thereon, unless such Officer shall first have had the Bill thereof taxed, by one of the Judges of the Court where such Writ shall have issued, and also have filed a Copy of the said taxed Bill, with the Clerk of the said Court.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after the first Day of *July* next, in every Action wherein Judgment shall be entered by Default, no more than two Term Fees, and two Fees for Motions, shall be allowed or taxed, on any Pretence whatever; and that any Person thinking himself aggrieved by the Taxation of a Bill of Fees, in any Cause whatever, shall and may, within Six Months after such Taxation, apply to any Judge of the Court in which the Action was prosecuted, or to any of the Justices of the Supreme Court, and have the same retaxed; and the Sum deducted shall recover, with the Cost of retaxing, in any Court where the same is cognizable, with Costs of Suit.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall be and continue in Force for Five Years, from and after the first Day of *July* next, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1770), pp. 7-14.

An ACT *for defraying incidental Charges.*

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 for the Treasurers of this Colony, or either of them, and they are hereby directed, to pay to the several Persons hereafter named, the several Sums of Money following, *viz.*

To *Joseph Smith,* Esq; such Sums of Money as shall be adjudged by *Henry Paxson* and *Abraham Hewlings,* Esquires, an adequate Reward, to pay to any Person or Persons, who shall be employed by the Government of this Colony, in going to *Virginia,* to bring into this Province a certain *Daniel Howell,* now confined in Gaol there, charged with the Murder of *William Daniels,* in the County of *Middlesex.*

To *Charles Pettit,* Esq; the Sum of *Six Pounds,* for Expresses, to summon the Council in *February* last.

To *Richard Smith,* Esq; Clerk of the House of Assembly, for Pen, Ink and Paper, and hiring Clerks to forward the Business of this Session of Assembly, the Sum of *Five Pounds.*

To *Joseph Smith,* Esq; *Three Pounds Five Shillings,* to pay for Fire Wood, Candles and other Necessaries attending this Sitting of Assembly, and a Room for the Use of the Council.

Parker (1770), p. 15.

An ACT *to explain and amend an Act of the General Assembly, passed in the Tenth Year of his Majesty's Reign, entitled,* An *Act* for the Relief of Insolvent Debtors, *and for other Purposes therein mentioned.*

WHEREAS Doubts have arisen in the Construction of the Act, entitled, *An* Act *for the Relief of Insolvent Debtors,* passed in the Tenth Year of his Majesty's Reign.

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said recited Act, shall not, upon any Pretence whatsoever, be construed to extend to the Relief of any Person or Persons, not in actual Confinement at the Time of the Publication

thereof, and that any or other Construction, and all and every Discharge of Debtors, not in actual Gaol at the Time of passing said Act, shall be, and hereby are declared null, void, and of no Effect; any Words, or Omission of Words in the said Act to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That it is the true Intent and Meaning of the before recited Act, that notwithstanding the Discharge of the Person or Persons of any Insolvent Debtor or Debtors, from their Confinement, by Virtue of said Act, their Lands, Goods and Chattels, and other Effects, they or any of them may after their Discharge acquire, shall nevertheless, for ever thereafter be liable to be taken in Execution, and sold for the Payment of those Debts contracted before their Discharge; and it shall and may be lawful for the Creditor or Creditors of such discharged Debtor, to proceed against any such Debtor, their Goods and Chattels, Lands and Tenements, if above *Ten Pounds*, in any Court where the same may be cognizable, by filing common Bail for such Person, and proceed to Execution against the Goods and Chattels, Lands and Tenements, and order the same to be sold as in other Cases; and for *Ten Pounds* and under, by Summons, before any Justice of the Peace of the County where the said Debtor dwells, to be by him examined and heard, concerning the Creditor's Demand, and to give Judgment, and award Execution against the said Debtor's Goods and Chattels accordingly, as in other Cases; any Thing in the before recited Act to the Contrary thereof in any wise notwithstanding.

AND *Whereas Uzal Ogden*, of the County of *Essex*, and *Joseph Forman*, of the County of *Monmouth*, 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 it seems but reasonable that they should have Relief; BE IT THEREFORE ENACTED *by the Authority aforesaid*, That the Persons of the said *Uzal Ogden* and *Joseph Forman*, shall not be imprisoned for any Debt by them contracted before the passing this Act; and that every Process now issued, or that hereafter shall be issued, for any Debt contracted before the Publication of this Act, by which their or either of their Persons shall be confined or imprisoned, shall be, and hereby is declared void and of no Effect. *Provided always*, That the Lands, Goods, Chattels or other Effects, which they or either of them the said *Uzal Ogden* and *Joseph Forman* 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.

AND *Whereas William Gerrard* hath shewn his particular Difficulties and Hardships, and therefore prayed Relief; and his principal Creditors having requested that the Relief prayed for may be granted: BE IT THEREFORE ENACTED *by the Authority aforesaid*, That the Goods and Chattels of the said *William Gerrard*, shall not be liable to be seized and taken by Virtue of any Execution whatsoever, for and during the Term of Five Years, from and after the Publication of this Act, for any Debt heretofore contracted.

AND *Whereas Thomas Helmes* of the County of *Sussex*, hath, by his humble

Petition, set forth and shewn, that he hath assigned and set over to *Robert Crommelin*, of the City of *New-York*, Merchant, all his real Estate, for the Use of his Creditors, and thereupon hath obtained a Discharge from his principal Creditors in this Colony, and in the City of *New-York*, and is ready to assign his personal Estate for the Uses aforesaid, and hath therefore prayed Relief in the Premises; BE IT THEREFORE ENACTED *by the Authority aforesaid*, That the said *Thomas Helmes*, upon his assigning and setting over to the said *Robert Crommelin*, all his personal Estate, for the Use of his Creditors, and making the Oath directed to be taken by the before recited Act, shall be; and the Judges of the Inferior Court of Common Pleas are hereby directed, to discharge the said *Thomas Helmes* from the Custody of the Sheriff of *Sussex*, and from all Process whatsoever for Debt heretofore issued against him; and that the Body of the said *Thomas Helmes*, shall not be confined in any Gaol of this Colony, for any Debts contracted by him before the Publication of this Act; but that the future Acquirements of the said *Thomas Helmes*, shall only be liable to be taken and seized by Execution, as herein before is directed and declared.

AND *Whereas John Ogden*, Esq; and *Josiah Wynants*, of the County of *Essex*, *Lemuel Bowers*, of the County of *Morris*, *Joseph Thomas*, *Alexander Bennet* and *James Simpson*, of the County of *Gloucester*, and *Hendrick Van Arsdalen*, of the County of *Hunterdon*, have, by their humble Petition shewn, that they have assigned over all their Estate real and personal, for the Benefit of their Creditors, or the same hath been seized and taken in Execution, for the Benefit of their Creditors, and therefore praying, that their Bodies may be freed from Confinement for Debts by them, or any of them, the said *John Ogden, Josiah Wynants, Lemuel Bowers, Joseph Thomas, Alexander Bennet, James Simpson* and *Hendrick Van Arsdalen* contracted before the Publication of this Act; and as it appears reasonable, that the said *John Ogden, Josiah Wynants, Lemuel Bowers, Joseph Thomas, Alexander Bennet, James Simpson* and *Hendrick Van Arsdalen* should have Relief, THEREFORE, BE IT ENACTED *by the Authority aforesaid*, That upon Application made by the said *John Ogden, Josiah Wynants, Lemuel Bowers, Joseph Thomas, Alexander Bennet, James Simpson* and *Hendrick Van Arsdalen*, to any two of the Judges of the Courts of Common Pleas, of the respective Counties to which they belong, and upon taking the Oath in the said recited Act mentioned, and assigning all their Estate real and personal for the Benefit of their Creditors; then and in that Case, it shall and may be lawful for the said Judges, to make an Order in Writing, directed to the Sheriff or Coroner, as the Case may require, directing him to discharge the Bodies of the said *John Ogden, Josiah Wynants, Lemuel Bowers, Joseph Thomas, Alexander Bennet, James Simpson* and *Hendrick Van Arsdalen*, respectively, in Manner and Form as in and by the said recited Act is directed, any Thing in the said Act to the Contrary notwithstanding. *Provided always*, That the Lands, Goods, Chattels or other Effects, which they or either of them the said *John Ogden, Josiah Wynants, Lemuel Bowers, Joseph Thomas, Alexander Bennet, James Simpson* and *Hendrick Van Arsdalen*, 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.

AND *Whereas William Hewlings*, junior, hath by his Petition, shewn his particular hard Case, having been confined in the Gaol of the County of *Hunterdon*, for two Years and Nine Months past. *And whereas William Hewlings*, the Elder, hath, by an Instrument under his Hand, obliged himself to convey One Hundred Acres of Land, being Part of the Plantation whereon he now dwells, situate in the County of *Burlington*, and also *One Hundred Pounds*, payable in Six Months, to and for the Use of the Creditors of the said *William Hewlings*, junior, as is set forth in the Obligation aforesaid: Therefore, BE IT ENACTED *by the Authority aforesaid*, That on the said *William Hewlings* the Elder, conveying the said One Hundred Acres of Land, and securing the Payment of *One Hundred Pounds*, for the Benefit of all the Creditors of the said *William Hewlings*, jun. it shall and may be lawful for the Judges of the Court of Common Pleas for the County of *Hunterdon*, to discharge him from his Confinement, any Thing in the before recited Act to the Contrary notwithstanding: Neither shall the Body or future Acquirements of the said *William Hewlings*, jun. be liable to be taken in Execution, for any Debt contracted before the Publication of this Act.

Disallowed 7 June 1771.
Parker (1770), pp. 15-18.

An ACT *to revive an Act, entitled,* An *Act* to prevent Waste from being committed upon the Common Land allotted to the Patent of *Secaucus*, 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* Secaucus, *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* Secaucus, *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 first Day of *April* 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 first Day of *April* 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 (1770), p. 19.

An ACT *to enable the Owners and Possessors of certain Meadows and Marshes bounding on* Delaware *River and* Salem *Creek, 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 certain Meadows, Marsh and Swamps, bounding on *Delaware* River and *Salem* Creek, in Lower Penn's Neck, have, by their Petition, prayed a Law, to oblige all the Parties who hold any of the said Meadows, Marsh and Swamps, to contribute their equal Proportion towards erecting, maintaining and supporting such Banks, Dams, Sluices and other Water Works, as shall be deemed necessary for sufficiently draining and stopping out the Tide from overflowing the said Meadows, Marsh and Swamps.

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 said Meadows, Marsh and Swamps, to make or cause to be made, and at all Times hereafter to keep up and maintain, a good and sufficient Bank, Dam and other Works, necessary for keeping out the Tide from overflowing the said Meadows, Marsh and Swamps, to begin at the Fast Land of *Ephraim Loyd*, and to run down *Salem* Creek to *Delaware* River, thence up the said River to *Finn's* Point, to join the Bank of *Thomas Newark,* and so to the Fast Land.

AND BE IT ENACTED *by the Authority aforesaid*, That the Owners and Possessors of the aforesaid Meadows, Marsh and Swamps, shall and may meet and assemble, yearly, and every Year, on the first *Tuesday* in *March*, at the Dwelling-House of *William Adams*, or such other Place as the Majority of the Owners and Possessors of the said Meadows, Marsh and Swamps, for the Time being, shall appoint, and then and there, by Plurality of Voices of them so met, chuse three Managers, (being Owners or Possessors of the said Meadows, Marsh and Swamps) to make and maintain the said Bank, Dam and Water Works; which Managers, or those herein after appointed, shall be likewise impowered for the Making and Maintenance of the same, to take such Quantities of Mud, the most convenient and least detrimental to the Owner or Owners 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 chuse and appoint one Assessor, to assess the Sum or Sums that shall be necessary for defraying the Charge of making, upholding and maintaining the said Bank, Dam and other Water Works, 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 chuse 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 him) to the Collector as aforesaid, who shall demand and receive of and from each Owner and Possessor of said Meadows and Marsh, the Sum he, she or they are to pay; and upon Neglect or Refusal of any of them, for the Space of Twenty Days after such Demand made, the said Collector is hereby impowered and required to sue all and every such Person or Persons, in his own Name, for the respective Sum or Sums they were so assessed, in any Court 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 award Execution for the same, with Costs of Suit.

AND BE IT ENACTED *by the Authority aforesaid*, That *Ephraim Loyd, Alexander Hill* and *Thomas Newark*, are hereby appointed Managers and Assessors, and *William Adams*, Collector for the ensuing Year, who are hereby invested with the same Powers, and subjected to the same Penalties, as in and by this Act are expressed and declared.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That the Collector appointed, or hereafter to be chosen, shall pay all such Sum or Sums of Money as he shall receive as aforesaid, to the Managers aforesaid, within Forty Days after the Receipt thereof; and the said Managers and Collector, shall give an Account yearly to the Owners and Possessors of the said Meadows, Marsh and Swamps, at their Meeting, of all Monies by them collected and expended; which Managers shall be allowed *Two Pence*, and the Collector *Three Pence* in the Pound, for all Monies collected and expended as aforesaid: And in Case any Manager or Collector, shall refuse or neglect to

pay what Monies remain in his or their Hands, to the succeeding Managers as aforesaid, the said succeeding Managers, are hereby impowered to sue for and recover the same, with Costs of Suit, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That the natural Water Course of the said Creeks, so far as the improved Marsh, Meadows or Swamps may extend, shall at all Times hereafter be kept open and clear, so as to give the Water a sufficient Fall, in the same Manner and Proportion aforesaid; and all the Rubbish, Mud or Grass that may be taken out of the same, shall be equally divided, as near as may be, to each Side of the said Creek. And in Order to ascertain the just Quantity of Marsh, Meadow or Swamp 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, Meadows and Swamps within the said Bank to be measured, the Expence whereof to be paid in the Proportion 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 Cost and Charge of such measuring, from the Owner or Possessor of such Marsh, Meadows and Swamps, by Action of Debt, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That when it shall happen at any Time hereafter, that the Owner or Owners of any of the aforesaid Meadows, Marsh and Swamps, 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, 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 Marsh, for such Term or Time, as the Rent thereof will amount to the Assessment 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, or in Case any of them shall remove out of the County of *Salem*; 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 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, dying or removing; 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 *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 *Six Pounds*, Proclamation Money; to be recovered by any of the said Owners or Possessors, before any 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 if the Owners

and Possessors shall neglect to meet on the Time aforesaid, for chusing 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, and be liable to the same Penalties and Duties as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That the Swamps and Cranberry Ponds, which lay at the Head of the Marshes included in the aforesaid described Bank, and are not benefited by the Erection of the aforesaid Bank, Dam and Water Works, shall be exempted from any Expence, either in banking in the beginning, or supporting the same afterwards; and all the other Part of the said Swamps and Cranberry Ponds, which shall receive a Benefit from the Erection of the aforesaid Bank, Dam and Water Works, shall be taxed in Proportion, according to the Quality of the Soil, and the Benefit it receives therefrom. *Provided always*, and it is hereby declared to be the true Intent and Meaning of this Act, That the Meadows or Marsh of any Person or Persons included within the Bounds aforesaid, which are now inclosed by Banks, shall not be assessed, or contribute to the erecting the Bank, Dam and Water Works, intended by this Act to be made, but the same shall be assessed, and contribute to the upholding and Maintainance of the said Bank, Dam and Water Works, after the Erection and making of the same, in the Manner by this Act first directed.

Parker (1770), pp. 20-23.

Twenty-first Assembly, Third Session

26 Sept.-27 Oct. 1770

Perth Amboy

All acts passed 27 Oct. 1770.

An ACT *for the Support of Government of His Majesty's Colony of* New-Jersey, *to commence the First Day of* October, *One Thousand Seven Hundred and Seventy, and to end the First Day of* October, *One Thousand Seven Hundred and Seventy-one; and to discharge the Public Debts, and Contingent Charges thereof.*

WHEREAS the Act for the supporting of Government of His Majesty's Colony of *New-Jersey*, expired on the First Day of this Instant *October*, 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 cheerfully 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 First Day of this Instant *October*.

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 above-mentioned, shall be paid to the several Officers before-mentioned, 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 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 First Day of *October*, which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-one; 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*, Esquire, 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*, Esquire, 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, 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 *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 Shilling 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 *Jonathan Deare,* the Sum of *Ten 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 *Isaac Collins,* 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 *Hendrick Fisher, Stephen Crane, Abraham Hewlings,* and *Henry Paxson,* 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.*

ALL which said several Sums above-mentioned, shall be, and are hereby directed to be paid to the several 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 Member 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.

Collins (1770), pp. 3-7.

An ACT *for making a further Provision of* Five Hundred Pounds *for furnishing His Majesty's Troops stationed in this Colony, with Necessaries; and also for defraying Incidental Charges, 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, shall pay, and they, or either of them, are hereby directed and required, out of such of the Money made current for His Majesty's Service during the late War, as may remain in the Treasury, to pay such Sum or Sums of Money, as shall from Time to Time be necessary, for quartering His Majesty's Troops in this Colony, on Warrant or Warrants to be drawn for that Purpose, by His Excellency the Governor, or Commander in Chief for the Time being, by and with the Advice and Consent of His Majesty's Council, provided the whole Sum, so to be drawn for, does not exceed the Sum of *Five Hundred Pounds*.

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 *Charles Pettit* for Expresses, summoning the Council, *Five Pounds, Five Shillings*.

To *Jonathan Deare,* the Sum of *Two Pounds, Eleven Shillings,* to pay for Firewood and Candles for the Council and Assembly this Sessions.

To *Samuel Sarjant,* the Sum of *Eighty-five Pounds, Fourteen Shillings and One Penny,* being the Balance of his Account.

To *Thomas Skinner,* the Sum of *Eighty-seven Pounds, Seventeen Shillings and Five-pence,* being the Balance of his Account.

To *John Blanchard,* the Sum of *One Hundred and Ninety-nine Pounds, Thirteen Shillings and Eleven-pence,* being the Balance of his Account.

To *Hendrick Fisher,* the Sum of *Sixty-four Pounds, Eight Shillings and Two-pence,* being the Balance of his Account.

To *Robert Ogden,* the Sum of *Twenty-eight Pounds,* being the Balance of his Account.

To *Reune Runyon, Hendrick Fisher,* and *Samuel Tucker,* the Sum of *Six Pounds, Fifteen Shillings,* to pay their Expences examining into the Security given to the Province, in Pursuance of an Order of the House of Assembly.

AND BE IT ENACTED *by the Authority aforesaid,* That the Act appointing Barrack-Masters in this Colony, be, and it is hereby repealed; and the several Persons herein after named, be, and they are hereby appointed to take Care of the several Barracks, and keep them in necessary Repair, *to wit, Edward Thomas,* at *Elizabeth-Town, Hendrick Fisher,* at *New-Brunswick, Samuel Sarjant,* at *Perth-Amboy, Abraham Hunt,* at *Trenton,* and *Daniel Ellis,* at *Burlington*.

AND BE IT ENACTED *by the Authority aforesaid,* That the several Barrack-Masters, shall, and they are hereby required to deliver to such Person or Persons, as may be appointed for that Purpose by His Excellency the Governor or Commander in Chief of this Colony, all such Articles as they have purchased for the Troops, charged in their Accounts, and not actully made Use of, together with an Inventory thereof.

Collins (1770), pp. 8-9.

An ACT *for establishing the Boundary or Partition Line between the Colonies of* New-York, *and* Nova-Caesarea *or* New-Jersey, *and for confirming the Titles and Possessions of certain Lands adjacent to, or near the said Line.*

WHEREAS the Boundary or Partition Line between the Colonies of *New-York,* and *Nova-Caesarea* or *New-Jersey,* from the Station on *Hudson's* River, to the Station on *Delaware* River, not being duly ascertained, and the Extent of their respective Jurisdictions remaining uncertain, and the due and regular Administration of Government in both Colonies, being by that Means greatly obstructed; the respective Legislatures of both the said Colonies, did, by Acts for that Purpose passed, concur in submitting the Title and Property of the Lands affected by the said Boundary or Partition Line in both Colonies, to such a Method of Decision as His Most Gracious Majesty should think proper, by His Royal Commission, or otherwise to institute and appoint; of which Acts His Majesty was pleased to declare his Approbation, and by his Royal Commission, under the Great Seal of *Great-Britain,* bearing Date the Seventh Day of *October,* in the Seventh Year of his Reign, did authorize and appoint certain Persons therein named, or any Five of them, to be His Majesty's Commissioners for ascertaining, settling and determining the Boundary aforesaid, between the said Colonies. AND WHEREAS a sufficient Number of the Commissioners, named in the said Commission, on the Seventh Day of *October,* in the Year of Our Lord One Thousand Seven Hundred and Sixty-nine, did determine, that the Boundary or Partition Line between the said Colonies of *New-York,* and *New-Jersey,* should be a direct and straight Line from the Fork or Branch formed by the Junction of the Stream or Waters called the *Machackamack,* with the River called *Delaware* or *Fishkill,* in the Latitude of Forty-one Degrees, Twenty-one Minutes and Thirty-one Seconds, as found by the Surveyors appointed by the said Commissioners, to a Rock on the West Side of *Hudson's* River, marked by the said Surveyors in the Latitude of Forty-one Degrees, being Seventy-nine Chains and Twenty-seven Links to the Southward, on a Meridian from *Sneydon's* House, formerly *Corbet's;* from which Determination the Agents for both the said Colonies appealed to His Majesty in his Privy Council. AND WHEREAS several Tracts of Land to the Northward of the said Partition Line, so decreed by the said Commissioners, have been heretofore taken up or sold, and hitherto, and still are held and possessed by Virtue of Titles derived from and under the Government of *New-Jersey,* or the General Proprietors of the same, or some or one of them, *to wit,* One Tract of Land on the Sixth Day of *November,* One Thousand Seven Hundred and Eighteen, surveyed, and afterwards returned for *John Decker,* for One Thousand Acres, with the usual Allowance for Highways; another Tract on the Eleventh Day of *October,* One Thousand Seven Hundred and Eleven, surveyed, and afterwards returned for *William Tidsworth,* for Three Hundred and Fifty Acres, with the usual Allowance for

Highways; another Tract on the Twenty-ninth Day of *July,* One Thousand Seven Hundred and Thirty-one, surveyed, and afterwards returned for *Samuel Green,* for Seven Hundred and Eighty-three Acres, with the usual Allowance for Highways; and Two other Tracts of Land mentioned to contain together Five Hundred Acres, besides the usual Allowance for Highways, surveyed and returned for *Johannes Westphalia, Claus Westphalia, Simon Westphalia, Tunis Quick, Remora Quick,* and *Cornelius Doutcher,* only about One Hundred Acres of which last mentioned Two Tracts are now held and possessed by Virtue of the said Survey, the Remainder thereof being now held and possessed by Persons claiming under the Colony of *New-York;* another Tract of Land at the Northeast End of the *Long Pond,* surveyed and returned for, or at the Request of *Peter Schuyler,* containing Four Hundred and Two Acres, and Forty-nine Hundredths of an Acre, strict Measure, which, after Allowance for Highways, was to remain for Three Hundred and Eighty-three Acres, and Thirty-two Hundredths of an Acre; and also another small Tract, surveyed the Twelfth Day of *July,* One Thousand Seven Hundred and Sixty-three, for *John* and *Gertrude Schuyler,* situate adjoining the Tract last above-mentioned, and containing Thirteen Acres, and Fifty-nine Hundredths of an Acre: Several other Tracts of Land sold and conveyed by the Devisees of *James* and *Mary Alexander,* to sundry Persons, on the Thirteenth Day of *December,* One Thousand Seven Hundred Sixty-two, *to wit,* to *Elijah Inman,* One Hundred and One Acres, and Seven Hundredth Parts of an Acre; to *Hannah Forguson,* One Hundred and Twenty-three Acres, and Fifty-one Hundredth Parts of an Acre; to *George Kimber,* One Hundred and Sixty-one Acres, and Seventy-four Hundredth Parts of an Acre; to *Hezekiah Lorin,* Ninety-seven Acres, and Fourteen Hundredth Parts of an Acre; to *Inman Wallin,* Sixty-six Acres, and Ninety-three Hundredth Parts of an Acre; to *Benjamin Van Vleet,* One Hundred and Four Acres, and Thirty-five Hundredth Parts of an Acre; to *Bryant Hammell,* One Hundred and Thirty-five Acres; to *James Clark,* One Hundred and Four Acres, and Fifty-six Hundredth Parts of an Acre; to *Jacobus Rosekrans,* One Hundred and Seventy-three Acres, and Thirty-five Hundredth Parts of an Acre; to *Johannes Westbrook,* One Hundred Acres; to *John Davis,* One Hundred and Fifty-two Acres; to *Jacob Middagh,* Two Hundred and Thirteen Acres, and Seventy-six Hundredth Parts of an Acre; and to *Josias Cole,* One Hundred Acres; and another Tract of Fifty Acres, sold and conveyed by *Andrew Johnston* to *George Kember,* on the Eighth Day of *August,* One Thousand Seven Hundred and Fifty-nine, a Part of which lays to the Southward of the said Partition Line; another Tract of Eighty-seven Acres, and Fifty-six Hundredth Parts of an Acre, sold and conveyed by *Benjamin Thomson* to *Johannis Westbrook,* on the Fourth Day of *May,* One Thousand Seven Hundred and Sixty-three; Two other Tracts of Land, sold and conveyed by *James Alexander, William Burnet,* and *James Parker,* to *Richard Gardiner,* on the Thirtieth Day of *March,* One Thousand Seven Hundred and Fifty-three, the one Tract containing One Hundred and Seventy Acres, and the other Eight Acres; another Tract of Forty Acres, and Sixty-three Hundredth Parts of an Acre, sold and conveyed

by the Devisees of *James* and *Mary Alexander,* to the said *Richard Gardiner,* on the Third Day of *January,* One Thousand Seven Hundred and Sixty-three; and another Tract of One Hundred and Seventy-three Acres, sold and conveyed by the said Devisees of the said *James* and *Mary Alexander,* to *Joseph Barton,* on the Sixteenth Day of *December,* One Thousand Seven Hundred and Sixty-two, Part whereof lays to the Southward of the said Partition Line; another Piece of Land containing about One Acre, sold and conveyed by *David Ackerman* to *Jacobus Van Buskirk,* on the Twelfth Day of *February,* One Thousand Seven Hundred and Sixty-two: Also several other Tracts of Land purchased, surveyed and located for the Proprietors of the *Stirling Iron Works, to wit,* One Tract containing Fifty Acres, surveyed the Tenth Day of *November,* One Thousand Seven Hundred and Thirty-six, to *Cornelius Board,* and *Timothy Ward;* Six small Tracts containing in the Whole Twenty-seven Acres, and Seventy-two Hundredths of an Acre, surveyed the Twelfth Day of *Feburary,* One Thousand Seven Hundred and Thirty-eight, to the said *Board* and *Ward;* Six other Tracts of Land containing in the Whole Three Hundred and Seventy-one Acres, and Fifty-three Hundredths of an Acre, surveyed the Twenty-third Day of *July,* One Thousand Seven Hundred and Forty, to *Timothy Ward, William Smith,* and Company; and another Tract of Ten Acres, and Eight Tenths of an Acre, surveyed the Twenty-ninth Day of *November,* One Thousand Seven Hundred and Fifty-seven, to *William Hawkhurst;* Three other Tracts containing in the Whole One Hundred and Thirty-one Acres, and Twenty-five Hundredths of an Acre, surveyed to *James Burling,* the Seventeenth Day of *May,* One Thousand Seven Hundred and Fifty; and another Tract containing Ten Acres, and Twenty-nine Hundredths of an Acre, surveyed to *William Hawkhurst,* the Twentieth Day of *July,* One Thousand Seven Hundred and Sixty-one. AND WHEREAS several other Tracts of Land to the Southward of the said Partition Line, so decreed by the said Commissioners, have been heretofore patented, and hitherto, and still are held and possessed by Virtue of Titles derived under the Government of *New-York, to wit,* Sundry Tracts of Land included in the following Bounds; BEGINNING at the aforesaid Rock, on the West Side of *Hudson's* River, in the Latitude of Forty-one Degrees, and runs from thence Southerly along *Hudson's* River, to the Southeast Corner of the Land, now in the Possession of *Mattys Bogert;* and from thence Westerly along the South Side of the said *Mattys Bogert's* Land, and along the Lines of the Lands now in the Possession of *Isaac Westervelt* and *Garret Westervelt,* to the *Tiene* Kill; and then along the said kill to *Dwars* Kill to *Demarest's* Kill or *Hackinsack* River, and from thence along the said River to the Mouth of *Pascack* River; and then along the said *Pascack* River till it comes to the Lands of *David Demarest;* and then Westerly around his Lands, and including the same to the said *Pascack* River; and then along the said *Pascack* River, to the said Partition Line decreed as aforesaid; and then along the said Partition Line to the Place of Beginning; and another Tract of Land sold and conveyed by *Benjamin Ask* and *Lancaster Symes,* to *Thomas De Kay,* containing One Thousand Three Hundred and Twenty Acres, Part of which lies to the Northward of the said Partition Line.

AND WHEREAS it is conceived just and equitable, That the present Possessors of the said Lands, on each Side of the said Partition Line, who have not only purchased the same for a valuable Consideration, but many of them have laid out all their Substance in the Improvement thereof, should be secured in the Enjoyment of the Fruits of their Labour and Industry;

BE IT THEREFORE ENACTED *by His Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same,* That the said Partition Line so decreed by the said Commissioners, is, and shall forever hereafter remain, and be the Boundary and Line of Partition between this Colony and the Colony of *New-York.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That *James Parker, John Stevens,* and *Walter Rutherfurd,* Esquires, or any two of them, shall be, and hereby are appointed Commissioners to join with such as may be appointed on the Part of the Colony of *New-York,* to ascertain and mark the said Partition Line, so that it may be sufficiently known and distinguished; and the said Commissioners are hereby directed and required to make the before-mentioned Rock, on the West Side of *Hudson's* River, marked by the Surveyors, in the Latitude of 41° with a straight Line throughout its Surface, passing through the Place marked by the Surveyors, and with the following Words and Figures, *to wit,* "Latitude 41° North," and on the South Side thereof the Words "*New-Jersey,*" and on the North Side thereof the Words "*New-York,*" and to mark every Tree that may stand in the said Line with Five Notches and a Blaze, on the Northwest and Southeast Sides thereof; and to put up Stone Monuments at One Mile Distance from each other along the said Line, and to Number such Monuments with the Number of Miles the same shall be from the before-mentioned marked Rock, on the West Side of *Hudson's* River, and mark the Words "*New-Jersey*" on the South Side, and the Words "*New-York*" on the North Side of every of the said Monuments; the One Half of the Expence whereof shall be paid by this Colony, out of any Monies which may be in the Treasury, upon Warrants to be issued by the Governor or Commander in Chief of this Colony for the Time being, with the Advice of Council, provided the whole Expence to be paid by this Colony, shall not exceed the Sum of *Fifty Pounds.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the several and respective Patentees, Vendees, Possessors and Claimants, of all and every the said Tracts of Land to the Southward of the said Boundary or Partition Line, which are now held and possessed in Virtue of Titles derived under the Government of *New-York,* as above described, and their Heirs and Assigns, shall severally hold and for-ever enjoy the Property of all, and any, and every of the said Tracts of Land, so as aforesaid respectively purchased and possessed, as fully, and in the same Manner, to all Intents and Purposes whatsoever, as if the same had, by Virtue of this Act, been determined to be within the Colony of *New-York,* without any Let, Suit, Disturbance or Molestation of the General Proprietors of *New-Jersey,* or any of them, or any Person or Persons claiming, or to claim, by, from or under the said General

Proprietors, or any, or either of them, or by Virtue of any Title derived under the said Government of *New-Jersey.*

AND WHEREAS some Persons before the Fifteenth Day of *July,* One Thousand Seven Hundred and Sixty-four, may have, *bona fide,* purchased lands under the Government of *New-York,* to the Southward of the said Partition Line, and actually settled and improved the same, and submitted to the Jurisdiction of the said Government, and in like Manner others may have, *bona fide,* purchased Lands under the General Proprietors, or Government of *New-Jersey,* or some, or one of them to the Northward of the said Partition Line, and actually settled and improved the same, and submitted to the Jurisdiction of the said Government, besides those above particularly mentioned, whose Titles ought likewise in Justice to be confirmed;

BE IT THEREFORE FURTHER ENACTED *by the Authority aforesaid,* That the Property of all and every such Tracts and Parcels of Land to the Southward of the said Boundary or Partition Line, as have been, *bona fide,* purchased, and actually settled under the Government of *New-York,* before the said Fifteenth Day of *July,* One Thousand Seven Hundred and Sixty-four, by any Person or Persons then submitting to the said Government of *New-York,* and which now continue to be so held, possessed and submitting, shall be held and forever enjoyed by such respective Purchasers, Possessors, Submittants and Claimants, and their Heirs and Assigns, agreeable to their Meets and Bounds, as fully, and in the same Manner, to all Intents and Purposes whatsoever, as if the same Lands had, by Virtue of this Act, been determined to be within the Colony of *New-York,* without any Let, Suit, Disturbance or Molestation of the General Proprietors of *New-Jersey,* or any of them, or of any Person or Persons claiming, or to claim by, from or under the said General Proprietors, or any, or either of them, or by Virtue of any Title derived under the said Government of *New-Jersey.*

PROVIDED ALWAYS, AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful to and for any Person or Persons claiming Titles under the said Government of *New-York,* to any of the aforesaid Lands or Tenements, hereby intended to be secured to the Purchasers and Possessors, under the said Government of *New-York,* to the Southward of the said Boundary or Partition Line, to commence, sue, prosecute and maintain any Writ, Suit or Action, for the Recovery of their Rights; this Act being only designed to confirm the Titles to such Lands lying to the Southward of the said Partition Line, as are in Manner aforesaid actully held and possessed under the Government of *New-York,* against all Claims under the General Proprietors or Government of *New-Jersey,* but not to determine the particular Rights of the Claimants of such Lands under the Government of *New-York.*

PROVIDIED ALWAYS, That this Act shall not be in Force or take Effect until the Governor or Commander in Chief for the Time being, the Council and the General Assembly of the Colony of *New-York,* do pass an Act similar to this Act, and thereby confirm the Titles of such Persons as hold Lands under the General Proprietors or Government of *New-Jersey,* to the

Northward of the said Partition Line, in the same Manner as those holding Lands under the Government of *New-York,* to the Southward of the said Line, are hereby secured; nor until His Majesty shall have given His Royal Assent, both to this Act and such other Act to be passed by the Governor or Commander in Chief for the Time being, the Council, and the General Assembly, of the Colony of *New-York,* as aforesaid.

Collins (1770), pp. 9-15.

A Supplementary ACT *to an Act, entitled, An* Act *to settle the Quota's in the several Counties in this Colony for the levying of Taxes.*

WHEREAS in the above-mentioned Act is contained a Proviso, That if any Person or Persons shall think him, her, or themselves aggrieved by any Assessment made by any Assessor by Virtue of the said recited Act, it shall be lawful for such Person or Persons to appeal to the next adjacent Justice of the Peace, who is hereby impowered to hear and determine the same, which Mode of Appeal and Adjudication having been found inconvenient and dissatisfactory;

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 of this Act, it shall and may be lawful, for any Person or Persons, who shall think him, her, or themselves aggrieved by any Assessment, to appeal to the next Court of General Quarter Sessions of the Peace, of the same County, which Court, 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.

PROVIDED ALWAYS, That it shall not be lawful for the said Court to reduce any Assessment to a lower Sum than fixed by the before recited Act, or to allow any Appeal by Virtue of this Act, unless the Sum assessed is first paid to the respective Town Collectors.

Collins (1770), pp. 15-16.

An ACT *continuing an Act, 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.*

WHEREAS an Act of the Governor, Council, and General Assembly of this Colony, passed in the Fifth Year of the Reign of His present Majesty, 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,* will expire by its own Limitation at the End of this present Session of General Assembly;

THEREFORE BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the above-mentioned Act, 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,* shall be, and is hereby continued, and every Clause, Article, and Thing therein contained, shall be and remain in full Force for-ever hereafter.

Collins (1770), p. 16.

A Supplementary ACT *to an Act, entitled, An* Act *for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves.*

WHEREAS the above recited Act, hath on Experience been found beneficial to the Public, though not sufficient to answer for the Recovery of the just Debts due from Persons not residing within this Colony, and having an Estate within the same; 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 the Lands, Tenements, Goods, Chattels, Rights and Credits of any Person or Persons residing or being beyond Sea, or in any of the neighbouring Colonies, although they never have resided within this Colony, shall and may be attached and proceeded against in any of the Courts of Law within this Colony, in like Manner in every Article, Matter and Thing, made, provided for, and directed in and by the

said recited Act, relating to and concerning the Lands, Tenements, Goods and Chattels attached in Virtue of and for the Purposes in the same Act mentioned, for the Recovery of any just Debt or Debts now due, or which hereafter shall become due from such Person or Persons residing in Parts beyond the Sea, or in any of the neighbouring Colonies, to all and every of his, her or their Creditor or Creditors, taking out a Writ of Attachment, or who shall apply to the Court or Auditors appointed by the Court (where such Action shall be depending) for that and other purposes directed by said Act: Excepting and providing always, that instead of the Oath or Affirmation directed to be taken by the same Act, the Person or Persons applying in Virtue of this Act, for the Writ of Attachment directed by the said recited Act, shall make Oath or (if a Quaker) Affirmation, which shall be filed in the Clerk's Office from whence and before the same issues, that he, she or they, verily believe the Defendant or Defendants reside in Parts beyond the Sea, or in one of the neighbouring Colonies; and that he, she or they do verily believe that the Defendant or Defendants do owe to the Plaintiff or Plaintiffs more than what is cognizable before a Justice of the Peace within this Colony.

AND WHEREAS the Creditor and Creditors intended to be provided for by this Act, may be put to great Difficulty in recovering his, her or their just Debt or Debts now due, or which shall hereafter become due, from joint Partners, joint Tenants, or Tenants in Common in Company, many of whom are not known to their Creditor or Creditors, and many Times cannot be known to them; for Remedy whereof,

BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Creditor or Creditors, at any Time or Times hereafter, to commence, sue and prosecute his, her or their Writ or Writs of Attachment against one or more of such joint Partners, joint Tenants, or Tenants in Common in Company, by Name, with the Name or Stile of the Partnership or Company, or by whatever Name they are generally stiled, called or known; and in such Case, the Lands, Tenements, Goods, Chattels, Rights and Credits of such joint Partners, joint Tenants, Tenants in Common and Company, and every of their respective Heirs, Executors and Administrators, shall be and are hereby made subject and liable to the Payment of the just Debts, found and adjudged to be due from joint Partners, joint Tenants, Tenants in Common and Companies, to their Creditor and Creditors; to be recovered agreeable to the Mode, and in the Manner directed by the above recited Act, in as full and ample a Manner, to all Intents and Purposes, as if the several Debtors had been particularly named in the several Parts of the Proceedings had and made on this or said former Act.

AND for the Recovery of Debts cognizable before a Justice of the Peace; BE IT ENACTED *by the Authority aforesaid,* That any Justice of the Peace within this Colony, on Application and Affidavit or Affirmation made before him to the Purpose aforesaid, shall, and is hereby required to issue an Attachment under his Hand and Seal, to any Constable directed, who shall execute the same in Manner aforesaid, on the Effects, Rights and Credits of

the Defendant; and if the Creditor shall make sufficient Proof of the Debt due to him, and of the Effects, Rights and Credits in the Hands of the Garnishee, the said Justice of the Peace shall give Judgment thereon for the Plaintiff, and award and issue his Execution thereof to the Constable, either against the Effects of the Defendant, or against the Garnishee, as in other Cases cognizable before a Justice of the Peace; (who shall have *Two Shillings* for serving the Attachment, and *Three Shillings* for serving the Execution, and no more) but the Effects of the Defendant thereon taken, shall not be sold in less than Three Months, unless the same shall be perishable, to the End the Debtor or his Friend may redeem them, and in the mean Time the same shall be inventoried and safely kept in such Manner as the said Justice in his Discretion shall think fit; and if the Plaintiff shall not make sufficient Proof against the said Garnishee, he shall pay him his Costs; and if need be, the said Justice shall issue his Execution against him for the same.

PROVIDED ALWAYS, That nothing in this Act contained, shall be in Force, until His Majesty's Royal Assent be obtained thereto.

Disallowed 15 Jan. 1772.
Collins (1770), pp. 17-19.

An ACT *to raise a Fund for defraying Damages done by Dogs, in the Counties of* Somerset, Hunterdon, Burlington, *and* Gloucester.

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 the Counties of *Somerset, Hunterdon, Burlington,* and *Gloucester,* 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 *Two Shillings* for each Dog; and if there should be more than one Dog kept by any one Person or Family, then the Sum of *Three Shillings* for every Dog kept as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons within the Counties of *Somerset, Hunterdon, Burlington,* and *Gloucester,* 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 the Counties of *Somerset, Hunterdon, Burlington,* and *Gloucester,* 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 the Counties of *Somerset, Hunterdon, Burlington,* and *Gloucester,* 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 in any Court where the same shall be cognizable, and recover the same with Costs of Suit; but if the said Owner

shall kill his Dog, then the Party aggrieved, shall be entitled 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 his, her or 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 proved by any disinterested Evidence, that such Dog was ever before concerned 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 the Counties of *Somerset, Hunterdon, Burlington,* and *Gloucester,* 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 that Purpose; but if they, or any of them, should not have Money sufficient to pay the Whole, in 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 Balance 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 to be applied as the Township shall direct at their annual Town-Meeting.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Collector or Collectors of each respective City, Town or Precinct, within the Counties of *Somerset, Hunterdon, Burlington,* and *Gloucester,* 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 the Counties of *Somerset, Hunterdon, Burlington,* and *Gloucester,* 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 within the Counties of *Somerset, Hunterdon, Burlington,* and *Gloucester,* 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 Two Years from the Publication thereof, and from thence to the End of the next Session of General Assembly.

Collins (1770), pp. 19-22.

An ACT *to regulate the Pasturing the Lands, Meadows and Islands in Common, lying on and adjoining to a certain Beach, known by the Name of* Barnegat *or* Long-Beach, *and for other Purposes therein mentioned.*

WHEREAS the Owners and Proprietors of a certain Tract of Land, Meadows and Islands, situate in the Township of *Stafford,* and County of *Monmouth,* called *Barnegat* or *Long-Beach,* have by their Petition set forth, That the Situation and Circumstances attending said Beach, Meadows and Islands, are such that they cannot conveniently be divided in the ordinary Way, by Fences or Ditches; by Means whereof, it is in the Power of a few Proprietors to greatly prejudice the said Beach and Meadows, by overstocking the same, and receiving the whole Profits to themselves; and praying a Law to limit and regulate the Pasturing said Beach, Islands and Meadows in Common, which is but reasonable and just; 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 from and after the Tenth Day of *May,* which will be in the Year of Our Lord One Thousand Seven Hundred and Seventy-one, no Possessor, Owner, or their Representatives, shall put on, or suffer to run at Large on said Beach, Islands and Meadows, a greater Number of Horses, Horned Cattle, Sheep, or other Stock, than in Proportion to the Quantity and Quality of the Lands, Islands and Meadows, he or they shall respectively hold or be entitled unto.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Proprietors, Owners, or their Representatives, to meet and assemble yearly on the Fourth *Tuesday* in *October,* at the now Dwelling-House of *Benjamin Randolph,* in the Township of *Stafford,* or any other Place, to be hereafter appointed by a Majority of the said Proprietors, Owners, or their Representatives met and assembled, and then and there choose three

Managers to regulate the Pasturing said Beach, Islands and Meadows, which Managers shall be, and are hereby invested with Power to enter upon said Beach, Islands and Meadows, view the same, and to limit and proportion the Number of Horses, Horned Cattle, Sheep or other Stock, each Proprietor or Owner shall put on or let run at Large on said Beach, Islands and Meadows, in Proportion to the Quantity and Quality of the same.

AND BE IT ENACTED *by the Authority aforesaid,* That once in every Year, the Increase of the Horses, Cattle, Sheep and other Stock, shall be branded or marked with the Brand or Mark of the respective Owners; for which Purpose the Managers or any Two of them, shall have Liberty to erect one or more Pounds, the Expences of which shall be paid by the respective Owners in Proportion to the Number of Horses, Horned Cattle, Sheep or other Stock, he or they may have on said Beach, Island or Meadows.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, Owner or Owners, shall put on or suffer to run at Large on said Beach, Islands or Meadows, a greater Number of Horses, Cattle, Sheep or other Stock, than shall be limited and agreed upon by the Managers to be chosen as aforesaid; every such Person so offending, shall forfeit and pay into the Hands of the Managers, or either of them, the Sum of *Two Shillings* for each Horse Kind, *One Shilling* and *Six-pence* for each Horned Cattle Kind, and *Nine-pence* for each Sheep or other Stock, for every Week they shall so run at Large: And if after Four Weeks Notice being given by either of the Managers to the Person or Persons delinquent, or by Advertisements to be fixed up in two of the most publick Places in the Township of *Stafford;* and if the Owners or other Persons claiming such Horses, Cattle, Sheep or other Stock, trespassing as aforesaid, shall neglect or refuse to pay the weekly Expence as aforesaid, it shall and may be lawful for the Managers, or any Two of them, to sell by publick Sale, such Horses, Horned Cattle, Sheep or other Stock; and if no Owner or Claimer shall appear and make Satisfaction for the Damages, Cost of advertising and selling, within Four Weeks after such Sale, the Monies arising therefrom shall be agreeable to the Proportion in the First Section of this Act, paid to each Proprietor or Owner, the Managers retaining in their Hands a reasonable Sum for their Trouble and Expences in advertising and selling.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers aforesaid shall keep a Book in which they shall make Entries of all their Proceedings done in Pursuance of this Act, and particularly set down the Names of the several and respective Owners or Proprietors, the Quantity of Beach, Islands and Meadows, they respectively hold and are entitled unto, with the Number of Horses, Cattle, Sheep or other Stock each respective Owner or Proprietor is to put on and let run at Large on said Beach, Islands and Meadows, a Copy of which Entry shall be served on each Owner or their Representatives, within One Month after such Regulation and Entry made, that they may govern themselves accordingly; and so as often as the Managers or any Two of them shall make Alterations or Regulations in

Regard to the Pasturing said Beach, Islands and Meadows, Notice thereof shall be given as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That *Anthony Sykes, William Newbold,* and *John Leonard,* are hereby appointed Managers for the ensuing Year, and so to continue till such Time as others are chosen in their Room, who are hereby invested with the Powers of Managers, as in and by this Act are expressed and declared.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owners or Proprietors of said Beach, Islands and Meadows, shall neglect to meet on the Time aforesaid, for choosing Managers; in such Case, the Managers chosen for the preceding Year, shall have the same Powers as before, until others are chosen in their Room.

AND BE IT ENACTED *by the Authority aforesaid,* That the Waters surrounding all that Beach-Island, called *Barnegat* or *Long-Beach,* and also the Waters which surround a certain Island, called *Beach-Island,* lying and being next unto and on the North of *Long-Beach,* shall be deemed a lawful Fence around each of the said Islands, so as to support any Action or Actions of Trespass for any Trespass committed or done on those Islands, or either of them; and that all Trespassers within those Premises, shall be subject to the like Penalties as are inflicted by the Laws of this Province on Trespassers on any of the inclosed Lands within this Colony.

Collins (1770), pp. 22-24.

An ACT *to prevent Swine running at Large in the Town of* Haddonfield, *in the County of* Gloucester.

WHEREAS the Freeholders and other Inhabitants of the Town of *Haddonfield,* by their humble Petition have set forth, That Numbers of Swine have been suffered to run at Large in the public Streets of said Town, to the great Damage of the Inhabitants in general, by their rooting up the Streets, Walks and common Pastures thereof; for Remedy of which Inconvenience in Future,

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 Freeholders and Inhabitants in said Town, at the annual Town-Meeting of the Township of *Newton,* next after the Publication of this Act, to meet, and

by a Majority of Voices, fix upon a convenient Place to erect a Pound sufficient to hold Swine, and in like Manner at the annual Town-Meeting as aforesaid, and so on yearly, and every Year, during the Continuance of this Act, to choose a Pound-keeper.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Swine above the Age of One Month, shall be found in the publick Highways, Streets, Walks or common Pastures of the said Town, within Half a Mile of the Market-House, the Pound-keeper to be chosen by Virtue of this Act, upon Sight or Information thereof, is hereby required and commanded to use his utmost Endeavours by any Ways and Means to impound any such Swine in the Pound to be erected as aforesaid; and it shall and may be lawful for any other Person or Persons to impound any such trespassing Swine as aforesaid, until the Owner or Owners of such Swine, so impounded as aforesaid, shall pay the Sum of *Three Shillings* for each Swine so impounded, unless such Owner or Owners can make it appear that any such Swine accidentally broke out of their Inclosures, and had not been out above Six Hours; then and in that Case the Keeper of the Pound is required to demand but *One Shilling* for every such Swine, and the said Pound-keeper shall and may retain and keep in his Hands, *One Shilling* for every Swine so impounded and redeemed as aforesaid, and shall pay the Remainder into the Hands of the Overseers of the Poor of the Township of *Newton,* for the Use of the Poor of said Township.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owner or Owners of such Swine so impounded as aforesaid, do not redeem the same in Manner aforesaid, within Twenty-four Hours after their being so impounded, it shall and may be lawful for the Keeper of the Pound, and he is hereby required to give Notice thereof within Twelve Hours thence next after, unto One of the Overseers of the Poor of the Township of *Newton* aforesaid, who is hereby required to sell the same at Publick Vendue, advertising the Time and Place at least Five Days before such Sale, in Four of the most publick Places in the said Township; and for every such Swine so sold, said Overseer shall have *One Shilling,* and shall pay unto the Keeper of the Pound *One Shilling* for impounding, and *Four-pence* per Day for keeping after the First Twenty-four Hours, and shall apply the Remainder to the Use of the Poor, as aforesaid.

PROVIDED ALWAYS, That nothing in this Act shall extend to the impounding any Swine that may accidentally stray from the Plantations of *Samuel Clement, John Estaugh Hopkins, John* and *Joseph Key, Joseph Hinchman,* and a Plantation late *Haddon Hopkins,* unless the Owner suffer the said Swine to run at Large on the Common aforesaid, Twelve Hours after Notice is given to the Owner of such Swine.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall be and continue in Force for Five Years after the Publication thereof, and from thence to the End of the next Session of General Assembly.

Collins (1770), pp. 25-26.

An ACT *to enable Persons who are His Majesty's Liege Subjects, either by Birth or Naturalization, to inherit and hold Real Estates, notwithstanding the Purchase, Grant or Devise, were made before Naturalization within this Colony.*

WHEREAS a Number of foreign Protestants born without the Liegeance of the Crown of *Great-Britain,* are settled within this Colony, who being unacquainted with the Laws and Customs thereof, have purchased and acquired Real Estates within the same before they were naturalized: AND WHEREAS Doubts may arise whether the Grantees and Possessors of Estates so acquired, have a legal Title to the same, which may occasion great Confusion, and tend to obstruct the Peopling of this Colony in Future; THEREFORE, in tender Regard to such innocent and honest Purchasers and Possessors, We, the House of General Assembly, confiding in His Majesty's known Justice and Attention to the Welfare and Prosperity of his Colonies, do most humbly 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 the Title and Claim of every Inhabitant of this Colony, to and for any Lands or Tenements granted or made by any Alien before naturalized by Law, and before the Publication of this Act, shall not be defective or in any wise disputable, merely by Reason of such Alienism, either in the Grantors or Grantees; or of any Person claiming and holding by Descent from and under such Purchase, but such Title or Titles shall be good and valid to all Intents and Purposes, notwithstanding the Plea of Alienism in such Cases.

PROVIDED ALWAYS, That nothing in this Act contained, shall be construed to extend to any Lands or Tenements heretofore vested in the Crown by Office found, or after such Findings heretofore, re-granted to any of His Majesty's Subjects; nor shall this Act be in Force until His Majesty shall have approved of the same.

Disallowed 15 Jan. 1772.
Collins (1779), pp. 26-27.

An ACT *to naturalize* Frederick Outgelt, Leonard Nymaster, Peter Lupp, John Bower, Lawrence Eykeinier, George Obert, Peter Obert, *and* John Irick.

WHEREAS *Frederick Outgelt, Leonard Nymaster, Peter Lupp, John Bower, Lawrence Eykeinier, George Obert, Peter Obert,* and *John Irick,* 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 or are desirous of settling within this Colony 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 *Frederick Outgelt, Leonard Nymaster, Peter Lupp, John Bower, Lawrence Eykeinier, George Obert, Peter Obert,* and *John Irick,* shall be from henceforth deemed, taken and esteemed to be as His Majesty's natural free-born Subjects within this Colony; and they, and each of them, and each of their Heirs, shall be, and are entitled unto the same Laws, Liberties, Rights and Privileges, as any of His Majesty's natural free-born Subjects within the same; any Law, 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 *Frederick Outgelt, Leonard Nymaster, Peter Lupp, John Bower, Lawrence Eykeinier, George Obert, Peter Obert,* and *John Irick,* 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 Colony, any Thing herein contained to the contrary notwithstanding.

Collins (1770), pp. 27-28.

Twenty-first Assembly, Fourth Session

First Sitting

17-29 Apr. 1771

Burlington

No acts passed.

Twenty-first Assembly, Fourth Session

Second Sitting

28 May-1 June 1771

Burlington

No acts passed.

Twenty-first Assembly, Fourth Session

Third Sitting

20 Nov.-21 Dec. 1771

Burlington

All acts passed 21 Dec. 1771.

An ACT *for the Support of Government of His Majesty's Colony of* New Jersey, *to commence the First Day of* October, *One Thousand Seven Hundred and Seventy-one, and to end the First Day of* October, *One Thousand Seven Hundred and Seventy-two, and to discharge the Public Debts, and Contingent Charges thereof.*

WHEREAS the Act for the supporting of Government of His Majesty's Colony of *New-Jersey* expired on the First Day of *October* 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 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 cheerfully 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 any unappropriated Money now in the Treasury, or that may come therein, by Payment of any Sum or Sums now outstanding, and due to this Colony, or otherwise as herein after is provided, *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 First Day of *October* last.

To *Frederick Smyth,* Esquire, Chief Justice of this Colony, at the Rate of *One Hundred and Fifty Pounds per Annum,* Money aforesaid, to be computed from the Time of his Return to *New-Jersey,* and taking upon himself the Execution of that Office.

To *Charles Read,* Esquire, Second Justice of the Supreme Court of this Colony, at the Rate of *Seventy-five Pounds per Annum,* Money aforesaid.

To *John Berrien,* Esquire, Third Justice of the Supreme Court of this Colony, at the Rate of *Fifty Pounds per Annum,* Money aforesaid.

To *Cortland Skinner,* Esquire, 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, at the Rate of *One Hundred Pounds per Annum,* Money aforesaid.

To the Clerk of the Circuits, for the Time being, residing in 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 several Sums above-mentioned shall be paid to the several Officers before-mentioned 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 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,* Esquire, 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 First Day of *October,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-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 authorized and commanded to pay to His Excellency *William Franklin,* Esquire, or to the said other Officers, or to his or their several Executors, Administrators, and Assigns, or to their Orders, out of the Money 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,* Esquire, 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 Public 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, That not any Thing shall be paid to either of the Justices aforesaid, for holding any of the above-said 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 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. And to the said *Richard Smith,* the Sum of *Two Pounds Nine Shillings* and *Ten-pence,* for Freight of the Assembly-Box; and for the Charges of printing and publishing the Ferry Law.

To *Charles Pettit,* Esquire, Deputy Secretary, for copying Public Laws, to send Home to *England,* during the Continuance of this Act, *Four-pence* per Sheet, reckoning Ninety Words to the Sheet.

To *Charles Pettit,* Esquire, *Fifty-two Pounds,* for Expresses to summon the General Assembly, in *September,* One Thousand Seven Hundred and Seventy; for Expresses to *Cape-May,* to summon Justices, in *February,* One Thousand Seven Hundred and Seventy-one, on especial Occasion; and for Expresses to summon the General Assembly, in *April,* One Thousand Seven Hundred and Seventy-one; and in *November,* One Thousand Seven Hundred and Seventy-

one. And to the said *Charles Pettit,* the Sum of *Twenty-five Pounds,* for several extraordinary Services.

To *Thomas Polegreen Hewlings, Twenty Shillings* per Week, to pay for a Room, Fire Wood and Candles, for the Council; and also a Sum not exceeding *Twelve Pounds,* to pay for a Room, Fire Wood and Candles, for the Use of the House of Representatives, during any Sitting within the said Term.

To *Abraham Clark, Azariah Dunham,* and *Ephraim Terrill,* such a Sum, not exceeding *Forty Pounds,* as *Stephen Crane, John Wetherill,* and *Reune Runyon,* Esquires, or any two of them, shall think proper to allow for the Payment of their Account against the Colony.

To each of the Treasurers of this Colony, *Six-pence per Pound,* for exchanging ragged and torn Bills of Credit of this Colony.

To *Isaac Collins,* 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 *Hendrick Fisher, Stephen Crane, Abraham Hewlings,* and *Henry Paxson,* 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 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 several 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 Member 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.

AND WHEREAS several Sums of Money, being Part of the Parliamentary Donations, are yet outstanding upon Bonds and Mortgages, taken by the Eastern Treasurer, pursuant to a Law of this Colony; and although the Securities for the same, are deemed sufficient, and the Fee of one of them is invested in the said Treasurer, for the Use of the Colony, yet as no Sale can be made of the Lands thereby mortgaged, nor Time of Payment given, nor can the said Treasurer, without legal Authority, take the proper Steps to foreclose the Equity of Redemption of the other Mortgages, or prosecute the Bonds; BE IT ENACTED *by the Authority aforesaid,* That immediately after Publication of this Act, it shall and may be lawful for the Treasurer of the Eastern Division, for the Time being, and he is hereby authorized and directed publicly to advertise and sell all such Lands, Tenements, and Hereditaments, the Fee of which is or may be invested in him, for the Use of this Colony; and to give such reasonable Days or Times of Payment, as he shall think most advantageous for the Public Interest, provided always, that such Days, or Times of Payment, do not exceed the Term of Two Years from the First Day of *May* next; and the said Treasurer, for the Time being, is hereby also authorized, impowered and directed, to sue for, recover and receive, from all and every Person, all such Sum and Sums of Money as are now outstanding on Bond or Mortgage, for Monies due as aforesaid; and, if need be, to take all and every lawful Way and Means, to foreclose the Equity of Redemption of such Mortgage, or Mortgages, and thereupon to sell and dispose of the Lands, Tenements, and Hereditaments, by the Mortgages secured, at Public Sale, and to the best Advantage, giving Day of Payment as aforesaid, under the Proviso and Restriction, that the several Days of Payment, in the whole, do not exceed the Term of Two Years from the Day of such Sale.

PROVIDED ALWAYS, That if any Person indebted to this Colony, by Bond or Mortgage, (the Equity of Redemption of which Mortgage is not foreclosed, or the Fee in the Lands mortgaged, is not invested in the said Treasurer, for the Use of this Colony) shall and do execute a Warrant of Attorney for the confessing Judgment, or Judgments, for the Monies due on such Bond or Mortgage; that then, and in such Case, it shall and may be lawful for the said Treasurer to delay entering up such Judgment, and issuing Execution thereon, for Twelve Months from the Publication of this Act.

AND, That the Sums hereby given may be duly paid, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Treasurers of this Colony, and they are hereby authorized to apply the Money made subject to the Demand of the Committee of Correspondence, by Act of Assembly of the Thirty-first of *George* the Second, to the Payment

of the several Sums herein and hereby given and granted.

AND, for the Replacing the said Money in the Treasury, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Treasurers, and they are hereby directed and required, out of any Money outstanding on Bonds and Mortgages, as the same shall be by them, or either of them, received, after Payment of the several Sums in this Act mentioned, to replace all such Money as shall be advanced as aforesaid; which Money when so replaced, shall be subject to the Demand of *Cortland Skinner, John Wetherill, Hendrick Fisher, Joseph Smith, Aaron Leaming, Ebenezer Miller, Henry Paxson,* and *Abraham Hewlings,* Esquires, the present Committee of Correspondence, or any Three of them, in the same Manner, and to be applied to the same Purposes, as in and by the said Act of the Thirty-first of *George* the Second is directed.

Collins (1771), pp. 3-9.

An ACT *to continue and amend 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 expire at the End of this Session of Assembly,

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 *May* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-seven, and from thence to the End of the next Session of the General Assembly of this Colony, and no longer.

AND WHEREAS it has been a Custom of late, in some of the Counties of this Colony, to choose the Militia Officers Constables; for preventing the

same for the future, BE IT ENACTED *by the Authority aforesaid,* That during the Continuance of this Act, it shall not be lawful for any Court of General Quarter Sessions of the Peace, or for any of the Inhabitants of this Colony, at their annual Town Meetings, to appoint or choose any commissioned Officer, while in Commission, to be a Constable; any Law, Usage, or Custom, to the contrary notwithstanding.

Collins (1771), p. 10.

An ACT *for defraying Incidental Charges.*

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 authorized and directed to pay the several Sums herein after mentioned, to the several Persons following; *That is to say,*

To His Excellency the Governor, or to his Order, the sum of *Three Hundred and Eighteen Pounds* and *Six-pence,* to pay for Necessaries for the Regiment lately stationed in this Colony.

To *Thomas Polegreen Hewlings, Twenty Shillings* per Week, to pay for a Room, Firewood, and Candles, for the Use of the Council, at the Sittings in *April, May,* and *June* last.

To *Hendrick Fisher,* Esquire, *Seventy-eight Pounds One Shilling and Eleven-pence,* being the Balance of his Account, as one of the late Barrack-Masters of this Colony.

To *Reuben Runyon, Fifty-five Pounds Fifteen Shillings and Ten-pence,* being the Balance of his Account, as one of the late Barrack-Masters of this Colony.

To *Isaac Pearson Rodman, Eleven Pounds Eight Shillings* and a *Half-penny,* being the Balance of his Account, as one of the said late Barrack-Masters.

To *Abraham Hunt, Forty-eight Pounds Ten Shillings,* being the Balance of his Account, as one of the said late Barrack-Masters.

To *Alexander Chambers, Twenty-six Pounds Three Shillings and Six-pence,* being the Balance of his Account, as one of the said late Barrack-Masters.

To *Edward Thomas, Ten Pounds Two Shillings and Three-pence,* being for Repairs of the Barracks at *Elizabeth Town.*

Collins (1771), pp. 10-11.

An ACT *for the Speedy recovering of Debts, from* Six Pounds *to* Ten Pounds, *in the Inferior Courts of Common Pleas of this Colony, for small Fees.*

WHEREAS the present Mode of recovering Debts in the Inferior Courts of this Colony, from *Six Pounds* to *Ten Pounds,* is inconvenient and expensive; 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 of this Act, all Actions of Debt, and other Demands, for and under the real Value of *Ten Pounds,* and above *Six Pounds,* Money according to the Proclamation of the late *Queen Anne,* shall be sued for, and prosecuted, in the Inferior Courts of Common Pleas of the Counties, Cities, or Towns Corporate, of this Colony, before the Judges and Justices of the said Counties, Cities, or Towns Corporate, in the Manner following, and not otherwise; *That is to say,* for the Recovery of any such Debt, or other Demand, as aforesaid, it shall and may be lawful for any Justice of the Peace, of any of the Counties, Cities, or Towns Corporate, in this Colony, on Application to either of them, 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 before the Judges and Justices of the said County, City, or Town Corporate, at the next Court of Common Pleas, to be held at the Court-house in and for the said County, City, or Town Corporate, to answer the Plaintiff's Demand; at which Day, it shall and may be lawful, for the said Judges and Justices, and they are hereby authorized, and directed to proceed, and hear, and examine the Allegations and Evidences of the Plaintiff, and Defendant, in a summary Way, and without any further written Proceedings, and give Judgment thereon in such Manner, by Non-suit, or otherwise, as to them shall appear agreeable to Equity and Justice, and award Execution thereupon, directed to the Constable, or Constables, of the Township wherein the Party resides, with such Costs as are herein after allowed.

AND BE IT ENACTED *by the Authority aforesaid,* That the Process against Freeholders, shall be by Summons only, and a Copy thereof served on the Defendant, or left at his House or Place of Abode, in the Presence of one or more of his Family or Neighbours, who shall be informed of the Contents thereof at least ten Days before the Day of Return therein mentioned. And that the Process against Persons, not Freeholders, shall be by Warrant, in the Nature of a *Capias* or Summons, at the Election of the Plaintiff or Plaintiffs, which shall be served on the Defendant, at least ten Days before the Day of Return therein mentioned; and on each and every such Summons or Warrant shall be indorsed the Debt due, or Sum demanded, with Costs: And in case the Defendant shall think proper to pay

such Debt or Demand, with the Costs so indorsed as aforesaid, that then, and in such Case, it shall be lawful for the Constable to receive the same, and his Receipt shall be a full Discharge to such Defendant, from such Debt or Demand, and all or any future Costs. And in case the Defendant, or Defendants, do not appear on the Return of such Process, or either of them, and the same appearing to the said Court duly served upon the Defendant, or Defendants, in Manner aforementioned, by the Oath or Affirmation of the Constable serving the same, if necessary, and no sufficient Reason appearing why the Defendant, or Defendants, do not appear on the Return of such Summons or Warrant, the said Justices shall proceed to hear and determine such Action, or Actions, in the Defendants Absence, give Judgment, and award Execution thereupon, in the same Manner, as if the Defendant had been personally present; but if any reasonable Matter shall be offered to the Court, why the Defendant, or Defendants, did not appear, on such Process as aforesaid, and the same be proved to the Satisfaction of the Court, then the said Court shall and may, in their Discretion, defer the Hearing of such Cause or Causes.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Plaintiff or Plaintiffs so applying, or any other Person or Persons for him, her or them, shall, upon Oath or Affirmation, declare, that he, she or they, sincerely believe, that, if such Process is by Summons only against such Freeholder, he, she or they, will be in Danger of loosing the Debt thereby; or that he, she or they, do really believe that such Freeholder will depart the County, City, or Town Corporate, or otherwise abscond, before the Day of Return; then the said Justice shall issue his Warrant in such Manner as if the Defendant had not been a Freeholder; and upon Service of such Warrant, or any other directed and authorized by this Act, the Constable, serving the same, shall and may, and he is hereby authorized to take one sufficient Person, being a Freeholder, as Bail, in the Sum of *Ten Pounds,* that the Defendant shall be and appear at the Return of the Process, and abide the Judgment of the said Court; for which an Endorsement on the Back of such Process, signed by such Person so becoming Bail, shall be sufficient; and in case the Defendant shall not appear on the Day of such Return, and no sufficient Reasons shall be assigned as aforesaid, that then, and in such Case, it shall and may be lawful for, and the said Court are hereby authorized and directed to enter Judgment against such Bail, and to award Execution for the Plaintiff's just Demand, against the Defendant or Bail, at the Election of the Plaintiff, with Costs; but the Surrender of the Defendant entered on the Minutes of the Court, shall be a sufficient Discharge to such Bail.

PROVIDED ALWAYS, *and it is hereby Enacted,* That any or either of the said Justices shall and may, and they are hereby authorized to issue a Warrant as aforesaid, against any Person or Persons, being Non-Residents, or likely to depart or abscond as aforesaid; and the Service of such Warrant, at any Time before or at the Sitting of such Court, shall be sufficient to enable the Party to recover his or her Debt or Demand, as before is directed, any Thing herein to the contrary notwithstanding.

AND, in case any or either of the Parties shall be desirous to have his Cause tried by a Jury, to prevent any Delay, BE IT ENACTED, That at every Court in the several Counties and Cities of this Colony, the Sheriff of the City or County shall, and he is hereby directed, without any *Venire* issuing for that Purpose, to return, and have ready, twelve Persons, being Freeholders, who shall be by the Court impanelled forthwith to try the Cause or Causes aforesaid; and in case just Cause of Exception shall be taken to any or either of the Jurors so impanelled, or a sufficient Number shall not appear, then, and in such Case, the Court shall and may, in their Discretion, set such Fines on such absenting Jurymen as they shall think reasonable; and shall direct, and the Sheriff is hereby required to complete the Pannel of the Jury aforesaid, from the Freeholders present and attending the said Court, who are hereby required to serve on such Jury, under the like Penalties as Jurors absenting themselves, or neglecting to attend as aforesaid.

AND, that litigious Persons may not delay Payment of just Debts, by unnecessary and expensive Removals of Causes, BE IT ENACTED, That in no Case herein before-mentioned a *Certiorari* or other Writ, for Removal of Causes, shall be allowed, unless the Party demanding such Writ shall first assign his Reasons, and file the same in the Office from whence such Writ shall issue; and shall enter into Recognizance with one good Security, in the Sum of *Twenty Pounds,* with Condition that he will not delay, but prosecute a Determination of the Reasons by him assigned, upon the Return of such Writ; and the Justices of the Supreme Court are hereby required and directed, to allow no such Writ or Writs, until such Reasons are filed, and Recognizance entered into as aforesaid; and in case the Party, bringing such Writ, shall neglect or delay a Determination of the Reasons assigned, at the Term to which such Writs are made returnable, that then, and in such Case, such Writ shall be abated. And if the Party, bringing such Writ of Removal as aforesaid, shall be unwilling or unable forthwith to pay the Costs occasioned by such Removal, with the Debt and Costs recovered in the Court from whence such Cause was removed, that then, and in such Case, the Justices of the Supreme Court shall, without further Process or Proceedings, enter Judgment on the Recognizance aforesaid, and immediately award Execution against the Security therein mentioned, as well for the Costs of such Removal, as for the Debt and Costs recovered in the Court from whence such Cause was removed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in case any Constable shall neglect the Service of any Summons or Warrant, or neglect to take good and sufficient Bail as aforesaid, or do any Matter or Thing whereby the Plaintiff shall loose his Debt, or suffer any Damage, he shall be liable to pay to the Plaintiff or Plaintiffs his Debt so lost, or Damages suffered, with Costs of Suit, to be sued for and recovered as herein before is directed.

AND BE IT ENACTED *by the Authority aforesaid,* That no greater or other Fees shall be allowed, taxed or taken, on any Pretence whatever, in

Actions brought in the Manner by this Act directed, than as in this Act is appointed; *That is to say,*

JUSTICES FEES.

A Summons, *Six-pence.*
Warrant, *One Shilling.*
Summons for Evidences, *Six-pence.*

SHERIFF.

For every Cause tried by a Jury, *Three Shillings.*

CONSTABLES FEES.

Serving every Warrant or Summons, and Copy thereof, *Two Shillings and Six-pence.*
Taking Bail, *One Shilling.*
Every Execution, *Two Shillings and Six-pence.*

COURTS FEES.

In each Action, *One Shilling and Six-pence.*
Allowing *Certiorari,* or other Writ of Removal, *Three Shillings.*

CLERKS FEES.

Entering Action, *Six-pence.*
Filing Process, *Six-pence.*
Entering Defendant's Appearance, *Six-pence.*
Calling and swearing Jury, *One Shilling and six-pence.*
Entering every Verdict, *Six-pence.*
Judgment, *Six-pence.*
Every Order or Rule of Court, *Six-pence.*
Every Non-Suit, *Six-pence.*
Every Evidence sworn or affirmed, *Six-pence.*
Every Execution, *Three Shillings.*
Filing Execution and entering, *One Shilling.*

CRYER.

In each Cause, *Eight-pence.*

EVIDENCES.

Two Shillings per Day.

JURIES FEES.

One Shilling per Man for all Causes tried.

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, unless the Court shall certify that such Evidences, more than two, were necessary.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall be and continue in Force, from the Publication thereof, until the Tenth Day of *May,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-five; and from thence to the End of the next Session of the General Assembly of this Colony, and no longer.

Collins (1771), pp. 11-16.

An ACT *to enforce the Payment of several old Arrears due to the Treasury of* New-Jersey.

WHEREAS several old Arrears of Money are now outstanding, some of which were Deficiencies in the former Taxes, and others payable on the Loans of Bills of Credit, that ought to have been paid to the Treasurers of this Colony, as hereafter is more particularly mentioned; therefore, that Justice may be done the Public, 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 whereas there is now due from the County of *Middlesex,* the Sum of *Eighteen Pounds Eighteen Shillings* and *Five-pence Farthing,* that originated in the Taxes of One Thousand Seven Hundred and Twenty-two; and another Debt of *Twenty-five Pounds,* that commenced in One Thousand Seven Hundred and Thirty, being Part of the Taxes of that Year; the said Sums shall be assessed and levied on the Inhabitants of the said County, in the Year One Thousand Seven Hundred and Seventy-three, at the same Time, and in the same Manner and Form, that the Taxes of the said County are to be raised in the said Year One Thousand Seven Hundred and Seventy-three, and paid into the Eastern Treasury of this Colony, by the Collector of that County, on or before the

Twenty-first Day of *November* One Thousand Seven Hundred and Seventy-three.

AND WHEREAS there is now an Arrear of *Eighteen Pounds Eight Shillings and Eleven-pence* outstanding, in the County of *Burlington,* being Part of the Taxes payable from that County, in the Years One Thousand Seven Hundred and Thirty, One Thousand Seven Hundred and Thirty-one, and One Thousand Seven Hundred and Thirty-two, BE IT FURTHER ENACTED, That the same shall be assessed and levied on the Inhabitants of the said County of *Burlington,* in the Year One Thousand Seven Hundred and Seventy-three, at the same Time, and in the same Manner and Form, as the other Provincial Taxes are by Law to be raised, in the said County of *Burlington;* and by the Collector of the said County, for the Time being, shall be paid to the Western Treasurer of this Colony, on or before the Twenty-first Day of *November,* One Thousand Seven Hundred and Seventy-three.

AND WHEREAS there is a Deficiency of *Six Pounds* outstanding, in the County of *Hunterdon,* Part of the Taxes payable from that County, in One Thousand Seven Hundred and Fifty-two; and another of *One Pound Eleven Shillings and Nine-pence Half-penny,* payable in One Thousand Seven Hundred and Fifty-three; amounting to *Seven Pounds Eleven Shillings and Nine-pence Half-penny,* BE IT FURTHER ENACTED, That the said *Seven Pounds Eleven Shillings and Nine-pence Half-penny,* shall be assessed and levied on the Inhabitants of the said County of *Hunterdon,* in the Year One Thousand Seven Hundred and Seventy-three, at the same Time, and in the same Manner and Form, as the other Provincial Taxes are by Law to be raised, in the said County of *Hunterdon;* and by the Collector of the said County, for the Time being, shall be paid to the Western Treasurer of this Colony, on or before the Twenty-first Day of *November,* One Thousand Seven Hundred and Seventy-three.

AND WHEREAS the following Deficiencies are outstanding, on the Loans of Bills of Credit that have hitherto been emitted in this Colony, which ought to have been paid into the Treasury, by the respective Loan-Officers, who were accountable annually to the Board of Justices and Freeholders of their Counties respectively, whose Duty it was to have compelled them to a due Performance of their Trust; and in all Cases of Failure the Counties respectively were made answerable by Law for the Delinquents, *viz.* In the County of *Middlesex,* a Deficiency of *Thirty-eight Pounds Twelve Shillings and Seven-pence Farthing,* of Interest on the Bills of Credit on Loan in the said County, in or between the Years One Thousand Seven Hundred and Thirty-three, and One Thousand Seven Hundred and Forty; BE IT FURTHER ENACTED, That if the said *Thirty-eight Pounds Twelve Shillings and Seven-pence Farthing,* be not paid to the Eastern Treasurer of this Colony, on or before the First Day of *June,* One Thousand Seven Hundred and Seventy-three, that then the said *Thirty-eight Pounds Twelve Shillings and Seven-pence Farthing,* shall be assessed and levied on the Inhabitants of the said County of *Middlesex,* in the Year One Thousand Seven Hundred and Seventy-three, at the same Time, and in the same Manner and Form, as the other Provincial Taxes are

by Law to be raised, in the said County of *Middlesex;* and by the Collector of the said County, for the Time being, shall be paid to the Eastern Treasurer of this Colony, on or before the Twenty-first Day of *November,* One Thousand Seven Hundred and Seventy-three.

IN the County of *Bergen,* a Deficiency of *Twenty-one Pounds Four Shillings and Nine-pence Farthing* of Interest, on the Bills of Credit on Loan in the said County, in or between the Years One Thousand Seven Hundred and Thirty-three, and One Thousand Seven Hundred and Thirty-eight; BE IT FURTHER ENACTED, That if the said *Twenty-one Pounds Four Shillings and Nine-pence Farthing,* be not paid to the Eastern Treasury of this Colony, on or before the First Day of *June,* One Thousand Seven Hundred and Seventy-three, that then the said *Twenty-one Pounds Four Shillings and Nine-pence Farthing,* shall be assessed and levied on the Inhabitants of the County of *Bergen,* in the Year One Thousand Seven Hundred and Seventy-three, at the same Time, and in the same Manner and Form, as the other Provincial Taxes are by Law to be raised, in the said County of *Bergen;* and by the Collector of the said County, for the Time being, shall be paid to the Eastern Treasurer of this Colony, on or before the Twenty-first Day of *November,* One Thousand Seven Hundred and Seventy-three.

IN the County of *Somerset,* a Deficiency of *One Pound Five Shillings* of Interest Money, on the Loans aforesaid, BE IT FURTHER ENACTED, That if the said *One Pound and Five Shillings* be not paid to the Eastern Treasurer of this Colony, on or before the First Day of *June,* One Thousand Seven Hundred and Seventy-three, that then the said *One Pound Five Shillings* shall be assessed and levied on the Inhabitants of the County of *Somerset,* in the Year One Thousand Seven Hundred and Seventy-three, at the same Time, and in the same Manner and Form, as the other Provincial Taxes are by Law to be raised, in the said County of *Somerset;* and by the Collector of the said County, for the Time being, shall be paid to the Eastern Treasurer of this Colony, on or before the Twenty-first Day of *November,* One Thousand Seven Hundred and Seventy-three.

IN the County of *Essex,* a Deficiency of *Seventy-two Pounds Six Shillings and Five-pence Farthing* of Interest, in or between One Thousand Seven Hundred and Thirty-three, and One Thousand Seven Hundred and Thirty-eight, BE IT ENACTED *by the Authority aforesaid,* That if the said *Seventy-two Pounds Six Shillings and Five-pence Farthing,* be not paid to the Eastern Treasurer of this Colony, on or before the First Day of *June,* One Thousand Seven Hundred and Seventy-three, that then the said *Seventy-two Pounds Six Shillings and Five-pence Farthing,* shall be assessed and levied on the Inhabitants of the said County of *Essex,* in the Year One Thousand Seven Hundred and Seventy-three, at the same Time, and in the same Manner and Form, as the other Provincial Taxes are by Law to be raised, in the said County of *Essex;* and by the Collector of the said County, for the Time being, shall be paid to the Eastern Treasurer of this Colony, on or before the Twenty-first Day of *November,* One Thousand Seven Hundred and Seventy-three.

AND there being one other Deficiency of *Forty-two Pounds Sixteen Shillings,*

Part of the Principal of the Bills of Credit on Loan, in the said County of *Essex,* that ought to have been cancelled in that County in One Thousand Seven Hundred and Forty-two, and One Thousand Seven Hundred and Forty-three, or at some Time since, BE IT ENACTED *by the Authority aforesaid,* That if the said *Forty-two Pounds Sixteen Shillings* be not paid to the Eastern Treasurer of this Colony, on or before the First Day of *June,* One Thousand Seven Hundred and Seventy-three, that then the said *Forty-two Pounds Sixteen Shillings,* shall be assessed and levied on the Inhabitants of the said County of *Essex,* in the Year One Thousand Seven Hundred and Seventy-three, at the same Time, and in the same Manner and Form, as the other Provincial Taxes are by Law to be raised, in the said County; and by the Collector of the said County, for the Time being, shall be paid to the Eastern Treasurer of this Colony, on or before the Twenty-first Day of *November,* One Thousand Seven Hundred and Seventy-three.

AND in the County of *Burlington,* the Sum of *Thirteen Pounds Seven Shillings and Two-pence Farthing* of Interest on the Bills of Credit on Loan, in the said County, of the first Emission of *Forty Thousand Pounds;* and also the Sum of *One Pound Thirteen Shillings and Eight-pence* of Interest, in One Thousand Seven Hundred and Fifty-three; amounting to *Fifteen Pounds and Ten-pence Farthing,* BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said *Fifteen Pounds and Ten-pence Farthing,* or any Part thereof, shall not be paid to the Western Treasurer of this Colony, on or before the First Day of *June,* One Thousand Seven Hundred and Seventy-three, then the said *Fifteen Pounds and Ten-pence Farthing,* or so much thereof as shall at that Time remain unpaid, shall be assessed and levied on the Inhabitants of the said County of *Burlington,* in the Year One Thousand Seven Hundred and Seventy-three, at the same Time, and in the same Manner and Form, as the other Provincial Taxes are by Law to be raised, in the said County; and by the Collector of the said County of *Burlington,* for the Time being, shall be paid to the Western Treasurer of this Colony, on or before the Twenty-first Day of *November,* One Thousand Seven Hundred and Seventy-three.

AND in the County of *Salem,* a Deficiency of *Three Pounds and Six-pence,* being Interest Money; and another of *Four Hundred and Sixty-three Pounds Four Shillings* in the Principal of the late Loan-Office Money, let on Loan in the said County; amounting in the whole to the Sum of *Four Hundred and Sixty-six Pounds Four Shillings and Six-pence,* BE IT FURTHER ENACTED, That if the said *Four Hundred and Sixty Six Pounds Four Shillings and Six-pence,* be not paid to the Western Treasurer of this Colony, on or before the First Day of *June* One Thousand Seven Hundred and Seventy-three, that then the said *Four Hundred and Sixty-six Pounds Four Shillings and Six-pence,* shall be assessed and levied on the Inhabitants of the Counties of *Salem* and *Cumberland,* in the Year One Thousand Seven Hundred and Seventy-three, at the same Time, and in the same Manner and Form, as the other Provincial Taxes are by Law to be raised, in the said Counties of *Salem* and *Cumberland;* and by the Collectors of the said Counties, for the Time being, shall be paid to the Western Treasurer of this Colony, on or before the Twenty-first Day of *November,* One Thousand

Seven Hundred and Seventy-three; out of which the said Western Treasurer shall pay to the late Commissioners of the Loan-Office, of the County of *Monmouth,* their Executors, or Administrators, the Sum of *One Pound Twelve Shillings and Three-pence Farthing,* which the said Commissioners have caused to be cancelled more than their Quota: And the Remainder of the Principal so to be levied in the Counties of *Salem* and *Cumberland,* being the Sum of *Four Hundred and Sixty-one Pounds Eleven Shillings and Eight-pence Three Farthings,* the said Treasurer shall lay before the Council and Assembly of this Colony, for the Time being, to be by them sunk, in Conformity to the general Design of the Loan-Office Laws, being the Balance that now remains to be sunk, in the said Counties of *Salem* and *Cumberland,* according to the Loan-Office Laws; and as for and concerning the said *Three Pounds and Six-pence,* the same is to remain in the Treasury towards the Support of Government.

IN the County of *Cape-May,* the Sum of *Four Shillings and Seven-pence Half-penny* Interest; BE IT ENACTED, That if the same be not paid to the Western Treasurer of this Colony on or before the First Day of *June,* One Thousand Seven Hundred and Seventy-three, the same shall be levied on the Inhabitants of the said County of *Cape-May,* in the Year One Thousand Seven Hundred and Seventy-three, and paid into the Western Treasury, at the Time, and in the Manner that is above directed in the other Counties aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That respecting the assessing, levying and collecting, the several Sums by this Act directed to be raised, the Justices and Freeholders, Assessors and Collectors, of and in the said Counties respectively, and also the respective Treasurers of this Colony, shall be, and they are hereby severally vested with the same Powers and Authorities, enjoined the same Duties, and subjected to the same Pains and Penalties, as they respectively are, touching the raising the Provincial Taxes annually payable in this Colony, on the Sinking Funds.

PROVIDED NEVERTHELESS, That if the Loan-Officers of any or either of the Counties before-mentioned, their Heirs, Executors, or Administrators, or the Justices, and chosen Freeholders, of any or either of the said Counties, shall and do, at any Session of General Assembly, which shall happen before the First Day of *June,* One Thousand Seven Hundred and Seventy-three, shew and make appear, that all or any of the several Deficiencies have been in the Whole, or in Part, paid to the Treasurers of the Colony, or sunk according to Law, that then, and in such Case, the Execution of this Act, respecting such Persons, or Counties, so having paid or sunk their Deficiency or Deficiencies, shall be suspended; any Thing herein before to the contrary notwithstanding.

Collins (1771), pp. 16-21.

An ACT *for the Preservation of Deer, and other Game, and to prevent trespassing with Guns.*

WHEREAS the Laws heretofore passed in this Colony, for the Preservation of Deer, and other Game, and to prevent trespassing with Guns, Traps, and Dogs, have, by Experience, been found insufficient to answer the salutary Purposes thereby intended; 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 if any Person or Persons shall presume, at any Time after the Publication hereof, to carry any Gun on any Lands not his own, and for which the Owner pays Taxes, or is in his lawful Possession, unless he hath License or Permission, in Writing, from the Owner or Owners, or legal Possessor; every such Person 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 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, she or they, shall, for every such Offence, forfeit and pay to the Owner of the Soil, or his Tenant in Possession, the Sum of *Forty Shillings,* with Costs of Suit; which Forfeiture shall and may be sued for, and recovered, by the Owner of the Soil, or Tenant in Possession, before any Justice of the Peace in this Colony, for the Use of such Owner, or Tenant in Possession.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person shall presume, at any Time after the Publication of this Act, to hunt or watch for Deer with a Gun, or set in any Dog or Dogs to drive Deer, or any other Game, on any Lands not his own, and for which the Owner or Possessor pays Taxes, or is in his lawful Possession, unless he hath Licence or Permission, in Writing, from such Owner or Owners, or legal Possessor; every such Person, so offending, and being convicted thereof, in Manner aforesaid, shall, for every such Offence, forfeit and pay to the Owner of the Soil, or Tenant in Possession, the Sum of *Forty Shillings,* with Cost of Suit; Provided that Nothing herein contained shall be construed to extend to prevent any Person carrying a Gun upon the King's Highway, 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 hereafter is directed.

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 credible Witnesses, shall be deemed guilty of offending against this Act, and be subjected to the Penalties of killing Deer out of Season.

AND WHEREAS great Numbers of idle and disorderly Persons make a Practice of hunting on the 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 *January* 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, in Right of their Freeholds, 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 on the waste and unimproved Lands in this Colony; and if any Person or Persons, not qualified as aforesaid, shall presume to hunt 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 or other Device whatsoever, larger than what is usually and commonly set for Foxes and Muskrats, such Person, setting such Trap or other Device, shall pay the Sum of *Five Pounds,* and forfeit the Trap or other Device, shall suffer Three Months Imprisonment, and shall also be liable to make good all Damages any Person shall sustain by setting such Trap or other Device; and the Owner of such Trap or other Device, 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 or other Device 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 or other Device 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 publicly whipped with thirty Lashes, and committed till the Costs are paid; and that the said Trap or other Device shall be broken and destroyed in the View and Presence of the Justice of the Peace before whom they are brought: And if any Person or Persons shall have Possession of, or there shall be found in his or their House, any Trap or Traps, Device or Devices

whatsoever, 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.

AND, for encouraging the Destruction of such Traps and Devices, BE IT ENACTED *by the Authority aforesaid,* That if any Person shall seize any Trap or other Device for the taking Deer, and shall carry such Trap or Device to any Magistrate of the County where such Trap or Device was seized, such Person shall be entitled to an Order from the said Magistrate to the Collector of such County, to pay him the Sum of *Ten Shillings,* out of any Money in his Hands, raised for the Use of the County; which Sums shall be allowed to such Collector on the Settlement of his Accounts.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Smith or other Artificer, who shall hereafter make or mend any such Trap or other Device aforesaid, he shall forfeit and pay the Sum of *Forty Shillings;* and the Person carrying such Trap or other Device to the Artificer aforesaid, shall forfeit and pay the Sum of *Twenty Shillings.* And every Person who shall bring into this Colony any such Trap or Device as 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 such Trap or Device, or who 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 such Trap or Device, or the Person who delivered the same to the Pauper, and the Trap or Device shall be forfeited and 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 appropriated, 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, without any Reference to the Act for Trial of small Causes in this Colony.

AND BE IT ENACTED, 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 Magistrate, within this Province, shall have

Information of any Persons offending against this Act, in killing Deer out of Season, setting and making Traps, Non-Residents killing Deer, and Persons setting of Guns, and shall not prosecute the same to Effect, within two Months after such Information, he shall forfeit and pay the Sum or Sums to which the Offender against this Act would have been liable.

AND BE IT ENACTED *by the Authority aforesaid,* That the Justices, at every Quarter Sessions of the Peace, shall cause this Act to be publicly read; and give in Charge to the Grand Jury to particularly inquire and present all Persons for killing Deer out of Season, setting or making Traps, and all Non-Residents killing, destroying, hunting and taking any Sort of Deer, and all Persons setting of Guns; and, upon Conviction for either of the said Offences, the said Justices shall set and impose the Fines and Penalties herein before-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 seventh Section of this Act shall not be construed to affect any Native *Indian;* and that Nothing in this Act shall be construed to prevent the Inhabitants of *Essex, Bergen, Morris,* and *Sussex,* from making, having in their Houses, or setting Traps of Five Pounds Weight or more, for Bears, Wolves, Foxes, or any other wild Beasts, Deer only excepted.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all former Laws made in this Colony for the Preservation of Deer, and other Game, and to prevent trespassing with Guns, and regulating the Size of Traps, shall be, and they are hereby repealed.

Collins (1771), pp. 22-27.

An ACT *declaring the River* Delaware *a common Highway, and for improving the Navigation in the said River.*

WHEREAS the improving the Navigation in Rivers is of great Importance to Trade and Commerce; and whereas the River *Delaware* may be rendered much more navigable than it now is; and whereas many Persons desirous to promote the Public Welfare, have subscribed large Sums of Money for the Purpose aforesaid; and it is represented that others will subscribe considerable Sums, if Commissioners are appointed by Law to receive the Subscriptions, and apply the same; therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the River *Delaware* shall be, and it is hereby declared to be a common Highway, for the Purposes of Navigation up and down the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That *Joseph Galloway, Joseph Fox, Michael Hillegas, Abel James, Samuel Rhoads, James Allen, Peter Knight,* Esquires, *Daniel Williams, Henry Drinker, Clement Biddle, Jeremiah Warder* the Younger, *Jacob Bright, John Baldwin, Richard Wells,* Gentlemen, *Thomas Yardley, Jacob Orndt, Peter Kechline, Henry Kooken,* Esquires, *William Ledley, Nicholas Depui,* Son of *Samuel, Jacob Stroud,* and *John Arbo,* Gentlemen, the Honourable *John Stevens, James Parker,* and *Daniel Coxe,* Esquires, *Samuel Meredith,* and *Robert Field,* Esquires, Doctor *William Bryant, Abraham Hunt, Timothy Smith, Thomas Lowry, Ashur Mott, John Emley* of *Kingwood, Andrew Melick, Robert Hoops,* and *Matthew Lowry,* Gentlemen, be, and they are hereby appointed and constituted Commissioners for improving the Navigation in the said River *Delaware;* who, or any twelve of them, the Survivors, or any twelve of them, shall have full Power and Authority, by Virtue hereof, to collect, recover and receive, from any Person or Persons whatsoever, all such Sums of Money, which have been, or shall be given or subscribed for rendering the said River more navigable; and so much of the said Monies as may be necessary for that Purpose, to lay out and apply for and towards improving the Navigation, in the said River *Delaware,* from the lower Part of the Falls near *Trenton,* to the River *Lehigh* at *Easton;* and the Residue thereof to lay out and apply for and towards improving the Navigation in that Part of the said River, above the said River *Lehigh;* PROVIDED ALWAYS, That such Sums of Money as have been or shall be given or subscribed for the improving the Navigation of the said River, above the *Lehigh* aforesaid, separately, shall be laid out and applied for and towards that Purpose, and no other.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners, or any twelve of them, their Survivors, or any twelve of them, shall have full Power and Authority, by themselves, their Agents, Servants and Workmen, to clear, scour, open, enlarge, straighten or deepen, the said River wherever it shall to them appear useful for improving the

Channels; and also to remove any Obstructions whatsoever, either natural or artificial, which may or can in any Manner hinder or impede the Navigation in the said River; and to make and set up, in the said River, any Dams, Pens for Water Locks, or any other Works whatsoever, and the same to alter or repair, as they shall think fit; and also to appoint, set out, and make near the said River, Paths or Ways, which shall be free and open for all Persons having Occasion to use the same for towing, hauling or drawing any Vessels, Boats, Small-craft and Rafts, of any Kind whatsoever; and from Time to Time, to do and execute every other Matter or Thing necessary or convenient for improving the Navigation in the said River. Provided always, that no Dam, Pen, Lock, or other Work, made or set up by the said Commissioners, shall be appropriated to the private Use or Benefit of any Person or Persons whatsoever, contrary to the true Intent and Meaning of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That no Person or Persons whatsoever shall presume to divert, lead or draw, at any Time or Times, by any Race or other Device, any Water of the said River out of or from the natural Course or Channel, for the Use of any Mill or Water Work.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall presume to oppose or hinder the said Commissioners, or any of them, their Agents, Servants and Workmen, or any of them, from doing any Act which they are hereby authorized and impowered to do, or shall make, erect, set up, repair or maintain, or shall be aiding, assisting or abetting in making, erecting, setting up, repairing or maintaining, any Dam or Obstruction which may or can in any Manner hinder or impede the Navigation in the said River; or shall remove, destroy, throw down, alter, injure or impair, any Dam, Pen, Lock or other Work, made or set up by the said Commissioners, or by Order of them, or any twelve of them, their Survivors, or any twelve of them; every Person so offending, being legally convicted thereof by Verdict of a Jury, or by his own Confession, before the Justices of the Peace in their Court of General Quarter Sessions, shall forfeit and pay *Fifty Pounds* Proclamation Money of this Colony, for every such Offence, or shall suffer Imprisonment for twelve Months without Bail or Mainprize; one Moiety of which Forfeiture shall be paid to the Informer, and the other Moiety to the Commissioners herein appointed, or the Survivors of them as aforesaid, to be applied for and towards improving the Navigation in the said River.

AND WHEREAS Doubts may arise in what Counties Offences committed in the said River *Delaware* against this Act, ought to be tried; for removing thereof, BE IT ENACTED *by the Authority aforesaid,* That every Offence committed, in or on the said River, against this Act, shall be laid to be committed, and may be tried and determined as aforesaid, in any of the Counties within this Colony, opposite to or joining on that Part of the said River in which such Offence shall be committed.

PROVIDED ALWAYS, *and be it further Enacted by the Authority aforesaid,* That Nothing herein contained shall give any Power or Authority to the

Commissioners herein appointed, or any of them, to remove, throw down, lower, impair, or in any Manner to alter a Mill-Dam erected by *Adam Hoops,* Esquire, late deceased, in the said River *Delaware,* between his Plantation and an Island in the said River nearly opposite to *Trenton,* or any Mill-Dam erected by any other Person or Persons in the said River, before the passing of this Act; nor to obstruct, or in any Manner to hinder the Heirs or Executors of the said *Adam Hoops,* or such other Person or Persons, his or their Heirs and Assigns, from maintaining, raising or repairing, the said Dams respectively, or from taking Water out of the said River, for the Use of the said Mills and Water Works, erected as aforesaid, and none other.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners shall keep Minutes of their Proceedings, in Pursuance of the Power hereby given to them, fairly entered in a Book; and shall once, in every Year, make Report of their Transactions in improving the Navigation in the said River, to the Council and Assembly of this Colony for the Time being, and shall lay before them a just and faithful Account of all Sums of Money by them received for the aforesaid Purposes, and in what Manner they shall be expended, that the same may be adjusted and settled.

Collins (1771), pp. 27-30.

An ACT *to revive and continue two Acts therein mentioned.*

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 Act passed in the Fifty Year of His present Majesty's Reign, 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.* And one other Act passed in the Eighth Year of His present Majesty's Reign, entitled, *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,* shall be, and the said Acts, and every Clause, Matter and Thing, therein contained, are hereby revived and continued for the Term of Five Years, and from thence to the End of the next Session of General Assembly, and no longer. PROVIDED ALWAYS, That Nothing in this Act contained shall have any Force, or Effect, until an Act or

Acts, similar to the Acts hereby intended to be revived, shall be passed by the Legislature of the Colony of *Pennsylvania.*

Collins (1771), p. 30.

In his compilation of 1776, Allinson (p. 367) noted that since this act was passed "depending on a Condition, which has never been performed, the Act has not taken Effect."

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 him, her or 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 Ten Years, and from thence to the End of the next Session of General Assembly, and no longer.

Collins (1771), p. 31.

An ACT *to grant further Allowance to the several Sheriffs of this Colony, for the Subsistance of Prisoners confined for Felony and other Crimes.*

WHEREAS the Allowance of *Six-pence per* Day fixed by the Fee Bill, is found to be insufficient for the Subsistance of Prisoners for Felony or other Crimes, 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, it shall and may be lawful for the several Sheriffs of this Colony, to allow *Three-pence per* Day, over and above the Sum of *Six-pence per* Day, already allowed by Law, to every Prisoner confined for Crimes as aforesaid, for his or her Subsistance.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Board of Justices and Freeholders of the Counties in this Colony respectively, on Application to them made by the Sheriffs, to allow the said Sum of *Three-pence per* Day as aforesaid, and make Provision for paying the same.

Collins (1771), p. 32.

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 Trial 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, Sapling 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, Sapling 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, Sapling 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, agreeably 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, Sapling 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, nor any Thing therein contained, shall in any Manner affect the Persons settled within the supposed Boundaries of the *Elizabeth-Town* 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.

Collins (1771), pp. 32-34.

An ACT *to extend the Jurisdiction of the several Counties in this Colony, which are divided by Rivers, Creeks, and Bays.*

WHEREAS several of the Counties in this Colony are bounded on Rivers, Creeks, and Bays; and Doubts have arisen whether the said Rivers, Creeks and Bays are within the Jurisdiction of any or either of the said Counties, by Means whereof the Perpetrators of Crimes and Misdemeanors, committed on the said Rivers, Creeks and Bays, or the Bridges crossing the same, have gone unpunished; 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 where any two Counties are, or hereafter shall be divided by Rivers, Creeks or Bays, within this Colony, the Jurisdiction and Power of the Civil Officers of each respective County, bounding on such Rivers, Creeks and Bays, shall be reciprocal; and all Arrests, by Virtue of any legal Process, made on the same, shall be, and are hereby declared to be as effectual, to all Intents and Purposes, as if such Arrests had been made within the Body of either of the said Counties.

AND BE IT ENACTED *by the Authority aforesaid,* That for all Murders, Felonies, and other Offences, which have been, or hereafter shall be committed on any of the Rivers, Creeks or Bays, which divide, or hereafter shall divide, any of the Counties within this Colony, the Offender or Offenders shall be tried by a Jury of that County where such Offender or Offenders last resided. And in case such Offender or Offenders shall happen to be Non-Residents of either of the adjacent Counties, he, she or they, so offending, shall be tried by a Jury of either of the said Counties; and if the said Offender or Offenders shall be unable to defray the Charges of such Trial, the same shall be at the mutual Expence of both the said Counties; and the Justices of the Court, where such Trial shall be had, or any two of them

who shall attend the same, are hereby impowered and directed to draw an Order on the Collector of the other County, so adjoining as aforesaid, for one Moiety of the said Expences; which Collector is hereby directed to pay the same; and the said Order, with a Receipt thereon endorsed, shall be a sufficient Discharge for the Amount thereof, on the Settlement of his Accounts; any Law, Usage, or Custom, to the contrary notwithstanding.

Collins (1771), pp. 34-35.

An ACT *for the Relief of Insolvent Debtors.*

WHEREAS the detaining the Bodies of Debtors in Gaol, who have no Effects to pay, or are willing and desirous to deliver up their Estates, Goods and Chattels, for the Use of their Creditors, by Experience, is found not to answer the Purposes 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 any Person, being Resident in this Colony, shall, in order to a Discharge, in Conjunction with two Thirds of his or her Creditors in Value, whether the Money be then due, or payable at some future Time, present a Petition to the Supreme Court, or to the Inferior Court of Common Pleas of the County in which the Debtor shall reside, praying that the said Debtor's Estate may be delivered to one or more such Person or Persons as the said petitioning Creditors, or the major Part in Value of them, shall nominate to receive and dispose of the same, for the Use of all his or her Creditors; and if any Doubt shall arise respecting the Legality of the Demand of any Petitioner, the Court shall administer an Oath, or Affirmation, as the Case may require, touching the Legality of the Debt; and in case any Person or Persons whatsoever shall appear to have fraudulently signed such Petition, knowing he or she had no legal or just Demand for the Sum so given in upon Oath or Affirmation as aforesaid, with Intent to enable such Debtor to obtain the Benefit of this Act, he or she so offending, and being thereof legally convicted, shall be subject to the Pains and Penalties of wilful and corrupt Perjury, and be liable to the Creditors for all Damages accruing thereby; provided always, that no Creditor or Creditors, who are or may be secured by Mortgage, Pledge, or other Security, by which he or they will or may have a Preference, shall be deemed or taken to be a petitioning Creditor or Creditors, unless he, she or they, shall first

deliver up such Mortgage or other Security, for the Benefit of all the Creditors; any Thing herein before to the contrary notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every such Debtor, at the Time of 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, on which the Court is 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; and that I have not directly or indirectly secreted, sold, leased, assigned or otherwise disposed of, or made over, either in Trust for myself or otherwise, 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, it shall and may be lawful for the said Court to restore to the Debtor such Apparel for himself, his Wife and Children, and such Tools and Implements of his Trade or Calling, as they shall adjudge necessary, not exceeding the Value of *Ten Pounds;* also one Bed and Bedding, such as the Court, in their Discretion, shall think proper; and thereupon three Weeks Notice shall be given by the Petitioner or Petitioners to all the Creditors of such Debtor, by fixing Advertisements in five of the most public Places of that County where such Debtor lives; and also by advertising the same in one or more of the Public 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 four Weeks in such Paper, to shew Cause, if any they have, on a Day to be appointed by the Court, 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, any two or more of the Judges of such Court, 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 Creditors, or two Thirds of them in Value; and in case the Creditors do not appear, then, and in such Case, to such Person or Persons as shall be appointed by the said Judges. 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, except the Apparel, Tools and Implements of his or her Trade or Calling, and the Bed and Bedding as

aforesaid, adjudged to him or her by the Court, they shall Discharge such Debtor from his or her Imprisonment: And the said 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; which Discharge, under the Hands of such Judges, and the Seal of their Court, the Clerk of the Court, from whence such Process shall have issued, is hereby authorized and directed to record in the Minutes of the said Court.

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 esteemed himself vested with an 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 Assignee or Assignees shall reserve in his or 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 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 or Personal, of such Debtor; and shall have full Power and Authority to refer to Arbitration, settle, compound or agree, with any Person or Persons 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 all 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 public News-Papers, and fixing Advertisements in five of the most public Places of the County, 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 in case any Creditor or Creditors of any such Debtor shall reside in *Great-Britain,* having no Attorney impowered to appear for and represent him, her or them, in this Colony, then such Assignee or Assignees shall, at least six Months before the making of such Dividend, give public Notice of the Time and Place of making the same, by an Advertisement inserted in the *London Public Advertiser,* and continued in the said Paper for one Month.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assignee or 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 Debt, it shall be determined in the following Manner: The Assignee or 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 Assignee or Assignees are hereby impowered to nominate them for him.

AND WHEREAS it may happen that the petitioning Debtor is indebted to the Estate of a Person deceased, or Minor, and the Executors, Administrators and Guardians of such Estates, are not by Law authorized to make

any Composition, whereby the good Intent of this Act may be defeated, BE IT THEREFORE ENACTED *by the Authority aforesaid,* That whenever an Executor, Administrator or Guardian, as aforesaid, shall think it most for the Advantage of the Estate under his or her Care and Management, to become a Petitioner with the Debtor, and receive the Dividend for the Benefit of such Estate, it shall and may be lawful for such Executors, Administrators or Guardians, to join with such Debtor, in his or her Petition, and to receive the Dividend or Dividends of such Debtor's Estate, and no more than the Amount of such Dividend or Dividends shall be demanded or recovered from such Executor, Administrator or Guardian, by any Person or Persons whatsoever.

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 the Case may require, to be administered by the Judges aforesaid, to the following Effect, *viz.*

I, A B, *do solemnly swear, that I will well and faithfully manage the Insolvent's Estate, and keep and render a true Account of all that shall come to my Hands of the same. So help me God.* Which Oath or Affirmation shall be in Writing, subscribed by the Assignee or Assignees, and filed with the Clerk of the said Court. And the said Assignee or Assignees 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 Assignee or Assignees, they shall be allowed, out of the Insolvent's Estate, *Five per Cent.*

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 the Judges, as aforesaid, at the Request of the Assignee or 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 Judges as aforesaid, to commit such Person, so refusing, to Gaol, till he or she shall submit to be examined, concerning what he or she knows relating to such Insolvent's Estate or Effects; and if any such Person shall wilfully or knowingly affirm, or swear falsly, the Person so offending shall be liable to the same Pains and Penalties as those are who are convicted of wilful and corrupt Perjury.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Wife of such Debtor, and every other Person whatsoever, summoned and examined as aforesaid, shall be examined on Interrogatories in Writing, which Interrogatories, with the several Answers thereto, shall be signed by the Person or Persons so examined, and filed by the Clerk of such Court, as shall award the Debtor's Discharge.

AND BE IT FURTHER ENACTED, That no Suit in Equity shall be commenced by any Assignee or Assignees, without the Consent of the major

Part of the Creditors in Value, 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 entitled to a Dividend; and the whole Money shall be divided by the Assignee or 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 entitled to on the first Division, had his Debts then been proved; but no Creditor shall be admitted to prove his Debt, in order to entitle 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 before that Time, though payable afterwards, so far as regards the 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 entitled to, by this Act.

AND BE IT FURTHER 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 Assignee or 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 in Virtue of this Act, it shall be lawful for him to

plead the general Issue, and give the special Matter in Evidence.

AND, to prevent Non-Residents from taking undue Advantage of this Act, BE IT FURTHER ENACTED, That no Person or Persons whatsoever shall be entitled to the Advantages of this Act, unless or until such Person or Persons shall have resided, publicly 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, for the Subsistance of such Defendant or Defendants, as the Court shall adjudge; in either of which Cases he or she shall be entitled 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 he or she had never been removed out of the Colony.

AND BE IT FURTHER 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, Constable or Gaoler in this Colony, (for which Escape the said Sheriff, Constable or Gaoler shall be liable) shall have, or be entitled 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, Constable or Gaoler, all Cause of Action therefor.

PROVIDED ALWAYS, That no single Person or Persons, able of Body, and under the Age of forty Years, shall be entitled 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 Assignee or 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 Imprisonment in civil Actions, during the Time of such Service expressed in the Indenture; and upon serving such Time, from thence forever thereafter, such Person shall be free and discharged from all Debts before contracted.

AND WHEREAS some Persons within this Colony, may have assigned and delivered up all their Estates and Effects, to Assignees, for the Use of their Creditors, respectively, in the same Manner as is now directed by this Act, or to the same Intent; which Estates and Effects are still vested in the said Assignees; and said Debtors remain, nevertheless, undischarged from their Creditors, BE IT THEREFORE FURTHER ENACTED *by the Authority aforesaid,* That all and every such Person and Persons, who have so assigned and delivered up their Estate and Estates, to the Use of his and their

Creditors, and who shall take the Oath or Affirmation, hereby required to be taken by such Debtor, shall, and they are hereby declared to be discharged from their Creditors, respectively, as fully, to all Intents and Purposes, as those Persons shall be, who shall or may hereafter surrender and assign over their Estates to the Use of their Creditors, by Virtue of this Act; and the Assignee and Assignees of such Debtor and Debtors, shall, for what remains to be performed of his or their respective Duty, under such Assignment or Assignments, in all Things, be governed by, and pursue the Directions of this Act.

PROVIDED ALWAYS, That this Act shall be and continue in Force for the Term of five Years, 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, entitled, *An* Act *for the Relief of Insolvent Debtors,* passed in the Tenth Year of His Majesty's Reign, shall be, and the same is hereby repealed.

Collins (1771), pp. 35-44.

An ACT *to enable and direct the Justices and Freeholders, of the County of* Hunterdon, *to raise the Sum of* Fifty Pounds; *and the Justices and Freeholders, of the County of* Sussex, *to raise the like Sum of* Fifty Pounds; *to be applied towards completing a Bridge across* Musconetcung *Creek, near* Robert Johnston's *Mills.*

WHEREAS sundry of the Inhabitants of the said Counties of *Hunterdon* and *Sussex,* by their humble Petition, have set forth the great Necessity and Usefulness of a Bridge being erected across *Musconetcung* Creek, near *Robert Johnston's* Mills, and a Subscription hath been made, and a Bridge began and raised, but the Subscription falling short, it cannot be thereby completed; therefore the Petitioners pray that a Sum of Money may be raised on the Inhabitants of each County, to be applied towards finishing the said Bridge; and forasmuch as the said Bridge will be of public Utility,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Justices and Freeholders of the said Counties of *Hunterdon* and *Sussex,* respectively, shall, and they are

hereby required, at their next Meeting, after the Publication of this Act, to direct that the Sum of *Fifty Pounds* be raised on the Inhabitants of *Hunterdon;* and the like Sum of *Fifty Pounds* on the Inhabitants of *Sussex;* which several Sums shall be assessed, collected and levied by the several Assessors and Collectors of the said Counties, respectively, together with the Sinking Fund Tax, for the Year of our Lord One Thousand Seven Hundred and Seventy-two; and when collected and levied, the said respective Sums shall be paid to the Collectors of said Counties, respectively, who are required to pay the same to *Joseph Beaver,* Esquire, *Robert Johnston, Thomas Potts,* and *Benjamin Mac Collock,* or any two of them, to be applied towards finishing or repairing the said Bridge, as may be requisite and necessary; for which Assessment, and collecting the same, the several Assessors and Collectors shall be allowed the same Fees, as by Law they are entitled to, for assessing and collecting the Sinking Fund Tax.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said *Joseph Beaver, Robert Johnston, Thomas Potts,* and *Benjamin Mac Collock,* shall render a just and true Account to the Justices and Freeholders, of each of the Counties aforesaid, at the next annual Meeting, after the Receipt of the Monies aforesaid, how and in what Manner they have applied the same.

Collins (1771), pp. 44-45.

An ACT *to impower certain Persons therein named to raise a Sum of Money by Subcription, or by Taxation, to rebuild and keep in Repair the Bridge over* Raritan *River, near* Bound Brook, *known by the Name of* Queen's Bridge.

WHEREAS the Bridge near *Bound Brook,* over the River *Raritan,* known by the Name of *Queen's Bridge,* is broken, and rendered unpassable; and it is represented to the Legislature, that large Sums of Money will be wanting, for the rebuilding and repairing of the said Bridge;

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 *James Neilson, John Dennis, John Scheurman, Philip French,* junior, *Peter Schenck, Peter Perrine, John Roy, Benjamin Morgan, Jacob Van Norstrant, Jeremiah Field, Michael Field, John Gasten, Jonathan Smith,* and *Stephen Hunt,* and they are hereby appointed Commissioners, and shall have full Power, by

Virtue hereof, to take in Subscriptions, and recover and apply the same, or such Part thereof as may be received, to the rebuilding and completing the Bridge aforesaid, in such Manner as the said Commissioners, or the Majority of them, may think proper.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in case no sufficient Sum, for the Purposes aforesaid, shall be raised by Subscription, on or before the First Day of *May* next after Publication hereof; then, and in that Case, it shall and may be lawful for the Board of Justices and Freeholders of the County of *Somerset,* if they shall think the Bridge necessary, on Application to them made by the said Commissioners, or the Majority of them, to raise, with all convenient Speed, by Tax, on the Inhabitants of the County of *Somerset,* in Manner and Form, and in the same Proportion as the Provincial Taxes are raised, such Sum or Sums of Money, as to them shall appear necessary, to complete the said Bridge; which Money shall be paid to the Commissioners aforesaid, or to their Order, for the Purposes aforesaid; and the said Commissioners are hereby made accountable to the said Board of Justices and Freeholders, for all such Money as they shall have received and expended by Virtue of this Act.

Collins (1771), p. 46.

An ACT *to rebuild, and hereafter to repair and amend, the Bridge over* Stony Brook, *near* Worth's *Mill.*

WHEREAS the Bridge over *Stony Brook,* near *Samuel Worth's* Mill, is very much out of Repair, and almost impassable, and Doubts and Differences have arisen, touching and concerning the rebuilding and maintaining the same; to remove which, and that the same may hereafter be duly repaired and amended,

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 aforesaid Bridge, over *Stony Brook,* shall be rebuilt, kept up, repaired and amended where it now stands; one Half at the Expence of the Inhabitants of the County of *Middlesex,* and the other Half at the Expence of the Inhabitants of the Western Precinct, in the County of *Somerset;* and the Money for defraying the Expence of rebuilding, repairing and amending said Bridge, shall, from Time to Time, as Occasion shall require, be assessed, levied and raised, one Half on the Inhabitants of the County of *Middlesex,* and the other Half on the Inhabitants of the Western Precinct, in the County of *Somerset,* in the same Manner and Form, as by an Act of Assembly of this

Colony is directed, for building other Bridges in the County of *Middlesex,* and the said Western Precinct, in the County of *Somerset.*

AND WHEREAS certain necessary Repairs and Amendments were made and done, on the said Bridge, by *Silvanus Hunt,* by Order of the Chief Justice, for which the said *Silvanus Hunt* is yet unpaid; and whereas the said Reparation and Amendment ought to have been made at the Expence of the Western Precinct aforesaid, BE IT THEREFORE ENACTED *by the Authority aforesaid,* That all and every reasonable Sum or Sums of Money, laid out and expended by the said *Silvanus Hunt,* in repairing and amending the said Bridge, shall be assessed and levied on the Inhabitants of the said Western Precinct, in the same Manner and Form as aforesaid.

Collins (1771), p. 47.

An ACT *for the Regulation of the Rates to be demanded and received at the Ferries on the North and South Sides of* Raritan *River, within the Corporation of* Perth-Amboy.

WHEREAS *John Stevens,* Esquire, Proprietor of the Lands and Ferry on the South Side of said *Raritan* River, which formerly belonged to *Andrew Redford,* and the Rector of St. *Peter's* Church, in the City of *Perth-Amboy,* aforesaid, for the Time being, Proprietor of the Ferry on the North Side thereof, have, by their joint Memorial, set forth, That they have, at great Expence and Charge, built Wharfs at each of their respective Ferries, for the better accommodating Travellers, and prayed that a Law may pass for ascertaining and establishing the Rates to be taken at said Ferries;

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 of this Act, it shall and may be lawful for the said *John Stevens,* Proprietor of the Lands and Ferry aforesaid, on the South Side of *Raritan* River, his Heirs and Assigns, to demand and receive Pay for all such Persons, Horses, Horned Cattle, Sheep, Hogs, Carriages, Goods and Chattels, as shall be transported from the said Ferry, on the South Side of *Raritan* River, to the said Ferry on the North Side thereof; and also from the said Ferry, on the South Side of *Raritan* River, to *Staten Island,* at the following Rates, in Proclamation Money, *viz.*

To the Ferry on the North Side of *Raritan* River,	To *Staten Island.*
A single Person, *Six-pence,*	*One Shilling.*
More than one Person, each *Four-pence,*	*Eight-pence.*
A Horse, with or without a Man, *One Shilling,*	*Two Shillings.*
Horned Cattle, *One Shilling and Four-pence* each,	*Two Shillings and Six-pence.*
Hogs and Calves *per* Head, *Three-pence,*	*Six-pence.*
Sheep *per* Head, *Two-pence,*	*Four-pence.*
Pipes and Hogsheads of Liquor or Molasses, at *Two Shillings* each,	*Four Shillings.*
Barrels of Liquor, *Six-pence* each,	*One Shilling.*
Barrels of Pork, Beef, and Fish, at *Three-pence* each,	*Six-pence.*
Barrels of Flour, at *Two-pence* each,	*Four-pence.*
All Kinds of Wheel Carriages, for Pleasure or Burden, including the Passengers, their Trunks and Portmanteaus, at *One Shilling per* Wheel, and a *Shilling* for each Horse,	*One Shilling and Nine-pence per* Wheel, and *Two Shillings* each Horse.
Sleigh, with two Horses, *Three Shillings,*	*Five Shillings.*
Carcasses of Beef, at *Two-Pence Halfpenny* per Quarter,	*Five-pence.*
Carcasses of Mutton and Veal, *One Halfpenny per* Quarter,	*One Penny.*
All Chests and Trunks, of two Feet long and upwards, *Six-pence* each, except such as are with travelling Carriages,	*One Shilling.*
Flour or Pork *per* Hundred Weight, *One Penny Halfpenny,*	*Three-pence.*
Grain or Meal of any Kind, *One Penny per* Bushel,	*Two-pence per* Bushel.
A Waggon, Cart or Sleigh Load, of any Kind of Market Truck, or any other Goods, except Fish, *Two-pence per* Hundred Weight,	*Four-pence per* Hundred Weight.

To take double Ferriage after Nine o'Clock at Night.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, it shall and may be lawful for the said Rector of Saint *Peter's* Church, in the City of *Perth-Amboy* aforesaid, for the Time being, Proprietor of the Ferry on the North Side of *Raritan* River aforesaid, his Successors, or his or their Assigns, to demand and receive Pay for all such Persons, Horses, Horned Cattle, Sheep, Hogs, Carriages, Goods and Chattels, as shall be transported from the said Ferry, on the North Side of *Raritan* River, to the said Ferry, on the South Side thereof, at the following

Rates, in Proclamation Money, *viz.*

Single Persons, *Six-pence.*
More than one Person, each *Four-pence.*
A Horse, with or without a Man, *One Shilling.*
Horned Cattle, *One Shilling and Four-pence* each.
Sheep, *Two-pence;* Hogs and Calves *per* Head, *Three-pence.*
Pipes and Hogsheads of Liquor or Molasses, at *Two Shillings* each.
Barrels of Liquor, *Six-pence* each.
Barrels of Pork, Beef, Fish, at *Three-pence* each.
Barrels of Flour, at *Two-pence* each.
All Kinds of Wheel Carriages, for Pleasure or Burden, Passengers included, with their Trunks and Portmanteaus, at *One Shilling per* Wheel, and *One Shilling* for each Horse.
Sleigh, with two Horses, *Three Shillings.*
Carcasses of Beef, at *Two-pence Halfpenny per* Quarter.
Carcasses of Mutton and Veal, *One Halfpenny per* Quarter.
Flour or Pork *per* Hundred Weight, *One Penny Halfpenny.*
Grain or Meal of any Kind, *One Penny per* Bushel.
A Waggon, Cart or Sleigh Load, of any Kind of Market Truck, or any other Goods, except Fish, at *Two-pence per* Hundred Weight.
All Chests and Trunks, of two Feet long and upwards, *Six-pence* each, except such as are with travelling Carriages.
To take double Ferriage after Nine o'Clock at Night.

AND BE IT ENACTED *by the Authority aforesaid,* That the Ferrymen owning, possessing or employed in all or any of the Boats, Flats, Wherries or other Vessels for carrying Passengers to and from the Ferries before-mentioned, or either of them, shall and are hereby required to give constant and diligent Attendance, and to keep their Boats and other Crafts, at all Times, in good Order, with sufficient and able Hands to attend the same, and not 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 Creature or Creatures, singly or together, or any Thing else whatever, 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, he, she or they first paying the Ferriage, according to the Rates aforesaid; and they are hereby further enjoined and commanded, under the Penalty aforesaid, not to exact or take any other than the Rates herein and hereby given and fixed; which said Penalties and Damages, respectively, shall be recovered, upon due Conviction of such Offender or Offenders, before any one Justice of the Peace of the County of *Middlesex,* or the Mayor, Recorder, or either of the Aldermen, of the City of *Perth-Amboy,* and applied one Half to the Person who shall sue for the same to Effect, the other Half to the Overseers of the Highways of the City of *Perth-Amboy,* to be applied towards repairing the public Roads of the Ward in

which the Offence shall be committed. PROVIDED ALWAYS, and it is the true Intent and Meaning of this Act, that the Ferrymen shall not be compelled to go across *Raritan* River aforesaid, for less than *Six-pence;* or to *Staten Island,* for less than *One Shilling.*

Collins (1771), pp. 48-50.

An ACT *to impower the Inhabitants of the Township of* Deptford, *in the County of* Gloucester, *to repair their public Highways by Hire, and raise Money for that Purpose.*

WHEREAS a Law was passed in the Seventh Year of King *George* the Third, to enable the Inhabitants of the said Township of *Deptford* to repair their public Highways by Hire, which Law will expire at the End of the present Session of Assembly; and they having, by Petition, prayed that it may be renewed; 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, and during the Continuance thereof, all public Highways, in said Township, shall be repaired, amended, cleared and kept in good Order by Hire, for which Purpose a Rate and Assessment shall 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, on the *Pound* Value, as in Provincial Taxes (exclusive of Certainties, except all single Men who work for themselves, and are Residents in the said Township, and Housekeepers, whose Tax, on their rateable Estates, doth not Amount to *One Shilling,* who shall be assessed at the Discretion of the Assessor not under *Six-pence,* nor above *Five Shillings.*) And the said Inhabitants, at their Town Meeting, 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 in the said Town; and shall make an Order, in Writing, signed by their Clerk, directed to the Assessor of the said Township, setting forth the Sum to be raised, and a limited Time, within which he shall assess the same on 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 Township, chosen by Virtue of the

Act for regulating Roads, shall, within ten Days after they are so chosen, repair to a Magistrate of the County, and take an Oath, or Affirmation, as the Case may require, for the faithful Performance of their Offices; and, when so qualified, shall hire Labourers, and repair the said Highways whenever it shall become necessary: 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 respective Accounts, annually, on or before the second *Tuesday* in *March,* before any one Justice of the Peace of the County, and the two chosen Freeholders of the said Town; which Accounts, being signed by any two of them, shall be a sufficient Settlement of the same; and the said Overseers shall retain, in their Hands, the same Sum *per* Day as the Labourers receive, for each Day they attend such Labourers, in repairing the Highways, and pay the Overplus, if any be, to their Successors; and, on Neglect or Refusal, the said Successors shall sue for and recover the same, by Action of Debt, in any Court of Record where it may be cognizable, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assessor and Collector, for the Time being, 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 Collector, within thirty Days after receiving the Duplicates, or Assessments, shall collect and pay the Money therein assessed, to the Overseers of the Highways of the said Town, to be applied to the Purposes aforesaid; and all Delinquents who may neglect or refuse to give a true Account of their ratable Estates, shall be proceeded against in the Manner directed by the Sinking Fund Acts: And the Assessor and Collector shall receive the same Rewards for the Performance, and suffer the same Pains and Penalties for the Neglect of the Duties herein required, as by the said Acts are directed in like Cases.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall neglect or refuse to pay his, her or their Tax or Taxes, imposed by this Act, for the Space of ten Days after demanded, or Notice left at their Place of Abode, the Collector shall make out a List of his, her or their Names, and deliver it with the Duplicate, and Money collected, to one of the Overseers of the Highways of said Township; and when the Highways may want Repair, the Overseers shall warn in so many of such Delinquents as may be necessary, giving each of them one Day's Notice; who shall attend, at the Place appointed, by the usual Time of Beginning a Day's Work, with such Tools as the Overseer shall direct, and proceed to labour the Day through, as is common in private Service, and so from Day to Day, if need be, until their Taxes are severally paid; and no Person beginning a Day shall depart without the Overseer's Consent, until he hath performed a Day's Labour; and whatever may be earned by any one more than his Tax, shall be paid to such Person by the Overseer who employed him; and every Person summoned as aforesaid, who shall neglect or refuse to attend, and labour, as

aforesaid, or send a sufficient Hand in his or their Stead, or a Reason for such Non-Attendance, at or before the Time they were to appear, to the Satisfaction of the Overseer, such Person shall forfeit and pay the Sum of *Ten Shillings* for every Neglect or Refusal; and if any Person or Persons shall send a Hand or Hands, in Discharge of his or their Tax or Taxes, who is not of Ability of Body, or neglects to perform a reasonable Day's Labour, he or they shall be allowed accordingly; and all unjust Allowances, made in this Respect, shall be deducted out of the Overseer or Overseers Accounts, who made the same, at the Settlement thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when there may be Occasion to hire Labourers for the Purposes aforesaid, and they cannot readily be met with, the Overseer or Overseers may summon any Person in said Town, who commonly works by Days Labour, giving the Party summoned one Day's Notice, and every Person so summoned, who shall neglect or refuse to attend, and labour, as before directed, shall forfeit and pay the Sum of *Seven Shillings,* for every such Offence, provided no one Person be compelled to work on Hire more than four Days in one Year; and when Teams cannot readily be hired, the Overseers may summon any Person who keeps a Team and Carriage, suitable for the Service, to send them, giving the Owner two Days Notice; and every Person so summoned refusing or neglecting to send such Team and Carriage, with a Hand to manage the same shall forfeit and pay the Sum of *Fifteen Shillings,* for every such Offence, provided no one shall be compelled to send a Team more than two Days in one Year, to reckon from the second *Tuesday* in *March;* and a Team of four Creatures and Carriage, with a Hand to manage the same, shall be rated at *Ten Shillings per* Day; and a Labourer, from the first Day of *May,* to the first of *November, Three Shillings and Six-pence per* Day, and *Three Shillings per* Day the Rest of the Year, they finding themselves Diet, and performing a sufficient Day's Work; but if they shall come late, or idle and neglect their Business, the Overseer shall deduct so much of their Wages as he may think just and reasonable.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Inhabitants of the said Township, at any of their Town Meetings, on Application made by the Overseer of the Highways, shall refuse to order Money to be raised, sufficient to keep the Highways within the said Township in good Repair, the said Overseers shall apply to two Magistrates of the County, and the two chosen Freeholders of the said Township, who are hereby commanded to appoint a Time to meet, and inspect the said Overseers Accounts; and, if upon such Inspection, they find there is not Money in the Overseers Hands sufficient for the Purposes aforesaid, they shall make an Order, commanding the Assessor to assess such Sum or Sums of Money, in Manner aforesaid, as they the said Magistrates and Freeholders, or any three of them, may think necessary, on the Inhabitants of the 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 if

any Justice of the Peace, or Freeholder, shall neglect or refuse to do and perform any Matter or Thing enjoined him or them by this Act, or Overseer or Overseers shall neglect or refuse to settle his or their Account, as aforesaid, and pay the Balance, if any be, to their Successors, he or they, so offending, shall forfeit and pay the Sum of *Five Pounds,* for every such Offence; which said Fines, and all others imposed by this Act, shall be recovered by the Overseers of the Highways, by Action of Debt, in any Court of Record where the Suit may be cognizable, and applied to the Repairs of the Highways in the said Township.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall be and continue in Force three Years, and from thence to the End of the next Session of General Assembly, and no longer.

Collins (1771), pp. 50-54.

An ACT *to enable the Owners and Possessors of the Meadows, lying on the southerly Branch of* Newton *Creek, commonly called the* Fork Creek, *in the County of* Gloucester, *to repair and maintain a Bank, Dam, and other Water Works, heretofore erected and made across the said southerly Branch of* Newton *Creek, and to keep the Water Course of the said Creek open and clear.*

WHEREAS the Owners and Possessors of the Meadows, lying on the southerly Branch of *Newton* Creek, commonly called the *Fork Creek,* did, many Years past, erect a Bank, Dam, and Water Works, beginning at the fast Land of *Samuel Harrison,* and crossing said Creek to the fast Land late *William Albertson's,* and now *William Flanningham's,* by which Means they have enjoyed great Advantages from their Meadows; and whereas, by Reason of several Dams, and other Water Works, made across the said Creek formerly, the natural Water Course thereof is filled up, and greatly obstructed, so that the Meadows, on the southerly Branch of the said Creek, are frequently laid under Water, and thereby rendered of little or no Value to the Owners and Possessors thereof, and likely so to remain, unless remedied by a Law; 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 it shall and may be lawful to and for the Owners and Possessors of the Meadows, lying on the southerly Branch of *Newton* Creek, commonly called the *Fork Creek,* in the County of *Gloucester,* 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 said Bank, Dam, and other Water Works, shall be supported and maintained at the equal Expence of the Owners and Possessors of the said Meadows, in Proportion to the Quantity thereof they now or hereafter may hold, within the said Bank and Dam; and that the Water Course of the said Creek shall, at all Times, be kept open and clear, against each Owner and Possessor's Land, at their own Expence, as far as his or their Lands respectively extend.

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 southerly Branch of *Newton* Creek, commonly called the *Fork Creek,* to meet and assemble yearly and every Year hereafter, on the first *Saturday* in *September,* for the first Time, at the House of *Samuel Harrison,* in the Town of *Gloucester,* and afterwards at any House by them affixed; and they 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 *Saturday* in *September, Samuel Harrison* and *Isaac Albertson* 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 one Month 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 cleaning, 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 him, her or 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 *Saturday* in *September,* to choose Managers as aforesaid, that then the Managers, chosen for the preceding Year, shall be continued in the 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, either of them, the said 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 Use aforesaid.

AND WHEREAS the good Purposes intended by this Act will be prevented, unless the Bank, Dam, and Water Works, are properly supported and maintained, BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Managers now appointed, or hereafter chosen as aforesaid, at all Times, to 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 they 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 wharf or otherwise defend the said Dam and Banks from the Wash of the Tide, in such Manner as they shall think necessary, the Costs and Expences thereof to be paid by the Owners and Possessors in Proportion to the Quantity of Meadow they severally hold.

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 southerly Branch of *Newton* Creek, commonly called the *Fork Creek,* to bring his, her or their Charges 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.

AND WHEREAS the watering of Meadows in the Winter Season hath

been found, by Experience, to be of great Advantage to the Crops the following Summer, BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers, Owners or Possessors of the Meadows, on the said Creek, may, at all Times hereafter, between the first Day of *December,* and the first Day of *March* yearly and every Year, when they shall think it necessary, open the Doors of the Water Works, and let in as much Water as will cover the Meadows, and may stop the same in, not exceeding four Weeks, first giving Notice of his or their letting in the Water at least ten Days before.

AND BE IT ENACTED *by the Authority aforesaid,* That in order to find and fix the Proportion of each Owner or Possessor of Land, on the said southerly Branch, 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 further, that all other Expences occasioned by this Act, shall be paid by the said Owners and Possessors, in the Proportion to the Meadows they respectively hold within the said Bank and Dam.

Collins (1771), pp. 54-58.

An ACT *to enable the Proprietors and Possessors of the Meadows and Swamps, lying on* Pinch Ditch, Black Brook, *and Part of* Whiponong *River, in the County of* Morris, *to clear, deepen, and dig Ditches, for the more effectual draining the said Meadows and Swamps, and for other Purposes therein mentioned.*

WHEREAS divers of the Proprietors and Possessors of the Meadows and Swamps, lying on or near to a certain Ditch called *Pinch Ditch,* and to *Black Brook,* and Part of the River *Whiponong,* in the County of *Morris,* have, by their Petition, set forth, That there is a large Quantity of very valuable Swamp and Meadow Grounds lying on the aforesaid Ditch, Brook, and River *Whiponong,* which, from Obstructions in the same, and for Want of proper Drains, are subject to be overflowed, and thereby rendered of little Value to the Proprietors thereof; and whereas digging proper Drains or Ditches, and clearing the said Brook and River, will be of great Benefit and

Advantage, as well to the Proprietors of the said Meadows, as to the Country in general,

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, it shall and may be lawful for the Owners and Possessors of the Meadows and Swamps, lying on *Pinch Ditch,* dug by *Moses Young,* and to be continued on a straight Course to *Daniel Young* and *David Richard's* Corner; thence in the Line between them to *Ephraim Price's* Land; thence in the Line between said *Price* and *Young* to the Land late the Property of Captain *Robert Troup,* deceased; thence in the Line between said *Price* and *Troup* to *Black Brook,* at a Place called the *Mouth of Muddy Run;* thence up said Brook to a Place called and known by the Name of the *Hammock;* and also for the Owners and Possessors of the Meadows and Swamps, lying on said *Black Brook,* between the Mouth of said *Muddy Run,* and where it empties into *Whiponong* River; thence down said *Whiponong* River to the Corner of Colonel *Joseph Tuttle's* Land, at a Place called *Coxe's Corner;* to enter upon the Premises aforesaid, and to dig a Ditch ten Feet wide, and two Feet and an Half deep, agreeably to the Directions aforesaid, from the End of said *Moses Young's* Ditch, called *Pinch Ditch,* to *Black Brook* aforesaid; and also to enter into and upon the said *Black Brook,* and *Whiponong* River, within the Limits aforesaid; and from Time to Time, and as often as it shall be necessary, to widen, clear out and enlarge the same, for the more effectual draining and carrying the Waters off the said Meadows and Swamps; and the Mud and other Obstructions taken out of the said Ditch, Brook and River, equally to throw upon the Meadows and Swamps next adjacent.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all and every Owner or Owners, Possessor or Possessors, of the Meadows and Swamps, adjoining the aforesaid *Pinch Ditch,* and the said Ditch, to be continued as before described, to *Black Brook* aforesaid; and also the Owners and Possessors of the Meadows and Swamps adjoining *Black Brook* and *Whiponong* River, wherever they join the same, within the Limits aforesaid, shall, against his, her or their Lands, dig the Ditch as aforesaid; and at all Times hereafter, cleanse and keep open his, her or their Part of the Ditches, Brook and River aforesaid, adjacent and opposite to his, her or their Meadow and Swamp, at their equal Expence; and if any or either of the Owners or Possessors of the Meadows and Swamps before-mentioned, shall neglect or refuse to dig his, her or their Part of such Ditches, and at all Times hereafter, when necessary, to clear out and keep open said Ditches, Brook and River aforesaid, for fourteen Days after Notice, or a Request for that Purpose made by either, or any of the Owners or Possessors, injured by such Neglect or Delay, it shall and may be lawful for such Owner or Owners, Possessor or Possessors, to enter upon the same, and do every Act, Matter and Thing enjoined them by this Act, for the more effectual draining and taking off the Waters from the Meadows and Swamps aforesaid, and to commence and prosecute his, her or their Action for all Labour done, and Monies expended, in digging the said Ditch, and clearing the Brook and River, for the Purposes

aforesaid, against such Person or Persons whose Duty it was to have done the same, with all such Damages that may have accrued thereby.

AND, the more fully to carry the Intention of this Act into Execution, BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Owners and Possessors of the Swamps and Meadows, lying on *Pinch Ditch, Black Brook* and *Whiponong* River, within the Limits aforesaid, shall meet on the first *Tuesday* in *March* yearly, at such Place as a Majority of the Owners and Possessors of said Meadows and Swamps shall appoint; and then and there by Plurality of Voices of them so met, choose, for the ensuing Year, not less than three, nor more than five Persons, interested in the said Meadows and Swamps, for Managers; who are hereby authorized and required, at least twice in every Year, and oftener if necessary, to view and inspect said Ditches, Brook and River, with the Meadows and Swamps adjacent; and they, or a Majority of them, shall judge and determine what digging and clearing are necessary to be done, for the more effectual keeping open the Water Courses, and draining said Swamps and Meadows; and in case all or any of the Owners or Possessors of said Meadows and Swamps shall, for fourteen Days after Notice and a Demand made in Writing, signed by the said Managers, or a Majority of them, neglect or refuse to execute and perform such Duties as shall be in and by said Notice required of him, her or them, agreeably to the Intention of this Act, it shall and may be lawful for the said Managers, or a Majority of them, during the Time they shall continue in Office, to enter upon the Work so adjudged necessary by them, and hire Workmen to complete and execute the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers, so chosen as aforesaid, 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 digging and clearing the Ditches aforesaid, and of clearing and deepening the Brook and River aforesaid, equally, on the Proprietors and Possessors of the Meadows and Swamps which lie adjacent, in such Places where the said Work is found necessary to be done; and shall and may demand and receive of and from the said Owners and Possessors, all Sums by them so assessed; and, on Neglect or Refusal to pay the same, it shall and may be lawful for the said Managers, or the Majority of them, and they are hereby enjoined to sue for and recover the same, with Costs of Suit, in any Court of Record where the Suit is cognizable, from such Owners or Possessors whose Duty it was to have done the Work; all which Sums so assessed, received and recovered, shall be applied, by the said Managers, or a Majority of them, to the Purposes in this Act before-mentioned; and the said Managers, or either of them, are hereby made accountable, and required to lay a State of their Proceedings, and an Account of the Monies expended by them, before the Owners and Possessors of said Swamps and Meadows, at their Annual Meeting.

AND WHEREAS *Moses Young* hath been at considerable Expence in digging a large Ditch through a certain Swamp, called the *Pinch Bog Swamp,* whereby many of the Owners and Possessors of the Meadows and Swamps

adjoining are greatly benefited, and ought to contribute their proportionable Part of the said Expence; therefore, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Managers, or a Majority of them, to be chosen as aforesaid, and they are hereby required to measure the aforesaid Ditch, called *Pinch Ditch,* dug by the said *Moses Young,* and also the Swamps and Meadows adjoining, if they shall find it necessary, to ascertain the Quantity of Meadow or Swamp of each Owner or Possessor benefited by the said Ditch; and the said Managers, or a Majority of them, are hereby authorized and impowered to assess such Sum or Sums of Money as shall have been necessarily expended, by the said *Moses Young,* in digging and clearing said Ditch, equally in proportion on all the Proprietors and Owners of the Meadows and Swamps, lying on said Ditch; and the said *Moses Young* is hereby impowered to demand and receive of all and every of the Owners and Possessors aforesaid, such proportionable Sums so by the said Managers assessed: And on Neglect or Refusal of the Payment thereof, it shall and may be lawful for the said *Moses Young,* his Heirs, Executors and Administrators, or either of them, to sue for and recover the same, in Manner aforesaid; and to give the said Assessment in Evidence.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all other Ditches that are, or hereafter may be dug in said Meadows or Swamps, as Line or Division Ditches between two Owners or Possessors thereof, which lead into the great Ditch or Drain, shall be dug, and kept clear and open, at least five Feet wide, and as deep as the said great Ditch, at the equal Expence of each respective Owner or Possessor adjoining the same; and if either of the Owners or Possessors, so adjoining, shall neglect or refuse to dig or clear his, her or their Part of such Ditches, after Notice given as aforesaid, it shall and may be lawful for the Owner or Possessor adjoining, or injured thereby, to execute the same, and bring his, her or their Action against the Party delinquent, in Manner and Form as in and by this Act is before directed.

Collins (1771), pp. 58-62.

An ACT *for the more effectual maintaining, and keeping above the Flow of the Tide, that Part of the Road or Causeway between the Toll-Bridge, over* Newton *Creek, and the fast Land of* Keziah Tonkin.

WHEREAS *Thomas Attmore, Isaac Burrough, Benjamin Thackray, Jacob Stokes, Hannah Cooper, Keziah Tonkin, Elizabeth Thackray,* and *Job Haines,*

Owners and Proprietors of the Meadows, lying on the easterly Side of *Newton* Creek, in the County of *Gloucester,* have, by their Petition, set forth, That they have suffered, and are daily exposed to, very considerable Damage by Reason of the Causeway and Road between the Toll-Bridge, called *William Gerrard's,* and the fast Land of *Keziah Tonkin,* not being raised above the Flowing of the Tides;

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly,* That if the Owner or Owners, Possessor or Possessors, of the Toll-Bridge, erected over *Newton* Creek, shall neglect or refuse, for three Months after Publication hereof, to repair and raise, above the Flowing of the Tides, such Part of the Causeway and Road (leading from the Town of *Gloucester* to the *Coopers* Ferries) as lays on the East Side of *Newton* Creek aforesaid, from the End of said Toll-Bridge to the fast Land of *Keziah Tonkin;* then, and in such Case, it shall and may be lawful for the Managers, or the Survivors of them, already appointed, or that shall be hereafter appointed, in Pursuance of an Act passed in the Third Year of His present Majesty's Reign, entitled, *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,* to repair, amend and raise, the said Causeway and Road, from the Bridge aforesaid, to the fast Land of *Keziah Tonkin,* at least five Feet above the common Level of the Meadows adjoining, and to make the same eighteen Feet wide on the Top of the said Causeway or Road.

AND BE IT ENACTED *by the Authority aforesaid,* That one Half of the Expence of amending and raising the said Road and Causeway shall be paid by the Owners and Possessors of the Meadows, in the same Proportion, and to be assessed and collected in the same Manner as is directed in and by the before recited Act; and the other Half Part shall be paid by the Owner or Owners, Possessor or Possessors, of the Toll-Bridge aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owner or Owners, Possessor or Possessors, of the said Toll-Bridge, shall, within the Time limited by this Act, raise and repair the said Road and Causeway five Feet above the common Level of the Meadows, and make the same eighteen Feet broad at the Top, it shall and may be lawful for the Owner or Owners, Possessor or Possessors, of the Toll-Bridge aforesaid, his, her or their Heirs, Executors, Administrators or Assigns, to demand of, and receive from, the Managers already appointed, or that may be hereafter appointed, in Pursuance of the before recited Act, the one Moiety or Half of the Expence that shall have been, by the said Owner or Owners, Possessor or Possessors, of the said Toll-Bridge, necessarily and reasonably expended by him, her or them, in repairing and raising the said Road and Causeway; and in case the said Manager or Managers for the Time being, chosen as aforesaid, shall refuse or neglect to pay the said Owner or Owners, Possessor or Possessors, of the Toll-Bridge aforesaid, one Half of the Charges by him, her or them, necessarily expended in repairing the Roads and Causeway

aforesaid, for the Space of twenty Days after said Road and Causeway are completed, it shall and may be lawful for the Owner or Owners, Possessor or Possessors, of the Toll-Bridge aforesaid, to commence his, her or their Action, in any Court where the same may be cognizable, against the Manager or Managers appointed for the Time being, and recover one Half of the Money and Charge necessarily expended in repairing and raising the said Road and Causeway to the Height and Breadth aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owner or Owners, Possessor or Possessors, of the Toll-Bridge aforesaid, shall not, within three Months after Publication hereof, have repaired the Road and Causeway aforesaid, in such Manner as by this Act is required, then it shall and may be lawful for the Manager or Managers, chosen by Virtue of the before recited Act, to enter upon, repair and raise, the Road and Causeway in Manner aforesaid; and when the same shall be by him or them so completed, it shall and may be lawful for the Manager or Managers, appointed for the Time being, to demand of, and receive from the Owner or Owners, Possessor or Possessors, of the Toll-Bridge aforesaid, the one Half of all such Monies and Charges that shall have been by him or them necessarily and reasonably laid out and expended in repairing and raising the said Road and Causeway; and in case the said Owner or Owners, Possessor or Possessors, of the Toll-Bridge aforesaid, shall neglect or refuse to pay or satisfy the Manager or Managers, so chosen as aforesaid, one Half of all Costs and Charges by him or them necessarily laid out and expended in repairing and raising the Road and Causeway aforesaid, it shall and may be lawful for the said Manager or Managers, for the Time being, within twenty Days after Demand made, and a Refusal or Neglect to pay such reasonable and necessary Costs and Charges, to fix up Advertisements in two or more of the public Places in the County of *Gloucester,* at least fourteen Days before the Time of Sale, setting forth, that for Non-Payment of the Costs and Charges laid out and expended in repairing and raising that Part of the Road and Causeway between the End of the Toll-Bridge and *Keziah Tonkin's,* the Property in the Toll-Bridge aforesaid, will be leased to the highest Bidder for so long a Time as will be sufficient to reimburse and pay the said Managers, or their Successors in Office, all such reasonable Costs and Charges as have been necessarily expended and laid out in repairing and raising said Road and Causeway; for which Purpose the Manager or Managers of said Meadows chosen as aforesaid, for the Time being, are hereby fully impowered and authorized to make and execute a Lease or Leases, for the Time and Purposes aforesaid, and the Lessee or Lessees, their Heirs, Executors, Administrators or Assigns, shall be, and are hereby impowered to receive and take to themselves the Toll, and are invested with the same Title, Interest and Possession, in the Toll-Bridge aforesaid, during the Term of such Lease, in as full and ample a Manner as the Owner or Owners, Possessor or Possessors, their Heirs or Assigns, have, or hereafter may have, in and to the Toll-Bridge aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That for

the more easy and convenient repairing and raising the Road and Causeway aforesaid, it shall and may be lawful, for the Owner or Owners, Possessor or Possessors of the Toll-Bridge aforesaid, or the Manager or Managers, chosen as aforesaid, at all Times hereafter, to dig Mud in the Meadows adjoining the Causeway, not exceeding sixteen Feet in Width, the Length of the Causeway, over and above what was laid out for the Use of the Road and Causeway; which said two Strips of Meadow shall be valued by *Samuel Harrison,* Esquire, and *Isaac Mickle,* and the Amount of the said Valuation shall be paid by the Owner or Possessor of the Toll-Bridge aforesaid; and the Manager or Managers, appointed by the Act aforesaid, equally in the same Manner, and under the same Penalties, for Neglect or Refusal, as is herein before directed respecting the repairing of the Causeway aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when the said Road and Causeway are repaired and raised in Manner aforesaid, the same shall, at all Times hereafter, be maintained, repaired and kept up to the Height aforesaid, at the sole Expence of the Owner or Owners, Possessor or Possessors, of the Toll-Bridge aforesaid, as long as the same shall remain a Toll; and whenever the said Bridge and Causeway shall happen to be out of repair, and require raising, if the Owner or Owners, Possessor or Possessors, of the Toll-Bridge aforesaid, shall neglect or refuse to repair and raise the same, for the Space of ten Days after Notice, and a Demand made for that Purpose, it shall and may be lawful for the Manager or Managers, for the Time being, appointed in Pursuance of the before recited Act, to enter upon, repair and raise, the said Road and Causeway, keeping a particular and reasonable Account of the Cost and Expence attending the same; which shall be recoverable by him or them of and from the Owner or Owners, Possessor or Possessors, of the Toll-Bridge aforesaid, in Manner and Form as in and by this Act is directed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Owner or Owners, Possessor or Possessors, of the Toll-Bridge aforesaid, and the Manager or Managers of the Meadows aforesaid, as often as Occasion may require, to dig and carry on the said Road and Causeway, Sand or Gravel, any where the most convenient within the Compass of the Road laid out as aforesaid, so as to incommode the passing of Travellers as little as may be.

Collins (1771), pp. 62-66.

A Supplementary ACT *to the Act, entitled, An* Act *to enable the Owners of the Meadows and Marshes, belonging to the Town of* Salem, *to keep out the Tide from overflowing the same.*

WHEREAS sundry of the Owners and Possessors of Marsh and Meadows, within the Bank of the Town of *Salem,* have, by their Petition, represented to the Legislature the great inconveniences attending the Want of a proper Regulation in cleansing the Creek called *Cow-Neck Creek,* bounding on the said Marshes and Meadows, and the Forks and Branches thereof, and praying that the Managers, annually chosen, may have Power vested in them for that Purpose,

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by Authority of the same,* That from and after Publication of this Act, it shall and may be lawful for the said Managers, and they are hereby impowered to clean the said Creek, called *Cow-Neck Creek,* from the Sluice to the Forks of the said Creek, and from thence up each of the said Forks as far as the respective Marsh or Meadows of those who pay Bankage towards the same shall extend; and where the Branches of the said Forks do not extend so far, as when cleared, to carry the Water off the same, the Managers are hereby impowered to cut Ditches or Drains from the Branches of the said Forks to such Marsh or Meadows as they shall judge most necessary to answer the Purpose, and where the same shall be of least Prejudice, and of most Benefit to the Owners and Possessors of the Marshes and Meadows of those who pay Bankage as aforesaid, observing that the Rubbish, Mud or Grass, thrown out from the said Creek, Forks, Branches or Drains, be equally divided, as near as may be, to each Side.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when the Monies raised, at the yearly Town-Meeting of the said Owners and Possessors, shall not be sufficient to answer the Expences incurred by these Services, it shall and may be lawful for the Managers aforesaid, to assess and levy such further Sum or Sums of Money as shall be found wanting to complete the same, in the same Manner, and under the same Limitation, as Monies voted to be raised at the Yearly Meeting as aforesaid; for all which Monies so assessed, levied and disbursed, the Managers aforesaid shall be allowed Poundage, in the same Proportion as for Monies raised at the Yearly Meeting, and shall be equally accountable for the same.

AND BE IT ENACTED *by the Authority aforesaid,* That when any of the said Owners or Possessors of Marsh and Meadow aforesaid, shall think themselves aggrieved by paying Bankage for more than they think themselves entitled to, upon Application made to the Managers, they shall cause the same to be surveyed, at the sole Cost and Charge of the Party applying, and shall be assessed only for the Number of Acres contained in such Survey.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That an

Act, entitled, *A Supplementary* Act *to the Act enabling the Owners of the Meadows and Marshes belonging to the Town of* Salem, *to keep out the Tide from overflowing the same,* and passed in the Twenty-sixth Year of the Reign of King *George* the Second, be, and the same is hereby repealed.

Collins (1771), pp. 66-67.

An ACT *to enable sundry of the Owners and Possessors of Meadows and Tide Marsh, lying on* English's *Creek, 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, and to keep the former Water Course of said Creek open and clear, and to make the said Dam, when erected, a public Landing.*

WHEREAS *Joseph English* and others, by their humble Petition, have set forth, That there is a large Quantity of Swamp or Tide Marsh, lying and being on the Creek commonly called *English's Creek,* in *Mansfield,* in the County of *Burlington,* which is now useless for Want of banking out the Tide from the same, and therefore prayed that a Law may be passed, authorizing and enabling the Petitioners to erect a Dam across the said Creek, at a Place near the Mouth of the same, known by the Name of *English's Landing,* and from thence to continue a Bank to the Corner of *Joseph English's* Plantation on the fast Land;

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 said Meadows and Marsh to erect, and keep up in good Repair, or cause to be erected and kept up, and in good Repair, a sufficient Bank, Dam, and other Water Works, over and across the said Creek, known by the Name of *English's Creek,* necessary for keeping out the Tide, at a Place near the Mouth of the said Creek, known by the Name of *English's Landing;* and to continue the Bank or Dam to the Corner of *Joseph English's* Plantation on the fast Land.

AND BE IT ENACTED *by the Authority aforesaid,* That the natural Water Course of the said Creek, from the Bank (to be erected by Virtue of this Act)

so far up as the Tide usually flows, shall, at all Times, be kept open and clear, that the Water may have a sufficient fall from off the Meadows; and all Mud, Grass, or other Rubbish, that may be thrown or dragged thereout, shall be equally divided, as near as may be, to each Side of said Creek.

AND, to the End that the said Bank, Dam, and other Water Works, may be immediately erected and done, and at all Times hereafter be well and sufficiently maintained and kept in Repair, BE IT ENACTED *by the Authority aforesaid,* That *Joseph English,* senior, *Samuel English,* and *John Sutton,* be, and they are hereby appointed the present Managers; which Managers, or any two of them, shall have full Power to assess the said Owners and Possessors in Proportion to the Quantity of Marsh and Meadow he or they shall hold, 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 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, 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, and their Successors, 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, by 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 further, it shall and may be lawful for the said Managers, and their Successors, at all Times hereafter, 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 and repairing the same.

AND BE IT FURTHER 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 they shall think proper, at the present Dwelling-House of *Joseph English,* senior, or any other Place appointed, and there choose three Managers, who are hereby invested with the same Powers as in and by this Act are given to the Managers before-mentioned; and if the said Owners and Possessors shall neglect to meet on the Times aforesaid, for choosing Managers, in such Case the Managers hereby appointed or chosen for the preceding Year shall continue, and have the same Powers until new ones are chosen, as aforesaid. And in order to ascertain the just Quantity of Meadow or Marsh each Owner or Possessor doth hold, within the said Bank, it shall and may be lawful for the said Managers, or any two of them, at any Time hereafter, when they shall find it necessary, to cause the same to be measured; the Expence whereof to be paid by the said Owners and Possessors in Proportion as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every of the 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 and Six-pence* 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 the said Dam, when erected over and across the said Creek, shall be, and hereby is declared a public Landing: And that it shall and may be lawful for all Persons whatsoever to land, or cause to be landed, on the said Bank, Wood, Plank, Timber, or any other Merchandize, without any Molestation from any Person or Persons whatsoever; any Thing herein before contained to the contrary thereof in any Wise notwithstanding.

PROVIDED ALWAYS, That Nothing in this Act shall prevent or hinder any Person or Persons from demanding and recovering his, her, or their Damages, which he, she, or they may sustain by Reason of erecting the said Dam and Water Works; which Damages, 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 *Burlington,* whose Determination, or the Determination 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 Damages, 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 recover the said Damages, with Costs of Suit.

Collins (1771), pp. 68-71.

An ACT *for the Relief of* Thomas Tindal, *and* James Clark, *the Younger, and for other Purposes therein mentioned.*

WHEREAS by an Act passed in the Fourth Year of His present Majesty's Reign, entitled, *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, Thomas Tindal* and *James Clark,* the Younger, were appointed Managers or Commissioners for the Purposes in the said Act mentioned, under the Penalty of *Ten Pounds,* for their Neglect or Refusal; and whereas the said *Thomas Tindal,* and *James Clark,* the Younger, by their humble Petition, have set forth, That, in Obedience to the said recited Act, they did take upon them the Powers and Authorities therein and thereby given; and did, in Proportion, assess, among others, Owners and Proprietors of Meadow lying on or near the Runs aforesaid, *John Bambridge, Benjamin Stevens, Jonathan Serjeant* and *Samuel Hunt,* of whom the several Sums assessed on them, were demanded; and upon their Refusal to pay the same, Suits were commenced by the said Managers, against the said Delinquents, pursuant to the Directions of the said recited Act; and that, from a Misconstruction of the said Act, and the Powers thereby given to the said Commissioners, a Verdict was given, in one of the said Suits, in Favour of the said Defendant, whereby the Intention of the said Act is in Danger of being defeated; and that the said Commissioners have been, and hereafter may be, put to great Expence and Costs: For Relief therefore in the Premises, and to prevent all Suits and Differences for the Future, in the Construction of the said recited Act, and the Powers and Authorities therein given to the said Commissioners and their Successors,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That *Joseph Skelton* and *Isaac Pearson,* Esquires, and *Elijah Bond,* be, and they are hereby appointed to examine and inspect into the Assessments made on the said *John Bambridge, Benjamin Stevens, Jonathan Serjeant, and Samuel Hunt,* and view the Work done, for which such Assessment was made, and thereupon to order such other Assessment on the Possessors or Proprietors of the said Meadows, or such of them as to the said *Joseph Skelton, Isaac Pearson,* and *Elijah Bond,* or any two of them, shall be thought reasonable, for Relief of the said *Thomas Tindal,* and *James Clark,* the Younger, and reimbursing them as well all Costs, Charges and Expences as they, or any two of them, shall adjudge reasonable, as the several Assessments by them, the said *Thomas Tindal,* and *James Clark,* the Younger, as aforesaid, made and set; which Sums of Money and Assessments as aforesaid, adjudged and assessed by the said *Joseph Skelton, Isaac Pearson* and *Elijah Bond,* or any two of them, shall, in Case of Non-Payment, be recovered

by Warrant of Distress, under the Hand and Seal of any Justice of the Peace, against the Goods and Chattels of all or any Person as aforesaid, refusing to pay the same: And upon Sale of the Goods so distrained, the Overplus, if any be, after deducting the Sum assessed, with Costs, shall be returned to the Owner of the said Goods.

AND BE IT ENACTED *by the Authority aforesaid,* That every Assessment hereafter to be made on any Proprietor or Possessor of any of the Meadows in the said Act mentioned, and who shall refuse to pay the same, as set by Virtue of the said recited Act, by the said *Thomas Tindal,* and *James Clark,* the Younger, or their Successors, shall be recovered by Warrant of Distress as aforesaid; and that the Goods and Chattels so taken and distrained, shall, after five Days Notice in Writing, be sold at public Vendue; and, after deducting the Amount of the Assessment with the Costs, the Surplus, if any be, shall be returned to the Owner or Owners.

Collins (1771), pp. 71-72.

An ACT *for the Relief of* John Budd, *of* Salem.

WHEREAS *John Budd,* of the Town of *Salem,* in the Province of *New-Jersey,* Practitioner in Physic, hath presented a Petition to the Legislature of this Province, setting forth, That he is so circumstanced as to be unable, at present, to pay his Debts, undertaking to pay, to the Use of his Creditors, the Sum of *Two Hundred Pounds,* Proclamation Money annually, for the Space of seven Years; and praying that his Person and Effects of all Kinds shall and may, for the Space of seven Years aforesaid, be exempted from all legal Process for any Debt or Debts contracted on or before the twenty-second Day of *November,* in the Year of our Lord One Thousand Seven Hundred and Seventy-one: And whereas a large Majority of the Creditors of the said *John Budd* have agreed to a Law for the Purpose, and on the Condition aforesaid: And whereas also *Samuel Shivers,* late of *Gloucester* County, deceased, Father-in-Law of the same *John,* hath, for himself, his Heirs and Representatives, agreed to be excluded from any Sum or Sums of Money so to be paid to the Uses aforesaid: And whereas the Performance of the said Condition will be highly beneficial to the Creditors of the same *John Budd;* and it appearing that the said *John Budd* hath duly given Public Notice of his Intention, to apply for this Act.

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That until Failure of the annual Payment of *Two Hundred Pounds* Proclamation Money above mentioned, the Person and Effects of the said *John Budd,* of every Sort and Kind whatever, shall be and are hereby declared to be exempt from all legal Process whatever, for the Space of seven Years next ensuing the Publication of this Act, for or on the Account of any Debt or Debts contracted on or before the twenty-second Day of *November* aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever shall or do arrest, attach, or issue any Process against the aforesaid *John Budd,* or his Effects, contrary to the Intent of this Act, it shall and may be lawful to and for the said *John Budd* to apply to any one of the Justices of the Supreme Court, or any one of the Judges of the Inferior Court of Common Pleas of any County within this Province, who are hereby authorized, impowered and commanded to issue a *Supersedeas,* as often as Occasion may require, to the Process so issued or to be issued, to the Sheriff or other Officer who shall or may serve the same Process, commanding the same Sheriff or Officer to discharge the Person and Effects of the said *John Budd* from such Process so issued, or hereafter to be served as aforesaid, who is hereby strictly enjoined to pay Obedience to the said *Supersedeas,* and discharge the same *John* and his Effects from the said Process.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Monies aforesaid shall be paid yearly and every Year unto *John Hinchman, Samuel Blackwood, Samuel Clement, Samuel Harrison,* and *Edward Keasby,* Esquires, or to any three of them, who are hereby appointed Trustees to receive the same, with full Power and Authority to distribute the said Monies to the Creditors of the said *John Budd,* in such Proportions as to them, or any three of them, shall appear equitable and just. And over and above the said Sum, to be paid for the Use of the Creditors, the said *John Budd* shall pay to the Trustees, for their Trouble in adjusting the Accounts and paying the Money, at the Rate of *Three per Cent.* on such Money as may come into their Hands.

Collins (1771), pp. 73-74.

Twenty-second Assembly, First Session

19 Aug.-26 Sept. 1772

Perth Amboy

All acts passed 26 Sept. 1772.

An ACT *for the Support of Government of His Majesty's Colony of* New-Jersey, *to commence the First Day of* October *One Thousand Seven Hundred and Seventy-two, and to end the First Day of* October *One Thousand Seven Hundred and Seventy-three, 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* will expire on the First Day of *October* next, 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 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 cheerfully 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 any unapplied Money now in the Treasury, or that may come therein, by Payment of any Sum or Sums now outstanding and due to this Colony, or otherwise, as herein after is provided; *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 First Day of *October* next.

To *Charles Read,* Esquire, Second Justice of the Supreme Court of this Colony, at the Rate of *One Hundred Pounds per Annum,* Money aforesaid.

To *David Ogden,* Esquire, Third Justice of the Supreme Court of this Colony, at the Rate of *One Hundred Pounds per Annum,* Money aforesaid.

To *Cortland Skinner,* Esquire, 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, at the Rate of *One Hundred Pounds per Annum,* Money aforesaid.

To the Clerk of the Circuits, for the Time being, residing in 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 several Sums above-mentioned shall be paid to the several

Officers before mentioned, for their respective Salaries, for and during 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,* Esquire, 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 First Day of *October,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-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 authorized and commanded to pay to his Excellency *William Franklin,* Esquire, or to the said other Officers, or to his or their several Executors, Administrators and Assigns, or to their Orders, out of the Money 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,* Esquire, 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 any one of the Justices of the Supreme Court of this Colony *Ten Pounds* for each Time, during the Continuance of this Act, that they 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, 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 of the Justices of the Supreme Court. PROVIDED ALSO, That Twenty Days Notice be given of the Day of holding such Courts of *Nisi Prius* and Courts of Oyer and Terminer.

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, *Videlicet,*

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 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 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.

To *Charles Pettit,* Esquire, Deputy-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 ragged and torn Bills of Credit of this Colony.

To *Isaac Collins,* 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 *Hendrick Fisher, Stephen Crane, James Kinsey* and *Thomas Polegreen Hewlings,* Esquires, or any two of them, shall agree to be paid for the said Service.

To the Sergeant at Arms for the Time being, who shall attend the Council, the Sum of *Three Shillings per Diem;* and to the Sergeant 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 several 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, Henry Paxson, John Hinchman, James Kinsey, Thomas Polegreen Hewlings,* and *Richard Lawrence,* Esquires, or any Three of them, expressing the Number of Days such Member 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.

AND, That the Monies hereby given and granted may be duly paid, and the Contingent Charges of Government provided for, BE IT ENACTED *by the Authority aforesaid,* That 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, the Sum of *Three Thousand Five Hundred Pounds,* Proclamation Money of this Colony, shall be assessed and levied on the Inhabitants of this Colony, their Goods and Chattels, Lands and Tenements, and paid into the Treasury of this Colony, in the same Manner, Form and Proportion, and under the same Fines and Penalties, and with the same Fees and Rewards, and at the same Time as is directed, required and enjoined by an Act, entitled, "*An* Act *to settle the Quotas of the several Counties of this Colony, for the levying Taxes.*"

AND BE IT ENACTED *by the Authority aforesaid,* That the several Counties of this Colony shall be assessed and pay the said *Three Thousand Five Hundred Pounds* in the following Proportions, *To wit,*

By the County of *Bergen,* the Sum of *Two Hundred* and *Thirty-Two Pounds Eleven Shillings.*

By the County of *Essex,* the Sum of *Two Hundred* and *Sixty Pounds One Shilling.*

By the County of *Middlesex,* the Sum of *Three Hundred* and *Five Pounds Six Shillings.*

By the County of *Monmouth,* the Sum of *Three Hundred* and *Seventy-four Pounds Four Shillings.*

By the County of *Somerset,* the Sum of *Three Hundred and Sixteen Pounds Nine Shillings.*

By the County of *Morris,* the Sum of *Two Hundred* and *Fifty-three Pounds Four Shillings.*

By the County of *Sussex,* the Sum of *Two Hundred* amd *Seven Pounds Thirteen Shillings.*

By the County of *Hunterdon,* the Sum of *Four Hundred* and *Seventy-seven Pounds Seven Shillings.*

By the County of *Burlington,* the Sum of *Three Hundred* and *Seventy-five Pounds One Shilling.*

By the County of *Gloucester,* the Sum of *Two Hundred* and *Sixty-seven Pounds One Shilling.*

By the County of *Salem,* the Sum of *Two Hundred* and *Thirty-seven Pounds Seventeen Shillings.*

By the County of *Cumberland,* the Sum of *One Hundred* and *Thirty-four Pounds Seventeen Shillings.*

By the County of *Cape-May,* the Sum of *Fifty-eight Pounds Nine Shillings.*

AND WHEREAS the said Sum of *Three Thousand Five Hundred Pounds* cannot be levied, nor will the outstanding Debts due to this Colony be probably paid in Time to defray the Exigencies of Government: And whereas a Sum of Money in Gold, Silver, and the Current Money of the neighbouring Colonies, sufficient for the Purposes of this Act now is in the Treasuries of this Colony;

THEREFORE BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Treasurers of this Colony, and they are hereby authorized to apply such Part of the Monies aforesaid, now in the Treasury, as shall be necessary for the Payment of the several Sums herein and hereby given and granted, and to defray the Incidental Charges of Government.

AND for the replacing the said Money in the Treasury, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Treasurers, and they are hereby directed and required, out of the Monies so directed to be levied and assessed as aforesaid, or out of any Money outstanding on Bonds and Mortgages, as the same shall be by them or either of them received, to replace all such Monies now in the Treasury as aforesaid as shall be applied in Payment of the several Sums in and by this Act given and granted as aforesaid.

Collins (1772), pp. 3-9.

An ACT *for defraying Incidental Charges.*

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 authorized and directed to pay the several Sums herein after mentioned, to the several Persons following; *That is to say,*

To his Excellency the Governor, or his Order, any Sum not exceeding *Three Hundred Pounds,* to be applied for the Repairs of the Barracks, and the Support of His Majesty's Troops to be quartered therein. And to his Excellency the Governor the further Sum of *Forty-two Pounds Five Shillings* and *Four-pence,* to be applied in discharging Colonel *Robertson's* Account in supplying the Necessaries for the sick Soldiers left in *Elizabeth-Town* Barracks.

To *Charles Read,* Esquire, Second Justice of the Supreme Court, for extraordinary Services during the Absence of the Chief Justice, the Sum of *Forty Pounds.*

To *David Ogden,* Esquire, Third Justice of the Supreme Court, the Sum of *Three Pounds Six Shillings* in full for his Salary from the Seventh Day of *September* to the First Day of *October* One Thousand Seven Hundred and Seventy-two, at the Rate of *Fifty Pounds per Annum.*

To *Charles Pettit,* Deputy-Secretary, the Sum of *Twelve Pounds One Shilling* and *Two-pence,* in full of his Account of Expences.

To *Jonathan Deare* the Sum of *Fourteen Pounds Eight Shillings* and *Eight-pence,* in full of his Account for copying Laws and Minutes at a former Session; and the further Sum of *Twenty Pounds* for Pen, Ink, and Paper, and hiring extraordinary Clerks at this present Session; and the further Sum of *Twenty-two Shillings* for drawing, proving, and recording the Release for the Barrack Lot.

To *John Carty* the Sum of *Twenty Pounds* for going express to the Sheriffs, and summoning the Council and Assembly.

To *Cortland Skinner,* Esquire, the Sum of *Fifty-two Shillings* and *Six-pence,* to pay for Two Volumes of the Laws of *New-York,* for the Use of the Assembly.

To *Isaac Collins,* Printer, the Sum of *Six Pounds Two Shillings* and *Six-pence,* in full of his Account to the Twenty-second Day of *June* One Thousand Seven Hundred and Seventy-two.

To *Samuel Sarjant,* Esquire, late Barrack-Master at *Amboy,* the Sum of *Ten Pounds Seven Shillings,* in full of his Account.

To *Hendrick Fisher,* Esquire, late Barrack-Master at *New-Brunswick,* the Sum of *Forty-one Shillings* and *Two-pence,* in full of his Account.

To *Edward Thomas,* the Sum of *Four Pounds Twelve Shillings* and *Nine-pence,* in full of his Account for repairing the Barracks at *Elizabeth-Town.*

To *Thomas Bartow,* Esquire, the Sum of *Four Pounds Five Shillings,* in full

for securing the Title to the Barrack Lot in *Perth-Amboy*.

To *Stephen Crane* and *Henry Paxson,* Esquires, or to their or either of their Order, such Sum as shall be necessary to see Council, and prosecute the present Suit, or any other Suit that shall be found necessary against the Executors of Colonel *Peter Schuyler* on his bond to *Samuel Smith,* Esquire, Treasurer of the Western Division of this Colony. PROVIDED ALWAYS, That the Sum so to be drawn from the Treasury doth not exceed the Sum of *Sixty Pounds* in the whole.

Collins (1772), pp. 9-11.

An ACT *for establishing the Boundary or Partition Line between the Colonies of* New-York, *and* Nova-Caesarea *or* New-Jersey, *and for confirming the Titles and Possessions.*

WHEREAS the Boundary or Partition Line between the Colonies of *New-York* and *Nova-Caesarea* or *New-Jersey,* from the Station on *Hudson's* River to the Station on *Delaware* River, not being duly ascertained, and the Extent of their respective Jurisdictions remaining uncertain, and the due and regular Administration of Government in both Colonies being by that Means greatly obstructed, the respective Legislatures of both the said Colonies did, by Acts for that Purpose passed, concur in submitting the Title and Property of the Lands affected by the said Boundary or Partition Line in both Colonies to such a Method of Decision as His Most Gracious Majesty should think proper, by His Royal Commission or otherwise to institute and appoint; of which Acts His Majesty was pleased to declare his Approbation, and by His Royal Commission, under the Great Seal of *Great-Britain,* bearing Date the Seventh Day of *October* in the Seventh Year of his Reign, did authorize and appoint certain Persons therein named, or any five of them, to be His Majesty's Commissioners for ascertaining, settling and determining the Boundary aforesaid, between the said Colonies. AND WHEREAS a sufficient Number of the Commissioners, named in the said Commission, on the Seventh Day of *October,* in the Year of our Lord One Thousand Seven Hundred and Sixty-nine, did determine, that the Boundary or Partition Line between the said Colonies of *New-York* and *New-Jersey* should be a direct and straight Line from the Fork or Branch formed by the Junction of the Stream or Waters called the *Machackamack* with the River called *Delaware* or *Fishkill,*

in the Latitude of Forty-one Degrees, Twenty-one Minutes, and Thirty-seven Seconds, as found by the Surveyors appointed by the said Commissioners, to a Rock on the West Side of *Hudson's* River, marked by the said Surveyors, in the Latitude of Forty-one Degrees, being Seventy-nine Chains and Twenty-seven Links to the Southward on a Meridian from *Sneydon's* House, formerly *Corbet's,* from which Determination the Agents for both said Colonies appealed to His Majesty in his Privy Council. AND WHEREAS several Tracts of Land to the Northward of the said Partition Line, so decreed by the said Commissioners, have been heretofore taken up or sold, and hitherto and still are held and possessed by Virtue of Titles derived from and under the Government of *New-Jersey,* or the General Proprietors of the same, or some or one of them, *to wit,* One Tract of Land on the Sixth Day of *November* One Thousand Seven Hundred and Eighteen, surveyed, and afterwards returned for *John Docker* for One Thousand Acres, with the usual Allowance for Highways; another Tract on the Eleventh Day of *October* One Thousand Seven Hundred and Eleven, surveyed, and afterwards returned for *William Tidsworth* for Three Hundred and Fifty Acres, with the usual Allowance for Highways; another Tract on the Twenty-ninth Day of *July* One Thousand Seven Hundred and Thirty-one, surveyed, and afterwards return for *Samuel Green* for Seven Hundred and Eighty-three Acres, with the usual Allowance for Highways; and Two other Tracts of Land mentioned to contain together Five Hundred Acres besides the usual Allowance for Highways, surveyed and returned for *Johannes Westphalia, Claus Westphalia, Simon Westphalia, Tunis Quick, Remora Quick,* and *Cornelius Doutcher,* only about One Hundred Acres of which last mentioned Two Tracts are now held and possessed by Virtue of the said Survey, the Remainder thereof being now held and possessed by Persons claiming under the Colony of *New-York;* another Tract of Land at the Northeast End of the *Long Pond,* surveyed and returned for or at the Request of *Peter Schuyler,* containing Four Hundred and Two Acres, and Forty-nine Hundredths of an Acre, strict Measure, which, after Allowance for Highways, was to remain for Three Hundred and Eighty-three Acres, and Thirty-two Hundredths of an Acre; and also another small Tract of Land surveyed the Twelfth Day of *July* One Thousand Seven Hundred and Sixty-three for *John* and *Gertrude Schuyler,* situate adjoining the Tract last above-mentioned, and containing Thirteen Acres, and Fifty-nine Hundredths of an Acre: Several other Tracts of Land sold and conveyed by the Devisees of *James* and *Mary Alexander* to sundry Persons on the Thirteenth Day of *December* One Thousand Seven Hundred and Sixty-two, *to wit,* to *Elijah Inman* One Hundred and One Acres, and Seven Hundredth Parts of an Acre; to *Hannah Forguson* One Hundred and Twenty-three Acres, and Fifty-one Hundredth Parts of an Acre; to *George Kimber* One Hundred and Sixty-one Acres, and Seventy-four Hundredth Parts of an Acre; to *Hezekiah Lorin* Ninety-seven Acres, and Fourteen Hundredth Parts of an Acre; to *Inman Wallin* Sixty-six Acres, and Ninety-three Hundredth Parts of an Acre; to *Benjamin Van Vleet* One Hundred and Four Acres, and Thirty-five Hundredth Parts of an Acre; to *Bryant Hammell* One Hundred and Thirty-five Acres; to *James Clark* One

Hundred and Four Acres, and Fifty-six Hundredth Parts of an Acre; to *Jacobus Rosecrans* One Hundred and Seventy-three Acres and Thirty-five Hundredth Parts of an Acre; to *Johannes Westbrook* One Hundred Acres; to *John Davis* One Hundred and Fifty-two Acres; to *Jacob Middagh* Two Hundred and Thirteen Acres, and Seventy-six Hundredth Parts of an Acre; and to *Josias Cole* One Hundred Acres; and another Tract of Fifty Acres sold and conveyed by *Andrew Johnston* to *George Kember,* on the Eighth Day of *August* One Thousand Seven Hundred and Fifty-nine, a Part of which lays to the Southward of the said Partition Line; another Tract of Eighty-seven Acres, and Fifty-six Hundredth Parts of an Acre, sold and conveyed by *Benjamin Thomson* to *Johannes Westbrook,* on the Fourth Day of *May* One Thousand Seven Hundred and Sixty-three; Two other Tracts of Land sold and conveyed by *James Alexander, William Burnet,* and *James Parker,* to *Richard Gardiner,* on the Thirtieth Day of *March* One Thousand Seven Hundred and Fifty-three, the one Tract containing One Hundred and Seventy Acres, and the other Eight Acres; another Tract of Forty Acres, and Sixty-three Hundredth Parts of an Acre, sold and conveyed by the Divisees of *James* and *Mary Alexander* to the said *Richard Gardiner,* on the Third Day of *January* One Thousand Seven Hundred and Sixty-three; and another Tract of One Hundred and Seventy-three Acres sold and conveyed by the said Devisees of the said *James* and *Mary Alexander* to *Joseph Barton,* on the Sixteenth Day of *December* One Thousand Seven Hundred and Sixty-two, Part whereof lays to the Southward of the said Partition Line; another Piece of Land containing about One Acre, sold and conveyed by *David Ackerman* to *Jacobus Van Buskirk,* on the Twelfth Day of *February* One Thousand Seven Hundred and Sixty-two: And also several other Tracts of Land purchased, surveyed and located for the Proprietors of the *Stirling Iron Works, to wit,* One Tract containing Fifty Acres, surveyed the Tenth Day of *November* One Thousand Seven Hundred and Thirty-six to *Cornelius Board* and *Timothy Ward;* Six small Tracts containing in the Whole Twenty-seven Acres, and Seventy-two Hundredths of an Acre, surveyed the Twelfth Day of *February* One Thousand Seven Hundred and Thirty-eight to the said *Board* and *Ward;* Six other Tracts of Land containing in the Whole Three Hundred and Seventy-one Acres, and Fifty-three Hundredths of an Acre, surveyed the Twenty-third Day of *July* One Thousand Seven Hundred and Forty to *Timothy Ward, William Smith,* and Company; and another Tract of Ten Acres, and Eight Tenths of an Acre, surveyed the Twenty-ninth Day of *November* One Thousand Seven Hundred and Fifty-seven to *William Hawkhurst;* Three other Tracts containing in the Whole One Hundred and Thirty-one Acres, and Twenty-five Hundredths of an Acre, surveyed to *James Burling* the Seventeenth Day of *May* One Thousand Seven Hundred and Fifty; and another Tract containing Ten Acres, and Twenty-nine Hundredths of an Acre, surveyed to *William Hawkhurst* the Twentieth Day of *July* One Thousand Seven Hundred and Sixty-one; one other Tract of Land sold and conveyed by *John Barberie* and *Peter Fauconier* to *John Sobrisco,* on the Sixth Day of *November* One Thousand Seven Hundred and Twenty-four, containing Six Hundred and Thirty Acres;

one other Tract of Land sold and conveyed by *Magdalane Valleau* to *Coenradt Wanamaker,* on the Twenty-third Day of *May* One Thousand Seven Hundred and Fifty-three, containing One Hundred and Five Acres; one other Tract of Land sold and conveyed by *Richard Gardiner* to *Elijah Reeve,* on the Eighth Day of *June* One Thousand Seven Hundred and Sixty-two, containing One Hundred and Twenty-seven Acres, and Forty-eight Hundredths of an Acre; also Three other Tracts of Land surveyed the Thirteenth Day of *April* One Thousand Seven Hundred and Sixty-eight to *William Hawkhurst,* containing One Hundred Acres, and Ninety-eight Hundredths of an Acre, strict Measure, after the usual Allowance for Highways. AND WHEREAS several Tracts of Land to the Southward of the said Partition Line, so decreed by the said Commissioners, have been heretofore patented, and hitherto and still are held and possessed by Virtue of Titles derived under the Government of *New-York, to wit,* Sundry Tracts of Land included in the following Bounds, BEGINNING at the aforesaid Rock on the West Side of *Hudson's* River, in the Latitude of Forty-one Degrees, and runs from thence southerly along *Hudson's* River to the Southeast Corner of the Land now in the Possession of *Mattys Bogert;* and from thence westerly along the South Side of the said *Mattys Bogert's* Land, and along the Lines of the Lands now in the Possession of *Isaac Westervelt* and *Garret Westervelt* to the *Tiene* Kill; and then along the said Kill to the *Dwars* Kill; and from thence along the said *Dwars* Kill to *Demarest's* Kill on *Hackinsack* River; and from thence along the said River to the Mouth of *Pascack* River; and then along the said *Pascack* River till it comes to the Lands of *David Demarest* whereon the said *David Demarest's* Mill stands; and then westerly around his Lands, and including the same to the said *Pascack* River; and then along the said *Pascack* River to the said Partition Line decreed as aforesaid; and then along the said Partition Line to the Place of Beginning; and another Tract of Land sold and conveyed by *Benjamin Ask* and *Lancaster Symes* to *Thomas De Kay,* containing one Thousand Three Hundred and Twenty Acres, Part of which lies to the Northward of the said Partition Line; and two other Tracts of Land sold and conveyed by *Hendrick Vanderlinda* to *Frederick Ortendike,* by Deed bearing Date the Thirtieth Day of *May* One Thousand Seven Hundred and Thirty-five, the one containing Two Hundred and Eighty-five Acres, and the other containing One Hundred and Eighty Acres; and another Tract of Land sold by *Abraham Van Horne* and *Catherine* his Wife to *John Fasheur* and *Cornelius Haring,* by Deed bearing Date the Twenty-second Day of *May* One Thousand Seven Hundred and Fifty-two, containing One Hundred and Eighty-five Acres, be the same more or less; and another Tract of Land sold and conveyed by *Samuel Verbryck* and *Susannah* his Wife to *John Fasheur,* by Deed bearing Date the Nineteenth Day of *May* One Thousand Seven Hundred and Fifty-nine, containing Two Hundred and Sixty-five Acres, and Three Fourths of an Acre, good Measure, Part whereof lies to the Northward of said Partition Line; and another Tract of Land sold and conveyed by *Benjamin Van De Linde* to *William Haldron,* by Deed bearing Date the Eighteenth Day of *December* One Thousand Seven Hundred and Sixty, containing Two Hundred and Fifty-eight Acres; and

another Tract of Land, being the Remainder of the unsold Lands of so much in *Samuel Bayard's* Patent as is contained in a Deed from *Hendrick Van De Linde* to *Roelof Van De Linde, Benjamin Van De Linde,* and *Samuel Verbryck,* bearing Date the Thirtieth Day of *June* One Thousand Seven Hundred and Sixty; and another Tract of Land sold and conveyed by *Robert Campbell* to *Andries Pieterson,* by Deed bearing Date the Twenty-first Day of *August* One Thousand Seven Hundred and Sixty-two, containing One Hundred and Fifty Acres; and another Tract of Land sold and conveyed by *Henry Van De Linde* and *Ariaentie* his Wife to *Abraham Post,* by Deed bearing Date the Twelfth Day of *January* One Thousand Seven Hundred and Sixty, containing One Hundred and Fifty Acres; and another Tract of Land sold and conveyed by *Benjamin Van De Linde* to *Garret Ackerson* and *Gerret Haring,* by Deed bearing Date the Fourth Day of *May* One Thousand Seven Hundred and Fifty-nine, containing Three Hundred and Forty-eight Acres; and also a Piece of Land now in Possession of *William Bayard,* Esquire, being Part of a Tract of Land formerly granted by Letters Patent, under the Great Seal of the Province of *New-York,* to *Daniel Honan* and *Michael Hawden,* lying adjoining to the South Side of the said Partition Line, and bounded to the Southeast by the Land in Possession of *John Fasheur,* and to the Southwest by the Land in the Possession of *William Haldron.*

AND WHEREAS it is conceived just and equitable, That the present Possessors of the said Lands, on each Side of the said Partition Line, who have not only purchased the same for a valuable Consideration, but many of them have laid out all their Substance in the Improvement thereof, should be secured in the Enjoyment of the Fruits of their Labour and Industry;

BE IT THEREFORE ENACTED *by His Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same,* That the said Partition Line, so decreed by the said Commissioners, is and shall forever hereafter remain and be the Boundary and Line of Partition between this Colony and the Colony of *New-York.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That *James Parker, John Stevens* and *Walter Rutherfurd,* Esquires, or any Two of them shall be, and hereby are appointed Commissioners to join with such as are appointed on the Part of the Colony of *New-York,* to ascertain and mark the said Partition Line, so that it may be sufficiently known and distinguished; and the said Commissioners are hereby directed and required to mark the before-mentioned Rock, on the West Side of *Hudson's* River, marked by the Surveyors in the Latitude of 41°, with a straight Line throughout its Surface, passing through the Place marked by the Surveyors, and with the following Words and Figures, *to wit,* "Latitude 41° North," and on the South Side thereof the Words *"New-Jersey,"* and on the North Side thereof the Words *"New-York;"* and to mark every Tree that may stand in the said Line with Five Notches and a Blaze on the Northwest and Southeast Sides thereof; and put up Stone Monuments at One Mile Distance from each other along the said Line, and to number such Monuments with the Number of Miles the same shall be from the before-mentioned marked Rock, on the West Side of

Hudson's River, and mark the Words *"New-Jersey"* on the South Side, and the Words *"New-York"* on the North Side of every of the said Monuments; the One Half of the Expence whereof shall be paid by this Colony, out of any Monies which may be in the Treasury, upon Warrants to be issued by the Governor or Commander in Chief of this Colony for the Time being, with the Advice of Council, provided the whole Expence to be paid by this Colony shall not exceed the Sum of *Fifty Pounds*.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the several and respective Patentees, Vendees, Possessors and Claimants, of all and every the said Tracts of Land to the Southward of the said Boundary or Partition Line, which are now held and possessed in Virtue of Titles derived under the Government of *New-York,* as above described, and their Heirs and Assigns, shall severally hold and forever enjoy the Property of all, and any, and every of the said Tracts of Land, so as aforesaid respectively purchased and possessed, as fully and in the same Manner, to all Intents and Purposes whatsoever, as if the same had, by Virtue of this Act, been determined to be within the Colony of *New-York,* without any Let, Suit, Disturbance or Molestation of the General Proprietors of *New-Jersey,* or any of them, or any Person or Persons claiming or to claim, by, from or under the said General Proprietors, or any, or either of them, or by Virtue of any Title derived under the said Government of *New-Jersey*.

PROVIDED ALWAYS, AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful to and for any Person or Persons claiming Titles under the said Government of *New-York* to any of the aforesaid Lands or Tenements hereby intended to be secured to the Purchasers and Possessors under the said Government of *New-York,* to the Southward of the said Boundary or Partition Line, to commence, sue, prosecute and maintain any Writ, Suit, or Action, for the Recovery of their Rights; this Act being only designed to confirm the Titles to such Lands lying to the Southward of the said Partition Line as are in Manner aforesaid actually held and possessed under the Government of *New-York* against all Claims under the General Proprietors or Government of *New-Jersey,* but not to determine the particular Rights of the Claimants of such Lands under the Government of *New-York*.

PROVIDED ALWAYS, That this Act shall not be in Force, or take Effect, until His Majesty shall have given His Royal Assent both to this Act and a similar Act passed by the Governor or Commander in Chief, the Council, and the General Assembly of the Colony of *New-York* the Sixteenth Day of *February* in the Eleventh Year of his present Majesty's Reign, entitled, *An* Act *for establishing the Boundary or Partition Line between the Colonies of* New-York *and* Nova-Caesarea *or* New-Jersey, *and for confirming Titles and Possessions.*

Collins (1772), pp. 11-17.

An ACT *for making Process in Courts of Equity effectual against Mortgagors who abscond and cannot be served therewith, or who refuse to appear.*

WHEREAS the Rents of Lands in this Colony are very inconsiderable, and in many Cases will not amount to a Sum sufficient to answer the Interest of Monies for which the same are or may be mortgaged: AND WHEREAS Persons who have mortgaged their Estates in this Colony frequently withdraw themselves beyond the Seas, or otherwise abscond out of the Colony, by Means whereof no Process out of the Courts of Equity in the said Colony can be served on such Persons, and thereby Mortgagees have been prevented from proceeding in Equity for the Recovery of their just Debts, to their very great Damage; for the Remedy of this Inconvenience,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That if in any Suit hereafter to be commenced by a Mortgagee in any Court of Equity against any Mortgagor, against whom a Subpoena or other Process shall issue, such Mortgagor shall not cause his, her or their Appearance to be entered in such Court within one Year after issuing such Subpoena or Process in such a Manner as, according to the Rules of the Court, the same ought to have been entered in case such Process had been duly served, and an Affidavit shall be made to the Satisfaction of such Court, that such Mortgagor is withdrawn out of the Colony, or cannot, upon due Inquiry, be found within the same so as to be served with such Process; then and in such Case the Court, out of which such Process issued, may make an Order directing such Mortgagor to appear at a certain Day therein to be named, a Copy of which shall within Twenty Days be inserted in the publick News-Paper or Papers of *Pennsylvania,* if the Lands lie in the Western Division; and in the publick News-Papers of *New-York,* if the Lands lie in the Eastern Division of this Colony; and a Copy of the same Order shall also be posted up within the Time aforesaid at the Court-house of the County, and in Two of the most publick Places in the City, Township, District or Precinct in which such Mortgagor last dwelled or resided before leaving the Colony, at least Three Weeks; and if such Mortgagor doth not appear within the Time limited by such Order, or within such further Time as the Court shall appoint, then, on Proof made of the Publication of such Order, in Manner aforesaid, the Court being satisfied of the Truth thereof, may order the Plaintiff's Bill to be taken *pro Confesso,* and thereupon decree a Sale of the mortgaged Premises, or such Part or Parts thereof as to the said Court shall seem just and right.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That before any Decree shall be made on such Bill, the Court shall cause the mortgaged Premises to be appraised on Oath by Two indifferent Persons to be appointed by the Court, that the Value of the same may be known to the Court as nearly as may be before the Decree be made: And upon such Decree

for the Sale of the mortgaged Premises, or such Part thereof as shall be thought sufficient to discharge the Debt due to such Mortgagee, together with his Costs, a Writ shall be issued from such Court to the Sheriff of the County where such mortgaged Premises lie, commanding him to make Sale of the Lands decreed to be sold at Public Vendue, and to return the Monies arising by the Sales into Court, at a Day to be mentioned in the same Writ, not less than Seven Months after the Teste, and the Day on which such Writ issued: And the said Sheriff shall thereupon cause an Advertisement or Notice of the intended Sale of such Lands to be inserted in one or more of the publick News-Papers of *Pennsylvania* or *New-York* as before directed, and continue the same in the said Paper or Papers weekly for Six Months before the Day to be by him appointed for the Sale of the same, and at the Day so by him notified shall proceed to sell the same to the highest Bidder, and shall execute a Deed for the same to the Purchaser in such Manner as the Case may require; and such Deed shall be of the same Validity, and as beneficial to the Purchaser, as if such Deed had been executed by the Mortgagee and Mortgagor, and shall be adjudged an entire Bar against them and each of them, and their and each of their Heirs, both in Law and Equity: And the Monies arising by the Sale of the said mortgaged Premises shall be applied to pay off and discharge the Debt due to such Mortgagee, with such Costs as the Court shall award; and the Remainder, if any be, shall be put at Interest on such Security as the said Court shall think sufficient, and the same shall be paid to the Mortgagor or his Executors, Administrators or Assigns, upon his or their Application to the Court for the same. PROVIDED ALWAYS, That no greater Estate in the Premises sold shall at any Time be conveyed or granted by the Sheriff to such Purchaser than would have vested in the Mortgagee had the Equity of Redemption been duly foreclosed.

PROVIDED ALSO, AND BE IT ENACTED *by the Authority aforesaid,* That if the Mortgagor shall, at any Time before the Sale made by the Sheriff in Pursuance of such Writ issued to him as aforesaid, cause his Appearance to be duly entered in such Court, and shall pay such Costs to the Mortgagees as the said Court shall think reasonable, that then a Supersedeas shall issue from the said Court directed to the Sheriff to stay his Proceeding to the Sale of such mortgaged Premises; and upon such Appearance being entered such Proceedings shall and may be thereupon had as if an Appearance had been entered within such Time, and in such Manner as, according to the Rules of the Court, the same ought to have entered in case the first Process in the Suit had been duly served.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in all Cases in which as aforesaid a Decree for the Sale of the mortgaged Premises shall be made, and the Mortgagee shall be paid the Money alledged by him to be due as above directed, that it shall and may be lawful for any such Mortgagor, within the Space of Seven Years, from the Time of the Sale of such mortgaged Premises, if he finds himself aggrieved, and that the Mortgagee hath received more Money than was *bona fide* due to him on the Mortgage, to file his Bill in the said Court against such Mortgagee to compel

him to account with, and settle what was really and truly the Sum due to such Mortgagee at the Time of the Sale of the mortgaged Premises, and to refund and repay him what it shall be found such Mortgagee hath been overpaid, together with Interest from the Time of such Payment made, with Costs of Suit, the former Decree for the Sale of the mortgaged Premises notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after the First Day of *May* next if any Mortgagor, by Virtue of a Writ of *Habeas Corpus,* or other Process issuing out of any Court of Equity, shall be brought into Court, and shall refuse to cause an Appearance to be entered according to the Rules of the Court, such Court shall and may appoint a Clerk in Court or Attorney of such Court to enter such Mortgagors Appearance, and such Proceedings may be thereupon had in the Cause as if the Party had actually appeared.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall be in Force, as to the Commencement of any Suit by Virtue thereof, from the Publication hereof to the First Day of *January,* which will be in the Year of our Lord One Thousand Seven Hundred and Eighty, and no longer; and as to all such Suits as shall be brought or commenced during the Term aforesaid, until the same shall be finally determined.

Collins (1772), pp. 18-21.

An ACT *to regulate the Practice of Physick and Surgery within the Colony of* New-Jersey.

WHEREAS many ignorant and unskilful Persons in Physick and Surgery, to gain a Subsistance, do take upon themselves to administer Physick, and practise Surgery, in the Colony of *New-Jersey,* to the endangering of the Lives and Limbs of their Patients, and many of His Majesty's Subjects, who have been persuaded to become their Patients, have been great Sufferers thereby; for the Prevention of such Abuses 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, no Person whatsoever shall practise as a Physican or Surgeon within this Colony of *New-Jersey* before he shall first have been examined in Physick or Surgery, approved of, and admitted by any Two of the Judges of

the Supreme Court for the Time being, taking to their Assistance for such Examination such proper Person or Persons as they in their Discretion shall think fit; for which Service the said Judges of the Supreme Court as aforesaid shall be entitled to a Fee of *Twenty Shillings* to be paid by the Person so applying; and if any Candidate, after due Examination of his Learning and Skill in Physick or Surgery as aforesaid, shall be approved and admitted to practise as a Physician or Surgeon, or both, the said Examiners, or any Two, or more, shall give under their Hands and Seals, to the Person so admitted as aforesaid, a Testimonial of his Examination and Admission in the Form following, *to wit,*

To all to whom these Presents shall come or may concern,

KNOW Ye, That We whose Names are hereunto subscribed, in Pursuance of an Act of the Governor, Council, and General Assembly of the Colony of *New-Jersey,* made in the Twelfth Year of the Reign of our Sovereign Lord King GEORGE the Third, entitled, *An* Act *to regulate the Practise of Physick and Surgery within the Colony of* New-Jersey, have duly examined of Physician or Surgeon, or Physician and Surgeon, as the Case may be, and having approved of his Skill do admit him as a Physician or Surgeon, or Physician and Surgeon, to practise in the said Faculty or Faculties, throughout the Colony of *New-Jersey.* In Testimony whereof We have hereunto subscribed our Names, and affixed our Seals to this Instrument, at this Day of *Annoque Domini* 17

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall practise as a Physician or Surgeon, or both, within the Colony of *New-Jersey,* without such Testimonial as aforesaid, he shall forfeit and pay for every such Offence the Sum of *Five Pounds;* one Half thereof to the Use of any Person or Persons who shall sue for the same, and the other Half to the Use of the Poor of any City or Township where such Person shall so practise contrary to the Tenor of this Act; to be recovered in any Court where Sums of this Amount are cognizable, with Costs of Suit.

PROVIDED ALWAYS, That this Act shall not be construed to extend to any Person or Persons administering Physick, or practising Surgery, before the Publication hereof, within this Colony, or to any Person bearing His Majesty's Commission, and employed in his Service as a Physician or Surgeon. AND PROVIDED ALWAYS, That nothing in this Act shall be construed to extend to hinder any Person or Persons from bleeding, drawing Teeth, or giving Assistance to any Person, for which Services such Persons shall not be entitled to make any Charge, or recover any Reward. PROVIDED ALSO, That nothing herein contained shall be construed to extend to hinder any skilful Physician or Surgeon from any of the neighbouring Colonies, being sent for upon any particular Occasion, from practising on such Occasion within this Colony.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Person now practising Physick or Surgery, or that shall hereafter be licenced as by this Act is directed, shall deliver his Account or Bill of Particulars to all and every Patient in plain English Words, or as nearly so

as the Articles will admit of; all and every of which Accounts shall be liable, whenever the Patient, his Executors or Administrators shall require, to be taxed by any one or more of the Justices of the Supreme Court, or any one or more of the Judges of the Inferior Court of Common Pleas of the County, City or Borough wherein the Party complaining resides, calling to their Assistance such Persons therein skilled as they may think proper.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Physician, Surgeon or Mountebank Doctor, who shall come into or travel through this Colony, and erect any Stage or Stages for the Sale of Drugs or Medicines of any Kind, shall, for every such Offence, forfeit and pay the Sum of *Twenty Pounds* Proclamation Money; to be recovered in any Court where the same may be cognizable, with Costs of Suit; one Half to the Person who will prosecute the same to Effect, the other Half for the Use of the Poor of any City, Borough, Township or Precinct where the same Offence shall be committed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act, and every Clause and Article herein contained, shall continue and be in Force for the Space of Five Years, and from thence until the End of the next Session of the General Assembly, and no longer.

Collins (1772), pp. 21-23.

An ACT *to enable all Persons who are His Majesty's liege Subjects, either by Birth or Naturalization, to inherit and hold Real Estates notwithstanding any Defect made before Naturalization within this Colony.*

WHEREAS divers foreign Protestants, born without the Liegeance of the Crown of *Great-Britain,* are settled within this Colony, who, being unacquainted with the Laws and Customs thereof, have purchased Real Estates within the same before they were naturalized; and such Estates are now held and claimed under such Purchases by His Majesty's natural born Subjects, or such as are naturalized; and as the greater Number of these are poor Persons who will be utterly ruined if Advantage is taken of the Alienism of such Purchaser; in tender Commiseration of all Persons holding or claiming by such defective Title, and confiding in His Majesty's great Bounty, the General Assembly humbly prays 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 the Title and Claim of every Inhabitant of this Colony, who is now His Majesty's natural born Subject, under any Patent or Purchase of Lands, Tenements and Real Estate granted to or made by an Alien at any Time inhabiting in this Colony on or before the Publication hereof, shall not be defeated merely upon the Pretence of Alienism in the Grantee or Purchaser, or any Person holding as by Descent or otherwise since such Grant or Purchase, but that such Title shall be adjudged to be good, the Plea or Pretence of Alienism in such Case notwithstanding.

PROVIDED ALWAYS, That nothing herein contained shall be construed to extend to any Lands or Tenements heretofore vested in the Crown by Office found, or which after such finding have been regranted to any of His Majesty's natural born Subjects; nor shall this Act be in Force until the same shall be approved of by His Majesty.

Collins (1772), pp. 23-24.

A Supplementary ACT *to an Act, entitled, An* Act *for the speedy recovering of Debts from* Six Pounds *to* Ten Pounds *in the Inferior Courts of Common Pleas of this Colony for small Fees.*

WHEREAS Doubts and Inconveniences have arisen in the Construction of the Act, entitled, *An* Act *for the speedy recovering of Debts from* Six Pounds *to* Ten Pounds *in the Inferior Courts of Common Pleas of this Colony for small Fees,* touching the Power and Authority of Constables to commit to Gaol in case the Defendant in any Suit pursuant to the said Act cannot procure Bail, and some of the Sheriffs or their Deputies have refused to admit such Defendants into the Gaols under their Custody; to remedy which 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 it shall and may be lawful for the Constables of this Colony, and they are hereby authorized and impowered to convey the Body of any Defendant who cannot or will not procure Bail, in any Suit directed by the said recited Act, to the common Gaol of the County; and the Sheriffs of the

several Counties in this Colony, or their lawful Deputy or Gaoler, are hereby required the Body of such Defendant or Defendants there to receive and safely keep until the Return of the Process on which such Defendant was arrested, and the Judgment of the Court if thereon had, or such Defendant or Defendants shall give sufficient Bail pursuant to the Direction of the said recited Act.

Collins (1772), pp. 24-25.

An ACT *to prevent the Exportation of unmerchantable Flour to foreign Markets.*

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That every Boulter of Wheat Meal in this Province shall provide a Branding-Iron with the Two first Letters of his, her or their Names, and shall therewith brand each and every Cask of Wheat Flour of his, her or their own boulting and packing before the same shall be removed from the Place where the same was so boulted and packed, under the Penalty of *One Shilling* for every Cask so removed without being first branded as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That all Wheat Flour shall, by the Boulter thereof, be made merchantable, and of due Fineness, without any Mixture of coarse or other Flour, and honestly and well packed in good strong Cask, made of well seasoned Staves, with three Hoops on each Head, and two on each Quarter, with the Tare thereon marked, and the same to be well and sufficiently nailed before it is removed from the Place where the same was made; and if any Boulter shall offend in all or any of the Premises, he, she or they shall forfeit and pay for every such Offence the Sum of *One Shilling* for each Cask.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons shall put a false or wrong Tare on any Cask of Flour, he, she, or they shall forfeit and pay, for every such Cask falsely tared as aforesaid, the Sum of *Two Shillings:* And the Officer or Officers for each City, Town or District, who shall hereafter be appointed by Virtue of this Act, upon Suspicion, or at the Request of the Buyer, shall and are hereby required to unpack any such Cask of Flour in order to try the Tare thereof; and if the same be found to weigh more than is marked thereon, with an Allowance of one Pound for

what may adhere to the Cask, the Boulter shall pay the Charge of unpacking and repacking over and above the Sum of *Two Shillings* for each Cask aforesaid; but if the Tare thereon marked, with the Allowance of one Pound, be found just and true, the Officer or Purchaser, if the Trial be made at his Request, shall pay the Cost of unpacking and repacking.

AND BE IT ENACTED *by the Authority aforesaid,* That no Merchant or Person whatsoever shall lade or ship any Wheat Flour for Exportation out of this Province (except for *Pennsylvania* or the Province of *New-York*) under the Penalty of *Twenty Shillings* for every Cask before he shall first submit the same to the View and Examination of the Officer of the respective City, Town or District as aforesaid, where the same is intended to be shipped and exported, who shall search and try the same by boring the Head and piercing it through with an Instrument to be made and contrived for that Purpose, in order to prove whether it be honestly and well packed, as also to enable him to judge of the Goodness, and shall afterwards plug up the Hole; and if the said Officer shall judge the same to be merchantable, according to the Directions of this Act, he shall brand every such Cask of Wheat Flour on the Quarter with the Words NEW-JERSEY, and under the Words *New-Jersey* the Two first Letters of the Officer's Name, which the respective Officers shall each one for himself provide, and have for that End and Purpose sufficient to impress in a fair and distinct Manner the Words *New-Jersey* as aforesaid; for which Trouble of the said respective Officer he shall have and receive of the Buyer or Shipper *One Penny* for each Cask, and no more. PROVIDED ALWAYS, That if any Dispute shall happen to arise between the Officer and Possessor of such Flour concerning the Fineness or Goodness thereof, upon Application made to one of the Magistrates of the City, Town or District where the Dispute arises, he shall issue his Warrant to Two indifferent judicious Persons of Skill and Integrity to view and search the said Flour, and make Report forthwith according as they find the same; and the said Magistrate is hereby impowered and required to give Judgment accordingly, with Costs of Suit; and in case the said Flour is judged not fit to be exported the said Owner may take it back again, paying to the Inspector *One Penny* for inspecting each Cask of such Flour as shall be adjudged not fit for Exportation.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Justices of the Peace of each respective City, Town or District, where Flour is exported to foreign Markets, at their Court of Quarter Sessions, are hereby impowered and required to appoint some fit and proper Person in each respective City, Town or District where Flour is exported to foreign Markets: And likewise the said Justices, or any one of them, shall administer an Oath or Affirmation, as the Case shall require, to every Person or Persons so appointed, that he or they will faithfully, truly and impartially execute the Office of Searcher, and Inspector of Wheat Flour, according to the Direction of this Act, for the respective City, Town or District where he or they shall be appointed; and if any of the Officers that shall be appointed by any Accident be rendered uncapable, or neglect to execute the Office, or shall

misbehave himself, or shall happen to die, then and so often, and from Time to Time, it shall and may be lawful to and for a Majority of the Justices of the Peace of the respective City, Town or District to supply his Place by some fit and capable Person, who shall thereupon be the Officer to put this Act in Execution for the respective City, Town or District where Wheat Flour is exported as aforesaid; but before the said Officer shall do any Thing in the Execution of his Office he shall take the Oath or Affirmation before any one Justice of the Peace of any City, Town or District of this Province as is before prescribed by this Act.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons shall counterfeit the said Brand-Marks, or either of them, or impress or brand the same, without being duly authorized for that Purpose, on any Cask of Flour, he, she or they being thereof legally convicted, shall for every Cask so branded forfeit and pay the Sum of *Twenty Shillings.*

AND BE IT ENACTED *by the Authority aforesaid,* That all and every the Fines and Penalties in this Act mentioned shall and may be sued for, and recovered in any Court within this Province where the same is cognizable, by Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law, nor more than one Imparlance shall be allowed; all which said Fines and Penalties shall be recovered by any Person who will sue for the same; one Half to his own Use, the other Half to the Use of the Poor of such City, Town or District where the Fact was committed.

PROVIDED ALWAYS, That nothing in this Act contained shall subject Flour exported to the Provinces of *New-York* and *Pennsylvania* to be inspected, any Thing in this Act to the contrary notwithstanding.

PROVIDED ALSO, That this Act or any Thing therein contained shall not be in Force until the First Day of *November* next, at which Time it shall commence to be and continue in Force for the Term of Seven Years next ensuing, and from thence to the End of the next Session of General Assembly, and no longer.

Collins (1772), pp. 25-28.

An ACT *for the inspecting and culling Staves, Heading, Hoops, Shingles, Timber, Boards and Plank; and for the inspecting and measuring Corn, Wheat, and other Grain, that shall be exported from the Province of* New-Jersey *beyond Sea.*

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That all Staves, Heading, Hoops, Shingles, Timber, Boards and Plank, not of the Size and Quality herein after mentioned, shall not be laden on Board any Ship or Vessel for Exportation beyond Sea, nor deemed merchantable, or be allowed of or passed as such by any Officer or Officers who hereafter shall be appointed by Virtue of this Act for inspecting and culling the same.

AND BE IT ENACTED *by the Authority aforesaid,* That all Staves, Heading, Hoops, Shingles, Timber, Boards and Plank, that shall from and after the First Day of *January* One Thousand Seven Hundred and Seventy-three be exported beyond Sea, shall, before the same be laden on Board any Ship or Vessel, be examined, culled and measured, *That is to say,* All Staves, Heading, Hoops and Shingles by one or more of the sworn Cullers of the City, Town or District from whence the same shall be exported; and all Boards, Timber and Plank by one or more of the sworn Measurers for the Purpose, to be appointed by the Justices of the City, Town or District from whence the same shall be exported; which said Justices, or either of them, are hereby authorized and impowered to tender an Oath or Affirmation to such Culler or Measurer, to the following Effect, *That he or they will well and truly execute the Office of Culler and Measurer of Lumber for the said City, Town or District, and a true and impartial Account render, when he shall be thereunto required by the Seller or Purchaser of said Lumber.*

AND BE IT ENACTED *by the Authority aforesaid,* That all Staves, Heading, Hoops, Boards, Timber, Planks and Shingles, examined, culled and passed by the said Officer or Officers appointed as aforesaid, shall be of the following Dimensions, *to wit,*

Butt Staves four Feet eight Inches long, four Inches wide clear of Sap, and one Inch thick.

Pipe Staves four Feet six Inches long, three and a half Inches wide clear of Sap, and three Quarters of an Inch thick.

Heart Staves four Feet six Inches long, three Inches wide, and three Quarters of an Inch thick.

Hogshead Staves three Feet six Inches long, three and a half Inches wide, and half an Inch thick.

Hogshead Heading two and a half Feet long, seven Inches wide, and three Quarters of an Inch thick.

Barrel Staves two Feet nine Inches long, three and a half Inches wide, and half an Inch thick.

Shingles, Hoops, Plank, Boards and square Timber to be inspected, examined and measured by the said Officer or Officers, and returned, agreeable to their Quantity and Quality, to the Seller or Purchaser, when he or they shall be thereunto required.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Culler and Measurer shall have and receive, for examining, culling and measuring the Staves, Heading, Shingles, Hoops, Plank, Boards and square Timber that shall be exported as aforesaid, the following Fees, *Videlicet,*

For culling every Thousand Butt Staves, *Four Shillings and Six-pence* Proclamation Money.

Heart Staves, *Four Shillings.*

Pipe Staves, *Three Shillings and Six-pence.*

Hogshead Staves, *Two Shillings and Eight-pence.*

Hogshead Heading, *Two Shillings and Two-pence.*

Barrel Staves, *One Shilling and Ten-pence.*

Every Thousand Hoops, *One Shilling and Ten-pence.*

Measuring every Thousand Feet Plank or Boards, *Two Shillings and Two-pence.*

Measuring every Thousand Feet of square Timber, *Two Shillings and Two-pence.*

Every Thousand Shingles of three Feet in Length, *One Shilling.*

Every Thousand Shingles of eighteen Inches, *Six-pence,* and so in Proportion for a greater or lesser Quantity: One Half of said Fees to be paid by the Seller, and the other Half by the Buyer or Purchaser.

AND BE IT ENACTED *by the Authority aforesaid,* That all Wheat, Corn, Rye and other Grain, intended to be laden on Board any Ship or Vessel, for Exportation beyond Sea, from and after the First Day of *January* One Thousand Seven Hundred and Seventy-three, shall, before the same be laden on Board, be inspected and measured by one or more of the Officer or Officers that hereafter shall, by Virtue of this Act, be appointed for inspecting and measuring the same: And the said Officer or Officers shall have and receive, for inspecting and measuring such Wheat and other Grain, the following Fees, *Videlicet,*

For measuring every Hundred Bushel of Wheat, Corn and other Grain, *Two Shillings* and *Eight-pence,* and so in Proportion for a greater or lesser Quantity; one Half of the said Fees to be paid by the Seller, and the other Half by the Purchaser or Buyer, to the Officer or Officers who shall inspect and measure such Wheat, Corn and other Grain as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the Justices in every City, Town or District, are hereby authorized and required to appoint such Officer or Officers as they shall judge qualified for the inspecting and measuring such Wheat, Corn and other Grain as aforesaid; and to tender an Oath or Affirmation to the following Effect, *That he or they will well and truly execute the Office of Inspector and Measurer of Wheat, Corn, and other Grain, that shall be exported from said City, Town or District, and a true and impartial Account thereof deliver to the Seller or Purchaser when he or they shall be thereunto required.*

AND BE IT ENACTED *by the Authority aforesaid,* That the Justices of every City, Town or District, shall, upon Complaint made against such Officer or Officers appointed as aforesaid, (if the same be thought reasonable) remove and displace such Officer or Officers, and appoint others in his or their Stead and Room, who are hereby directed and required to take the Oath or Affirmation as aforesaid.

PROVIDED ALWAYS, That this Act, nor any Thing therein contained, shall be construed to the subjecting of any Lumber or Grain whatsoever to be measured or inspected, that shall be shipped to the neighbouring Colonies.

PROVIDED ALSO, That Nothing in this Act contained shall extend to the inspecting or culling of any Staves, Heading, Hoops, Shingles, Timber, Boards and Plank; or inspecting and measuring of any Corn, Wheat or other Grain to be exported as aforesaid, unless the said Inspectors, Cullers or Measurers, appointed by Virtue of this Act, shall be thereunto required by the Seller or Purchaser.

PROVIDED ALSO, That this Act, and every Thing therein contained, shall be and continue in Force for Seven Years, from and after the First Day of *January* next, and from thence to the End of the next Session of General Assembly, and no longer.

Collins (1772), pp. 28-31.

An ACT *to prevent Abuses in the packing of Beef and Pork, and for ascertaining the Size of Casks, and the Quantity that shall be put into each.*

WHEREAS frequent Complaints have been made of Abuses committed in the packing and repacking of Beef and Pork exported from hence to the neighbouring Colonies and to Places beyond Sea, greatly to the Disadvantage of this Colony; to prevent such Abuses 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 First Day of *November* next, all Barrels and Half Barrels, made within this Colony for the packing of Beef and Pork, shall be of good seasoned White Oak Timber, each Barrel to contain Thirty-one Gallons and one Half Wine Measure, and not

One Half Gallon under or over; each Half Barrel to contain Sixteen Gallons, and not more than one Quart under or over; and on every Barrel and Half Barrel shall be put Twelve good Hoops.

AND BE IT ENACTED *by the Authority aforesaid,* That from and after the First Day of *November* next every Packer of Pork, to be employed in this Colony by Virtue of this Act, shall pack in each Barrel Two Hundred and Ten Pounds of good sound and well salted merchantable Pork, including not more than Two Hogs Heads; and One Hundred and Five Pounds of the like Pork in each Half Barrel, including not more than One Hog's Head, with a sufficient Quantity of Salt in each Barrel and Half Barrel; for which Service the Packer shall receive *One Shilling* for each Barrel, and *Nine-pence* for each Half Barrel, so packed by him as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That every Packer of Beef shall pack in each Barrel Two Hundred and Twenty Pounds of good sound well salted merchantable Beef, including Two Legs or Shins and not more; and One Hundred and Ten Pounds of the like Beef in each Half Barrel, including not more than One Leg or Shin; for which he shall be entitled to the Fees as aforesaid: And any Person or Persons who shall ship or sell any Beef or Pork, not being packed as aforesaid, shall forfeit and pay for every Barrel of Beef and Pork so shipped or sold the Sum of *Five Shillings.*

AND BE IT ENACTED *by the Authority aforesaid,* That all Beef and Pork which shall be packed in this Colony for Exportation or otherwise shall be branded with the Name of the County at large, and with the Letters N.J. for *New-Jersey,* and the initial Letter of the Christian and Surname at large of the Packer of said Beef and Pork; and for the due Observance of the foregoing Direction,

BE IT ENACTED *by the Authority aforesaid,* That every Packer of Beef and Pork within this Colony shall, before he takes upon himself the Exercise of that Office, be well recommended by at least Six reputable Freeholders of the Neighbourhood, to the Mayor of the City, or to any Justice of the Peace of the County where he the said Packer may reside, who is hereby directed and required to administer to him an Oath or Affirmation, as the Case may require, in the Words following, *to wit,*

I, A.B. *do swear, or affirm, that during the Time I am or shall remain a Packer of Beef and Pork in this Colony, I will not directly or indirectly, by myself or by my Consent, Privity or Procurement, brand, or cause or suffer to be branded, any Barrel or Half Barrel containing Beef or Pork which shall be packed by me, or in my Presence, or by my Procurement, in any other Manner than is prescribed by an Act, entitled,* An *Act* to prevent Abuses in the packing of Beef and Pork, and for ascertaining the Size of Casks, and the Quantity that shall be put into each, *passed in the Twelfth Year of His present Majesty's Reign.*

AND BE IT ENACTED *by the Authority aforesaid,* That for every Offence committed by the Packers aforesaid, against the true Intent and Meaning of this Act, and being thereof legally convicted by the Oath or Affirmation of one or more credible Witness or Witnesses, he or they so offending and convicted as aforesaid, shall, for every such Offence, forfeit and pay the Sum

of *Five Pounds* Proclamation Money; the one Half to the Informer who shall prosecute the same to Effect, the other Half to be paid to the Overseers of the Poor of the Township where the Offence shall be committed, to be applied to and for the Use of the Poor, and to be levied by Warrant of Distress, under the Hand and Seal of any Justice of the Peace within this Colony, upon the Goods and Chattels of such Offender or Offenders; and if sufficient Goods and Chattels cannot be found, then the said Offender or Offenders shall be committed to the common Gaol of said County, there to be kept and remain until he or they shall have so paid the Fine, and all lawful Charges accruing in levying the same, provided such Imprisonment shall not exceed Three Months. PROVIDED ALWAYS, That Nothing in this Act contained shall be construed to effect the packing or repacking any Beef or Pork shipped to the City of *New-York,* any Thing before to the contrary notwithstanding.

AND BE IT ENACTED *by the Authority aforesaid,* That every Clause, Article and Thing contained in an Act, entitled, *An* Act *to ascertain the Size of Casks and Standards of Weights and Measures, and to impower the Justices of the Peace at their Quarter Sessions to appoint Packers for packing Provisions at the most convenient Landings in each respective County within this Province,* passed in the Twelfth Year of the Reign of His late Majesty King *George* the First, as far as the same relates to the Size of Casks for packing Beef and Pork, shall be and hereby is and are repealed, any Thing in the said recited Act to the contrary notwithstanding.

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.

Collins (1772), pp. 31-33.

An ACT *for clearing and removing the several Obstructions of the free Course of the Waters in* Pasaick *River, and the several Branches thereof, between the* Little Falls *in said River and the Mill-Dam across said River near* Day's *Bridge over said River, and for other Purposes therein mentioned.*

WHEREAS the Owners and Possessors of Meadows, low Land and Swamps, lying on both Sides of the River *Pasaick,* and the several Branches thereof, between the *Little Falls* in said River and the Mill Dam across said

River, near the Road leading from *Elizabeth-Town* to *Morris-Town,* at *Day's* Bridge, have set forth by their Petition that, by Reason of several Obstructions to the free Passage and Course of the Waters in said River, and the Branches thereof, between the Places aforesaid, many Thousand of Acres of valuable Meadows and Land are overflowed and rendered in a great Measure useless to the Owners thereof; and some of the Publick Roads, leading from the County of *Essex* to the County of *Morris,* are rendered impassable for great Part of the Year, to the Injury of the Publick in general; and have prayed that they may be enabled, by a Law of this Colony, to clear out and remove the said Obstructions in said River, and the several Branches thereof, within the Boundaries aforesaid;

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 said Meadows, low Land and Swamps, lying on both Sides the River *Pasaick,* and the several Branches thereof, between the *Little Falls* on said River and the Mill-Dam crossing said River near the Publick Road leading from *Elizabeth-Town* to *Morris-Town,* at *Day's* Bridge over said River, to remove and take away the several Obstructions of the free Course and Passage of the Waters in said *Pasaick* River, and the several Branches thereof, and keep the same clear and open for the free Course of said Waters between the Places aforesaid, in such Parts of said River and said Branches, as the Managers herein after mentioned, or their Successors, or the major Part of them for the Time being, shall from Time to Time agree to, direct and order.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, after the Publication of this Act, shall make any Obstruction of the free Course of the Waters in said River, and the said Branches thereof, between the Places aforesaid, by falling of Trees or otherwise, he, she or they so offending shall forfeit the Sum of *Five Pounds;* to be recovered before any Justice of the Peace within this Colony, by Action of Debt, by either of the said Managers for the Time being, with Costs of Suit; and when said Forfeiture is recovered, to be applied for and towards the clearing the said River, and the Branches thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Costs and Expence the said Managers, or the Majority of them for the Time being, shall judge necessary, or be at in clearing and removing the several Obstructions that now are or hereafter shall be in said *Pasaick* River, and the several Branches thereof (the Fines and Forfeitures that may be recovered in Virtue of this Act being first applied towards the same) shall be equally assessed by the said Managers, or the major Part of them for the Time being, upon the Owners or Possessors of said Meadows, Swamps and low Land benefited by the clearing out said River or the Branches thereof as aforesaid, in Proportion to the Quantity of Meadow, Swamps or low Land any or each of said Owners or Possessors now do or doth, or hereafter may hold within the Boundaries aforesaid, and benefited by the clearing said River or any of the Branches thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Owners or Possessors of said Meadows, Swamp and low Land, shall and may at all Times hereafter, on the Fourth *Tuesday* in *August* yearly and every Year, meet and assemble at the Dwelling-House of *Johannes Deremus,* in the Township of *Pequannack* in the County of *Morris,* or such other Place as the Majority of the said Owners or Possessors for the Time being shall appoint, and then and there, by Plurality of Voices of them so met, elect and choose Five Persons for the ensuing Year (until which Time *George Ryerson,* Esquire, of *Bergen* County, *William Camp* and *Francis Post* of *Essex* County, *Ellis Cook* and *David Tuttle* of *Morris* County, are hereby appointed Managers) which said Managers shall be elected out of the Owners or Possessors aforesaid: And those Managers appointed by this Act, or the major Part of them, or those elected in their Stead, or the major Part of them, 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 major Part of them judged necessary for clearing and removing the several Obstructions that now are or hereafter shall be in said River, and the several Branches thereof, within the Boundaries aforesaid, and also all other necessary Expences relating thereto: And, in order to ascertain the just Quantity of Meadows, Swamp or low Land any and each of the Owners or Possessors do or doth or shall hold within the Boundaries aforesaid, it shall and may be lawful for the said Managers for the Time being, or the major Part of them, at any Time or Times hereafter when they shall find it necessary, to cause all the said Meadows, Swamp and low Land, within the Boundaries aforesaid, and benefited by the clearing of said River or the Branches thereof, to be surveyed and measured, the Expence whereof to be assessed and paid in the Proportion aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Owners or Possessors shall also, at their annual Meeting, on said Fourth *Tuesday* in *August,* yearly and every Year, elect and choose, by a Plurality of Voices of those met, a Collector, until which Time *Dirick Maurison* is hereby appointed Collector, to receive and collect all such Sum and Sums of Money as shall be from Time to Time assessed as aforesaid, agreeable to the List of said Assessment, to be to him delivered by said Managers or some of them; and that said Collector shall give personal Notice to said respective Owners or Possessors of the Sum assessed on each of them, or otherwise give publick Notice thereof by Advertisement set up at five publick Places most likely for the said Owners or Possessors to have Notice thereof: 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 Thirty Days after such Notice, that then it shall and may be lawful for the said Managers, or the major Part of them for the Time being, to let so much of the said Meadows, Swamp and low Land, belonging to such Delinquent or Delinquents, for such a Term as that the Rent of the said Meadows, Swamp and low Land, will amount to a Sum sufficient to pay his, her or their Assessment or Assessments, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Collector for the Time being shall, within Twenty Days after Demand made by the said Managers, or the major Part of them, pay all such Sum or Sums of Money as he shall receive as aforesaid to said Managers, or the major Part of them, or their Order; and upon Neglect or Refusal of the said Collector, it shall and may be lawful to and for the said Managers, or the major Part of them, to sue the said Collector, either while in said Office or afterwards, in their own Names for the respective Sum or Sums of Money which said Collector shall have received as aforesaid, and recover the same in any Court where the same is made cognizable, with Costs of Suit: And the Managers for the Time being shall lay out and expend faithfully so much of the Monies that may come into their Hands, by Virtue of this Act, as they, or the major Part of them, from Time to Time shall or may find necessary; and the said Managers and Collector shall give an Account on Oath, yearly, at their said Meeting, of all the Money collected and expended as aforesaid, to the Owners or Possessors of the said Meadows, Swamps and low Land; which Managers, appointed by this Act, shall procure a proper sizeable Book in which they shall make fair Entries of all their Proceedings, and state a fair Account of all Monies by them received or expended in Virtue of this Act; which Book, together with the Balance of the Monies in their Hands, they shall deliver to their Successors in Office on the Day of their being elected; and in like Manner all future Managers shall, in the said Book, make Entries of their Proceedings, and state fair Accounts of the Monies by them received and expended, and shall deliver over the said Book, and Balance of Monies in their Hands, to their Successors in Office; and which Managers shall be allowed, out of the Monies by them assessed in Virtue of this Act, *Five Shillings* for every Day each of them shall necessarily attend in and about the several Matters enjoined them by this Act, and the said Collector *Six-pence* on the *Pound* for the Sums by him collected as 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 *Five Pounds* Proclamation Money; to be recovered by any of the said Owners or Possessors before any one Justice of the Peace of this Colony, to be applied towards clearing out said River, and the Branches thereof, within the Boundaries aforesaid, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Owners and Possessors should neglect to meet on the Time or Times aforesaid for electing Managers and Collector, in such Case the Managers and Collector for the preceding Year shall continue in their respective Offices, and have the same Powers as before until new ones are chosen, and be liable to the same Penalties and Duties as aforesaid.

AND WHEREAS the pulling down of a Mill-Dam erected by Captain *James Grey* and others, over said *Pasaick* River, above and near the said *Little Falls,* for the removing the Obstruction of the Waters in said River without the Consent of the Owners thereof, may have been unlawful and un-

justifiable; and the further taking up and removing a Rift of Rocks in said River about Forty Rods above said Mill-Dam as well as the Rift on which the said Mill-Dam was erected, may be thought necessary by said Managers for the free Passage of the Waters of said River, and the doing of which may be an Injury to the Owners of said Mill-Dam and Rifts, for which they, on a full Hearing of the Parties concerned, may be awarded and adjudged to be entitled to some Recompence to be made them by the said Owners or Possessors of the said Meadows, Swamps and low Land, between the Boundaries aforesaid, benefited thereby; wherefore to the End that the said Parties concerned may have a fair and impartial Hearing and Determination thereof by indifferent Persons for that Purpose,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That *John Chetwood* of *Elizabeth-Town, Isaac Pearson* of *Nottingham,* and *John Schurman* of *New-Brunswick,* Esquires, shall be and are hereby appointed and constituted Judges to hear and determine between the Owners or Possessors of said Meadows, Swamps and low Lands; and the Owners of said Mill-Dam and Rifts (Fifteen Days Notice being given to said Parties, or to some of them, or to their Attorney or Agent, of the Time and Place of their Meeting) what Sum or Sums the Owners of said Mill-Dam and Rifts ought to have and receive for the pulling down, removing, and the taking the same out of said River; and the Adjudication or Determination of the said *John Chetwood, Isaac Pearson,* and *John Schurman,* or any Two of them, in Writing, and filed in the Clerk's Office of the Supreme Court of Judicature for this Colony, shall be good, effectual and binding to all the said Parties.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That on a Copy or Copies of said Adjudication or Determination, signed and certified by the Clerk of said Court to be a true Copy, being served on the Managers, or any Three of them, appointed or that shall be elected and chosen in Virtue of this Act, the said Managers, or the major Part of them for the Time being, shall within Twenty Days after the Service of said Copies, if the Quantity of Meadows, Swamps and low Lands, belonging to the said several Owners, be then ascertained; and if the same be not then ascertained and known as aforesaid, then and in such Case, within Twenty Days after the said Quantities are so ascertained and known, shall assess the Sum by the said *John Chetwood, Isaac Pearson,* and *John Schurman,* or any Two of them, adjudged and mentioned in said Copies, to said Managers delivered as aforesaid, together with *Twenty Shillings* by the Day, to the said Judges or such of them as shall attend and perform the Service hereby enjoined them, and all reasonable Expences, on the several Owners or Possessors of the Meadows, Swamps and low Lands adjoining or adjacent to said River, and the several Branches thereof, within the Boundaries aforesaid, benefited by lowering the Waters, and clearing said River and Branches, in Proportion to the Quantities they respectively hold or possess within the same; and collect and recover the said Assessment in such Manner and Form as herein before is mentioned and directed for the assessing, collecting and recovering other

Sums of Money to be raised in Virtue of this Act; and that on the said Managers receiving said Sum or Sums of Money by them so assessed as last aforesaid, they do pay the same within Ten Days thereafter to such Person or Persons to whose Use and for whom the same was or were assessed, agreeable to the said Adjudication and Determination of the Judges aforesaid.

Collins (1772), pp. 34-39.

An ACT *to enable the Proprietors and Possessors of the Meadows, Swamps and low Lands of the Rivers* Pasaick *and* Dead River *to clear the same, and remove every Obstruction to the free Passage of the Waters from the Saw-Mill formerly belonging to* Samuel Woodruff, *Esquire, deceased, up the Stream of the said River* Pasaick *to the Mill known by the Name of* Boyle's *Mill, and up* Dead River *to the Bridge commonly called and known by the Name of* Grant's *Bridge.*

WHEREAS many of the Inhabitants of the Counties of *Essex, Morris,* and *Somerset,* Proprietors and Possessors of the Meadows, Swamps and low Lands on or near the River *Pasaick* and *Dead River,* between the Saw-Mill belonging to the Estate of *Samuel Woodruff,* Esquire, deceased, and the Mill known by the Name of *Boyle's* Mill, and up the said *Dead River* to the Bridge known by the Name of *Grant's* Bridge, have, by their humble Petition for divers very weighty Reasons therein set forth, prayed a Law to enable them to clear the said Rivers of all Obstructions within the Limits aforesaid; and as the granting the Prayer of the said Petitioners seems reasonable, 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 *John Carl,* Esquire, *Peter Layton* and *Nathaniel Ayers* shall be and are hereby appointed Managers or Commissioners for removing the Obstructions in the said Rivers within the Limits aforesaid, and cleansing the Channels thereof; 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

Seventy-four: And it shall and may be lawful for the said *John Carl, Peter Layton* and *Nathaniel Ayers,* 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, Swamps and low Lands of all Persons whatsoever lying upon the said Rivers to clear the same, and remove every Obstruction to the free Passage of the Waters from the aforesaid Saw-Mill, belonging to *Samuel Woodruff,* Esquire, deceased, up the Stream of the said River *Pasaick* to the Mill known by the Name of *Boyle's* Mill, and up *Dead River* to the Bridge commonly called and known by the Name of *Grant's* Bridge; and shall and may clear the said Rivers of all Obstructions within the Limits aforesaid; and the Mud and other Obstructions taken out of the Rivers aforesaid equally to throw out upon the Meadows, Swamps and low Lands next adjacent.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said *John Carl, Peter Layton,* and *Nathaniel Ayers* 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 cleansing and removing the Obstructions of the Rivers aforesaid, on all the Proprietors and Possessors of the Meadows, Swamps and low Lands lying on the said Rivers, in Proportion to the several Quantities they own or possess, and shall and may demand and receive of all and every the Proprietors and Possessors as aforesaid such Sum or 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 Sum or 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 Possessors of the said Meadows, Swamps and low Lands, or as many of them as shall choose to attend, yearly and every Year for ever hereafter, to meet at the House of *Cornelius Ludlow,* in *Morris* Township, on the First *Monday* in *May,* or at 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 Three others, being Proprietors and Possessors of the said Meadows, Swamps and low Lands, 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 *John Carl, Peter Layton* and *Nathaniel Ayers,* 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 or Managers as aforesaid, and shall neglect or refuse to take upon him or them the Execution of the Powers herein before given, 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 or Possessors of the said Meadows, Swamps and low Lands as aforesaid, and applied to the cleansing and removing the Obstructions of the said Rivers; 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 or remove before the Expiration of the Time for which he or they are so chosen, or refuse to take on himself the Management thereof, then and in such Case it shall and may be lawful for the Proprietors and Possessors of the said Meadows, Swamps and low Lands, 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 Manager or Managers so refusing, removing 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 Managers shall have each Day they shall be employed in the overseeing and discharging the Duties enjoined and required of them by this Act the Sum of *Five Shillings.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, after the Publication of this Act, shall presume to fall any Tree or Trees, or cast any Thing whatsoever into the said Rivers, or either of them, that will obstruct or be an Impediment to the free Course of the said Rivers within the Limits aforesaid, he, she or they so offending, shall forfeit the Sum of *Forty Shillings;* to be recovered by the Managers as herein before is directed, and to be by them applied to the Purposes aforesaid.

Collins (1772), pp. 39-42.

A Supplementary ACT *to an Act, entitled, An* Act *to enable the Owners and Possessors of the Meadow and Swamp 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 in the said Meadow, and to keep the Water Courses thereof open and clear.*

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 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 *William Hancock,* Esquire, or at any other Place the Majority of the Owners shall appoint, and there, by Plurality of Voices, choose Two Persons interested in said Meadow and Swamp, living in the said County, to be Managers for the ensuing Year; and that *Nathaniel Hancock* be the additional Manager with *William Hancock,* Esquire, until the First *Monday* in *March* next ensuing.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Managers to erect a new Bank or Dam of such Materials, and in such Manner as the said Manager or Managers shall judge most convenient and proper to answer the Purposes intended; the Bank to begin at a Point of Fast Land, late the Property of *William Waddington,* deceased, called *Tyler's Point,* thence to *Tyler's* Creek, and over the said Creek to another Point of Fast Land called *Long Point,* late the Property of *Nathaniel Street,* deceased, instead of the Bank now erected and known by the Name of the *Back Bank,* running from *Adams's Point* to *Wolf Pit Point;* and that it shall and may be lawful for the said Managers, or one of them, to dig Mud either inside or outside the Bank, and Loam or Sand on the Upland as the Managers shall think most convenient, and least detrimental to the Owners of the Soil, for the Purpose of erecting the said new Bank and Dam, and for keeping the said Bank and Dam in Repair, so as effectually to prevent the Tide from overflowing the Meadows and Swamps included within the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful to erect a Fence or Fences, if the Managers shall think it necessary, to prevent Horses and Cattle from treading such Bank or Dam; as also to mow the Grass, and clear away every Thing that may endanger the said Fence: And further, the Managers, or any Person or Persons by their Directions, shall have free Privilege to pass and repass with any Carriage to haul Materials for the Purpose of erecting the said Bank, Dams, Fences and other Water-works as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Managers, or any one of them, are hereby impowered to assess such Sum or Sums of Money as from Time to Time shall be thought necessary for the Purposes aforesaid, as well as to uphold and maintain the Front Bank, Dams, Sluices and other Water-works already erected on *Alloway's* Creek, on the Owners and Possessors, in a just Proportion, according to the Quantity and Quality of Marsh or improved Swamp so inclosed between the Front Bank aforesaid and New Bank to be erected by Virtue of this Act. PROVIDED ALWAYS, That every Owner or Possessor shall have Liberty to work as much at the said Banks and other Water-works as shall be his, her or their Proportion of the Assessment for erecting and keeping in Repair the same, so that it be done in such reasonable Time and Manner as the Managers shall think expedient.

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 Managers, or one of them, it shall and may be lawful for the Managers, or one of them, to commence an Action of Debt in his or their Names, in any Court within this Province where the same shall 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 BE IT ENACTED *by the Authority aforesaid,* That if any of the Owners or Possessors of said Meadow and Swamp shall not reside within the said County, or have any Person to represent them to pay the Sum or Sums of Money assessed as aforesaid; or if any of the said Owners or Possessors being Residents in the said County, and not having Effects to pay the Assessment or Assessments as aforesaid; that then and in such Case it shall and may be lawful for the said Managers for the Time being to rent out Part of the said Meadow or Swamp belonging to the said Owner or Possessor, 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 the Managers now appointed, or hereafter to be chosen shall, as often as it is necessary, give Notice in Writing to the Owners and Possessors of said Meadow to open and clear out the Creek or Ditches adjoining their own Lands, and to dig all such new Ditches as shall be necessary through their own Meadow so as to give the Water a sufficient fall from off the said Meadow; and if they or any of them shall neglect or refuse to open and clear out such Creek and Ditches, or to dig such necessary new Ditches as aforesaid, for the Space of Three Months after such Notice in Writing is given as aforesaid, and in such Manner as the said Managers shall judge sufficient to answer the Purposes aforesaid, that then it shall and may be lawful for the said Managers immediately to enter on the Premises so neglected, and hire Labourers and cause the same to be done, so as the Rubbish, Mud and Grass dragged and thrown out to 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 as aforesaid, the whole Expence and Costs thereof; and if he, she or they neglect or refuse to discharge the same within Ten Days after such Demand, it shall and may be lawful for such Manager or Managers to sue for and recover the same, by Action of Debt, in any Court in this Province in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Owners or 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 preceding Year, shall be continued in said Office from Year to Year, until the said Owners and Possessors shall meet and elect others in their Room: And if the said Managers, or one of them, shall die or remove out of the said County, that then it shall and may be lawful for the remaining

or surviving Manager, or if both be dead or removed, for any one of the Owners or 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, instead of him or them so dead or removed, who shall be vested with the same Power and Authority as if 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 the said Managers at any Time hereafter, when they shall think proper, to cause all the inclosed Meadow to be measured; the Expence whereof to be paid in Proportion as aforesaid; but if only a Part is measured, the Expence shall be paid by the Party applying for the same. And further, it shall and may be lawful for the Owners and Possessors of the said Meadow, 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 Managers may assess it in Proportion, and according to the Judgment of the said Freeholders so chosen as aforesaid.

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 Balance in his or their Hands to his or their Successors, first deducting *Two Shillings* in the *Pound* for all Monies assessed and expended: And if they shall neglect or refuse to account for and pay the Balance, it shall and may be lawful for the succeeding Managers to sue for and recover the same by Action of Debt, in any Court in this Colony where the same is made cognizable; and the said Courts 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, who are or shall be in Possession of any part of the inclosed Meadows or Swamp, to bring his, her or their Charge of Monies paid or Services done, in Pursuance of this Act, against his, her or their Landlord or Landlords, out of the Rents 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 to do 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 the repairing the aforesaid Dams, Banks and Sluices.

Collins (1772), pp. 42-46.

An ACT *to enable the Owners and Possessors of Meadows and Tide-Marsh lying on* Assiscunk *Creek, within the Limits of the City 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 the Owners of the Meadows lying on *Assiscunk* Creek, within the Limits of the City of *Burlington,* have, by their humble Petition, prayed that a Law may be passed, authorizing and enabling the Petitioners to erect a Dam across the said Creek from the fast Land of *Henry Scott* on the South Side of the fast Land of the said *Scott* on the North Side of the said Creek: 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 for the Owners of the Meadows and Marsh to erect and keep up in good Repair, or cause to be erected and kept up, a sufficient Bank, Dam and other Water-works over the said Creek, necessary for keeping out the Tide from the fast Land of *Henry Scott,* above the Marsh of *Samuel Allinson,* on the South Side of the said Creek to the fast Land of *Henry Scott* on the North Side of the said Creek.

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 Meadows, Marsh and Swamp inclosed within the same, shall be erected, supported and maintained at the equal Expence of the Owners thereof, in Proportion to the Quantity of Meadow, Marsh and Swamp that each Owner now doth or hereafter may hold within the said Bank and Dam.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers appointed by this Act, and the Manager and Managers that shall hereafter be chosen, shall have full Power to cut such necessary Ditches and Drains as may be sufficient at all Times for conducting the Waters to and venting the same from the Sluices to be erected by Virtue of this Act.

AND, to the End that the said Bank, Dam and other Water-works may be immediately erected, and at all Times hereafter be well and sufficiently maintained and kept in Repair,

BE IT ENACTED *by the Authority aforesaid,* That all the Owners and Possessors of the aforesaid Meadows, Marsh and Swamp, shall and may at all Times (after the ensuing Year) meet and assemble yearly, on the First *Monday* in *April,* at the Dwelling-House of *Abraham Scott,* or at any other Place where the Majority of the Owners for the Time being shall appoint, and there choose, by Plurality of Voices of those so met, One or Two of the Owners of the said Meadows to be a Manager or Managers the ensuing Year, until which Time *Samuel How,* Esquire, and *Joseph Scott* are hereby

appointed Managers; which Managers, during the said Year, shall have full Power to assess the Owners 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 the Bank, Dam and other Water-works as aforesaid, during the said Year; and if any of the Owners shall neglect or refuse to pay such Sum and Sums of Money as shall or may from Time to Time, be assessed on him or them, for the Space of Thirty Days next after the same shall have been demanded, it shall and may be lawful for the said Managers, or either of them, and their Successors, to sue all and every such Person and Persons in his or their own Name for the respective Sum or Sums of Money he, she or they were assessed, by 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 further, it shall and may be lawful for the said Manager or Managers, and their Successor or Successors, at all Times hereafter, 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 erecting and repairing the same. PROVIDED ALWAYS, That the Land at each End of the Bank that shall be damaged by digging Loam or Sand shall be valued by Two indifferent Freeholders, chosen by the Owner and Manager or Managers, and the Sum fixed on by them shall be paid to the Owner by the Manager or Managers out of the Money raised for banking the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Owners shall neglect to meet on the said Day to choose a Manager or Managers as aforesaid, then and in such Case the Manager or Managers, chosen for the preceding Year, shall be continued in the said Office the ensuing Year, and so continue from Year to Year until the said Owners 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 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 produce fair Accounts and Receipts, for all Monies by him or them received and expended by Virtue of this Act, and shall deliver the Balance of the Monies remaining in his or their Hands, to the succeeding Manager or Managers, first deducting thereout *One Shilling* in 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 Balance remaining in his or their Hands, to the succeeding Manager or Managers, it shall and may be lawful for such succeeding Manager or Managers to sue for and recover the same in Manner aforesaid, with Costs of Suit.

AND, in order to ascertain the just Quantity of Meadow that each Owner doth hold within the said Bank,

BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Managers or their Successors, at any Time hereafter when they shall find it necessary, to cause the same to be measured, the Expence whereof to be paid by the said Owners in Proportion as aforesaid. PROVIDED ALWAYS, That no more of the Meadow of *Henry Scott* than what lies to the East Side of the Ditch dug for the main Bank shall be measured.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when it shall happen at any time that the Owners of any of the aforesaid Meadows shall not reside within the Province of *New-Jersey,* 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 Managers for the Time being to rent out the Part of such Person or Persons of the said Meadow, 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, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if either of the Managers appointed, or that shall be hereafter chosen by Virtue of this Act, shall happen to die, or remove out of the County of *Burlington,* that then it shall and may be lawful for any one of the Owners of said Meadows to notify the other Owners to meet at a Time and Place by him to be appointed, at least six 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 to be chosen by Virtue of this Act, or either of them, shall neglect or refuse to perform the Duties required of them by this Act, either of them the said 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 of the said Meadows, or by the succeeding Managers, with Costs of Suit, to be applied towards supporting the said Bank, Dam and Water-works.

Collins (1772), pp. 46-49.

An ACT *to enable sundry of the Owners and Possessors of Meadows and Tide-Marsh lying on* English's *Creek, 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, and to keep the former Water-course of said Creek open and clear, and to make the said Dam when erected a publick Landing.*

WHEREAS *Joseph English* and Others, by their humble Petition, have set forth, That there is a large Quantity of Swamp or Tide-Marsh lying and being on the Creek commonly called *English's* Creek in *Mansfield* in the County of *Burlington,* which is now useless for Want of banking out the Tide from the same, and therefore prayed that a Law may be passed, authorizing and enabling the Petitioners to erect a Dam across the said Creek at a Place near the Mouth of the same known by the Name of *English's Landing,* and from thence to continue a Bank to the Corner of *Joseph English's* Plantation on the fast Land:

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 said Meadows and Marsh to erect and keep up in good Repair, or cause to be erected and kept up, and in good Repair, a sufficient Bank, Dam and other Water-works over and across the said Creek, known by the Name of *English's Creek,* necessary for keeping out the Tide, at a Place near the Mouth of the said Creek, known by the Name of *English's Landing;* and to continue the Bank or Dam to the Corner of *Joseph English's* Plantation on the fast Land; which Bank and Dam, so to be erected over and across the said Meadows, Marsh and Creek, is to be forever hereafter kept up and maintained by the Owners and Possessors of the said Meadows and Marshes benefited thereby, and is to be at or near the two Channels of the Creek of the Breadth of Twenty-four Feet, and is so to continue of that Breadth, in Length Eight Rods.

AND BE IT ENACTED *by the Authority aforesaid,* That the natural Water-course of the said Creek, from the Bank to be erected by Virtue of this Act, so far up as the Tide usually flows, shall at all Times be kept open and clear, that the Water may have a sufficient Fall from off the Meadows; and all Mud, Grass or other Rubbish that may be thrown or dragged thereout, shall be equally divided as near as may be to each Side of said Creek.

AND, to the End that the said Bank, Dam and other Water-works may be immediately erected and done, and at all Times hereafter be well and sufficiently maintained and kept in Repair,

BE IT ENACTED *by the Authority aforesaid,* That *Joseph English,* senior, *Samuel English* and *John Sutton* be, and they are hereby appointed the present

Managers; which Managers or any Two of them shall have full Power to assess the said Owners and Possessors in Proportion to the Quantity of Marsh and Meadows he or they shall hold, 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 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 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 and their Successors 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, by 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 further, it shall and may be lawful for the said Managers, and their Successors, at all Times hereafter, 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 and repairing the same.

AND BE IT FURTHER 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 at any other Time they shall think proper, at the present Dwelling-House of *Joseph English,* senior, or at any other Place appointed, and there choose Three Managers, who are hereby invested with the same Powers as in and by this Act are given to the Managers before mentioned; and if the said Owners and Possessors shall neglect to meet on the Times aforesaid for choosing Managers, in such Case the Managers hereby appointed or chosen for the preceding Year shall continue and have the same Powers until new ones are chosen as aforesaid: And in order to ascertain the just Quantity of Meadow or Marsh each Owner or Possessor doth hold, within the said Bank, it shall and may be lawful for the said Managers, or any Two of them, at any Time hereafter when they shall find it necessary, to cause the same to be measured; the Expence whereof to be paid by the said Owners and Possessors in Proportion as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every of the 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* and *Six-pence* 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 FURTHER ENACTED *by the Authority aforesaid,* That the said Dam, when erected over and across the said Creek, shall be and hereby is declared a Publick Landing; and that it shall and may be lawful for all Persons whatsoever to land, or cause to be landed, on the said Bank, Wood, Plank, Timber, or any other Merchandize, without any Molestation from any Person or Persons whatsoever, any Thing herein before contained to the contrary thereof in any wise notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That an Act made in the Twelfth Year of His present Majesty's Reign, entitled, *An* Act *to enable sundry of the Owners and Possessors of Meadows and Tide-Marsh lying on* English's *Creek, 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, and to keep the former Water-course of said Creek open and clear, and to make the said Dam when erected a Publick Landing,* and every Clause, Article and Thing therein contained be and the same is hereby repealed.

Collins (1772), pp. 50-53.

An ACT *to enable the Owners and Possessors of a Tract of Marsh and Meadow at* Elsinborough, *in the County of* Salem, *to uphold and maintain a certain Bank for draining the same Meadow, and for other Purposes therein mentioned.*

WHEREAS *Samuel Nicholson, John Mason, William Hancock,* junior, and *Thomas Hancock,* the Owners of certain Marshes and Meadows in the Township of *Elsinborough* in the County of *Salem,* have presented a Petition to the Legislature, praying for a Law to enable them to keep up and maintain a certain Bank, beginning at the lower End of *John Mason's* Point, and extending from thence to a Bank of *William Abbott;* to provide sufficient Sluices and Ditches to carry off the Water; to proportion the several Shares of each Owner to be kept in Repair, and obliging such Owners to keep the Share so allotted in good and sufficient Order.

AND WHEREAS it appears that publick Notice of this Application hath been given, and no One attending to shew any Reason to the contrary, 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 aforesaid *Samuel Nicholson, John Mason, William Hancock,* junior, and *Thomas Hancock,* their and each of their Tenants and Possessors, and they and each of them are hereby authorized and enjoined to uphold, keep up and maintain the Bank aforesaid, beginning at a Stake on the fast Land of *Thomas Hancock* at the lower End of a Point belonging to *John Mason,* and from thence extending to a Bank of *William Abbott's,* in such Manner and Sort, and so as to keep the Water off the said Meadows; and that the Owners, or their Tenants or Possessors aforesaid, shall uphold and repair the same Bank in the following Proportions or Allotments, *That is to say,* The aforesaid *William Hancock,* junior, his Heirs or Assigns, or his, her or their Tenants, shall uphold and maintain the Bank aforesaid, beginning at a Stake on the fast Land of the aforesaid *Thomas Hancock,* and extending from the said Stake Eighteen Rods and Three Quarters of a Rod to a Stake standing in the Bank aforesaid; that the aforesaid *Thomas Hancock,* his Heirs or Assigns, or his, her or their Tenants, shall uphold and maintain the Bank aforesaid from the last mentioned Stake unto a second Stake in the same Bank at the Distance of Eighteen Rods and Three Quarters of a Rod; that the aforesaid *John Mason,* his Heirs or Assigns, or his, her or their Tenants, shall uphold and maintain that Part of the Bank aforesaid beginning at a Stake where the Part to be maintained by the said *Thomas Hancock* doth end, and extending along the said Bank One Hundred and Eighteen Rods and One Half of a Rod to a Stake set in the Bank aforesaid; and the aforesaid *Samuel Nicholson,* his Heirs or Assigns, or his, her or their Tenants, shall uphold and maintain the Residue of the Bank aforesaid beginning at the Stake last aforesaid unto the Bank aforesaid of *William Abbott* One Hundred and Four Rods and One Half of a Rod.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the aforesaid *Samuel Nicholson,* and the aforesaid *John Mason,* and each of them, their and each of their Heirs and Assigns, or his, her or their Tenants, shall procure, make, keep and maintain such Sluice or Sluices as the Owners of the Meadows aforesaid, or the Majority of them, shall think fit and adjudge to be sufficient to carry the Water off the Meadows and Marshes aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Owners aforesaid, and each and every of them, their and each of their Heirs or Assigns, or his, her or their Tenants, shall and may, and they and each and every of them, are hereby authorized to dig for and take Earth, Gravel or Sand to maintain and keep up the Bank aforesaid, from any Upland the most convenient to the Place intended and enjoined to be upheld and maintained, provided the same be done with as little Detriment to the Owners as may be.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all and every of the Owners aforesaid, their Tenants, or the Possessors of the Meadows aforesaid, shall and for ever hereafter are commanded and enjoined to clear out all necessary Creeks or Drains within or against his, her or their Meadows; and that where the Meadows or Marsh on the Sides of a Creek or Drain is owned by different Persons, the same shall be cleared out

and kept open at the equal Expence of such Owners, Tenants or Possessors.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any of the Owners, his, her or their Tenants, or the Possessors of the Meadows aforesaid, his, her or their Heirs or Assigns, shall or do neglect or refuse to uphold and maintain his, her or their Share or Shares of the Bank aforesaid, so by him, her or them to be maintained and kept up, or to clear out and keep open any Creeks or Drains, or any Part of any Creek or Drain within or against the same, or shall neglect any Duty hereby enjoined, that it shall and may be lawful for the Owner or Owners, Tenant or Tenants, Possessor or Possessors, or any or either of his, her or their Heirs or Assigns, to give Notice to such Owner, Tenant or Possessor, his, her or their Heirs or Assigns, so neglecting to maintain his, her or their Share of the Bank aforesaid, or to clear out and keep open such Creeks and Drains as aforesaid; and that if such Owner, Tenant or Possessor, his, her or their Heirs or Assigns, shall refuse or neglect to perform any Duty enjoined by this Act for the Space of Three Months thereafter, it shall and may be lawful for such Owner, Tenant or Possessor, his, her or their Heirs or Assigns, so giving Notice, or any other Owner, Tenant or Possessor, to enter in or upon the Premises of the Party so neglecting or refusing, and perform the Duty so neglected to be done in a just and reasonable Manner, and bring his, her or their Action of Debt against the Party or Parties so neglecting for the Charges, or any Part thereof in any Court where the same is cognizable, and shall recover the same with Costs of Suit.

Collins (1772), pp. 53-55.

An ACT *for raising the Sum of* Four Hundred *and* Fifty Pounds *Proclamation on the Inhabitants of the Counties of* Somerset *and* Middlesex, *to be applied to the completing the Bridge over* Raritan *River at the* Landing.

WHEREAS great Numbers of the Inhabitants of the Counties of *Somerset* and *Middlesex* have, by their humble Petition, set forth, That a Bridge over the River *Raritan,* at the *Landing,* would be of great Publick Utility and Convenience, and that such a Bridge is already begun by private Subscription, but the Expence of completing thereof proves too heavy for the

Benevolence of Individuals; wherefore they pray for some Publick Assistance from the above Counties, to whom the said Bridge is immediately beneficial: Whereupon We, the House of Representatives, conceiving that the said Bridge will be a Publick Benefit and Convenience, and particularly to the Inhabitants of the aforesaid Counties, 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 Sum not exceeding *Four Hundred* and *Fifty Pounds* Proclamation Money shall and may, within Two Months next after the Publication of this Act, be assessed and levied; one Moiety on the Inhabitants of the County of *Middlesex,* and one Moiety on the Inhabitants of the County of *Somerset,* for the finishing and completing the aforesaid Bridge; to be levied, assessed, and collected in such Manner, and on such Estates and Effects, and by such Persons, as the Provincial Taxes of this Colony are done.

AND BE IT ENACTED *by the Authority aforesaid,* That *John Vroom* and *John Gaston* of the County of *Somerset,* and *Charles Sedam, Michael Field* and *John Duyckinck* of the County of *Middlesex,* shall be and they are hereby declared and appointed Commissioners for the Purposes of receiving and laying out the above granted Sum, or such Part thereof as shall be necessary to complete the said Bridge; who are hereby required to render a true and just Account of the Disbursements of the said Monies to a joint Committee to be appointed by the Justices and chosen Freeholders of the respective Counties of *Somerset* and *Middlesex;* which said Committee is hereby authorized and impowered to audit and adjust the said Accounts accordingly.

Collins (1772), pp. 55-56.

A Supplementary ACT *to the Act, entitled, An* Act *to impower certain Persons therein named to raise a Sum of Money by Subscription, or by Taxation, to rebuild and keep in Repair the Bridge over* Raritan *River, near* Bound-Brook, *known by the Name of* Queen's Bridge.

WHEREAS the before recited Act, by Reason of its not being obligatory on the Board of Justices and Freeholders, has not answered the good Purposes intended thereby,

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 Assessors of the County of *Somerset,* and they are hereby authorized, directed and impowered to assess forthwith on the Inhabitants of said County, the Sum of *Three Hundred Pounds* Proclamation Money, in the same Manner and in the same Proportion as the Provincial Taxes are raised, and under the same Pains and Penalties, and entitled to the same Fees and Rewards, as for assessing the Provincial Taxes in every Respect whatsoever.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Sum of *Three Hundred Pounds,* Money aforesaid, shall be assessed, collected and paid by the respective Collectors, at or before the First Day of *January* next, unto *Peter Perine, Benjamin Morgan, Jonathan Smith, Jeremiah Field, Philip French,* junior, and *John Gouldtrap,* or to any Three of them, for the Purposes aforesaid, who are hereby appointed Managers for building and repairing the said *Queen's Bridge,* and are also hereby made accountable to the Board of Justices and Freeholders for the County aforesaid, for all such Sums of Money by them or any of them received and expended by Virtue of this Act, any Thing in the before recited Act to the contrary in any wise notwithstanding.

Collins (1772), p. 57.

An ACT *to prevent the holding of Fairs in the City of* Burlington, Princeton, *and Township of* Windsor.

WHEREAS the holding of Fairs in the City of *Burlington, Princeton,* and the Township of *Windsor,* within this Colony, hath by Experience been found to be inconvenient and unnecessary, as by the Petition of sundry reputable Inhabitants of said Places appears;

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 Fair shall be held in the said City of *Burlington,* or in the Township of *Windsor* or *Princeton,* any Law, Usage, Custom or Charter now existing to the contrary thereof in any Wise notwithstanding.

PROVIDED ALWAYS, *and it is hereby declared,* That Nothing in this Act shall be construed or understood to abridge or anyways affect any other of

the Liberties, Franchises or Privileges of the said City of *Burlington,* or of the said Township of *Windsor* and *Princeton.*

Collins (1772), p. 58.

An ACT *to enable certain Persons to erect and draw a Lottery for raising the Sum of* One Thousand and Fifty Pounds, *to be applied for the Purposes therein mentioned.*

WHEREAS many of the Inhabitants of the Counties of *Essex* and *Bergen* have, by their humble Petition set forth, That a certain Highway through a Cedar Swamp, and over the Meadows and Marshes on *New Barbados* Neck, to *Hackinsack* River in the County of *Bergen,* is very useful, and will be greatly beneficial to the Inhabitants of the Northern Parts of *Sussex, Morris* and *Essex,* in passing to and from *New-York,* by *Paulus-Hook;* and that Colonel *John Schuyler,* at his own private Expence, hath, at great Charge, erected a Causeway of Cedar Logs through the said Swamp and Meadows upwards of Three Miles in Length, and built proper Bridges; which necessary Work now completed, at upwards of *Three Thousand Pounds* Expence, will be in Danger of being destroyed by Fire unless properly covered with Gravel; and that such Covering will be attended with an Expence of at least *One Thousand and Fifty Pounds,* an additional Expence too great to be born by the said Colonel *John Schuyler;* and therefore pray that the Legislature will enable them, by a Lottery or otherwise, to raise the said Sum of Money for the Purposes aforesaid: AND WHEREAS the Facts set forth appear to be true; therefore, that a Work so useful and beneficial to the Publick, and erected at so great Expence may not be lost, and the Intentions of the said Colonel *John Schuyler* may not be defeated,

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 *Richard Ludlow, Michael Vreland, Jacobus Post, John Richards, Jonathan J. Dayton* and *Edward Thomas,* or any Three or more of them, and they are hereby nominated and appointed Managers or Directors to draw a Lottery for raising the Sum of *One Thousand and Fifty Pounds* Proclamation Money, exclusive of the Expence attending the same; which said Directors or Managers shall be under Oath, and give Security for the due and impartial Performance of their Duties.

AND, that the Monies raised by the Lottery hereby given and permitted may be laid out and appropriated for the Uses and Purposes aforesaid,

BE IT ENACTED *by the Authority aforesaid,* That the said Sum of *One Thousand and Fifty Pounds,* when raised by the Lottery aforesaid, shall, by the said Directors or Managers aforesaid, be paid to *Josiah Hornbleur,* hereby appointed and authorized to receive the same, and by him issued to *William Dow,* Esquire and *Arant J. Schuyler,* or their Order, to be by them applied in covering the said Causeway with Earth and Gravel.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Managers or Directors, and the said *Josiah Hornbleur, William Dow* and *Arant J. Schuyler,* shall, at the first Session of General Assembly which shall first happen after the Drawing the said Lottery, and the completing the Work aforesaid deliver true and exact Accounts as well of the Monies by them raised, as also how and in what Manner the same has by them or either of them been applied, that the said Accounts may be subjected to such Inspection, Check and Controul as to the said General Assembly shall seem meet and just.

PROVIDED ALWAYS, That Nothing in this Act contained shall be construed to authorize the said Managers, or any of them, to draw the Lottery aforesaid, until His Majesty's Royal Assent is first had and obtained; any Thing herein before to the contrary notwithstanding.

Collins (1772), pp. 58-60.

An ACT *for the better Preservation of Deer in the Township of* Morris.

WHEREAS a Number of the Inhabitants of the Township of *Morris* in this Colony, have by their Petition set forth many Inconveniences arising to them and to the Publick in general, from the inconsiderate Practices of a Number of People who hunt and drive Deer in the said Township, and particularly in that Part of it called the *Great Swamp,* and praying a Law for restraining all Hunting or Driving of Deer in the said Township, for the Term of Five Years;

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 of this Act, for the Term of Five Years, it shall not be lawful

for any Person or Persons, in the Township of *Morris* in this Colony, in any Manner to hunt or drive, or in any Manner wound, kill or destroy any Deer of any Kind whatsoever; and that each Person offending against this Act, shall forfeit the Sum of *Six Pounds* Proclamation Money of this Province, to be recovered before any Justice of the Peace in this Colony; one Half to be applied to the Use of the Poor of the Township of *Morris* aforesaid, and the other Half to the Use of the Prosecutor.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That no Person or Persons shall, under any Pretence whatsoever, hunt in the said *Great Swamp* with Fire Arms or with Dogs, under the Penalty before mentioned: And that it shall and may be lawful for any Person or Persons to kill any Dog he may find hunting in the said *Great Swamp.*

Collins (1772), pp. 60-61.

An ACT *for the Relief of* Richard Stevens *with Respect to the Imprisonment of his Person.*

WHEREAS *Richard Stevens,* late of the City of *Philadelphia,* Merchant, but now residing in this Province, by his Petition to this House, has set forth, That about Five Years ago, by repeated Misfortunes and Losses in Trade, he found himself incapable of satisfying the just Demands of all his Creditors; that thereupon, in order to do equal Justice to each of them as far as lay in his Power, he called his Creditors together to take a View of his Affairs; and by and with the Approbation and Advice of those who met on that Occasion [being his principal Creditors] he did, by an Indenture bearing Date the Sixteenth Day of *February* One Thousand Seven Hundred and Sixty-seven, made between him the said *Richard Stevens,* of the first Part, and *Adam Hoops, John Mease, John Startin, Nathan Hyde,* and *Robert Morris,* Five of his principal Creditors [all of the City of *Philadelphia*] of the second Part, for and in Consideration of the several Debts and Sums of Money by him then due, and owing unto the said Parties of the second Part, and unto several other Persons his Creditors, and for and towards Payment of the same Debts; and for and in the further Consideration of the Sum of *Ten Shillings,* did grant, bargain, assign, transfer and set over to the said *Adam Hoops, John Mease, John Startin, Nathan Hyde* and *Robert Morris,* of the second Part, and to their Heirs and Assigns forever, all his Estate Real and Personal whatsoever and

wheresoever in Trust to be sold, towards the Payment and Discharge of all the just Debts, Dues, and Demands against him; and the Monies arising from the Sale thereof to be paid to and amongst the several Creditors of the said *Richard Stevens,* Rateable and in Proportion, according to their several and respective Debts: And in order that the said Estate might be freed from all Incumbrances, at the Request of the said Assignees, did procure a Release of Dower to the said *Adam Hoops* and others above-mentioned from *Susannah* the Wife of the said *Richard Stevens,* upon full Confidence, and a Proposal to him made by his said Assignees and Creditors then present, that all his Creditors should give him a total Discharge, as is customary on the like Occasions; and that thereupon a proper Instrument of Writing of Discharge, bearing Date the second Day of *March* One Thousand Seven Hundred and Sixty-seven, was accordingly drawn, and several of the principal Creditors of the said *Richard Stevens* did sign and execute the same; and afterwards in Virtue of the said Assignment from the said *Richard Stevens* to the said *Adam Hoops, John Mease, John Startin, Nathan Hyde,* and *Robert Morris,* by which they, or any Three of them, and the Survivors and Survivor of them, were fully impowered to dispose of all or of any Part of his said Estate, and to appoint and authorize any Person or Persons for that End and Purpose; they the said Assignees did, by an Instrument of Writing accordingly, appoint and authorize an Attorney to recover his Personal Estate, and sell his Real Estate, so assigned over, and to transact every other Matter relative to said Estate, in their Stead; in Consequence of which some Monies have been recovered by the said Attorney; notwithstanding which said Assignment and Transactions of the Assignees and their Attorney, in Consequence thereof some of the said Assignees, and others his Creditors, have refused, and still do refuse, to sign the said Discharge, which was proposed as aforesaid to be given to the said *Richard Stevens,* in Consideration of his assigning over his Estate for the general Benefit of his Creditors as aforesaid; by Reason of which the said *Richard Stevens* having been obliged to leave the Province of *Pennsylvania* for Fear of Arrests and Prosecutions, and thereby prevented making Use of the necessary Means to support and maintain himself and Family, for near Five Years past, and being otherways greatly distressed thereby, was reduced to the Necessity of asking Relief of the Legislature of the Province of *Pennsylvania.* AND WHEREAS an Act of the Legislature of the said Province of *Pennsylvania* was passed on the Twenty-first Day of *March* last, for *The Relief of the said* Richard Stevens *with Respect to the Imprisonment of his Person,* reciting that the Facts aforesaid set forth in the said Petition have been made appear to, and the said Deed of Conveyance hath been laid before the Legislature of *Pennsylvania,* and it appearing that the Facts in the said recited Act of the Province of *Pennsylvania* are true, and that the said *Richard Stevens* made a Surrender upon Oath of all his Estate Real and Personal, and that the said *Susannah* his Wife hath given a Release of Dower for all the said Estate, in Confidence of the Performance of the Engagement of the said Assignees and Creditors met together to inspect his Affairs; which Engagement has been complied with but by Part of his Creditors; therefore, that the good Intention

of the said Conveyance may not be any longer delayed or defeated, and that he may not be deprived of the Benefit of the said Act of the Legislature of *Pennsylvania,* so justly passed in his Favour, and that the Person of the said *Richard Stevens* may not be liable to Imprisonment,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said Trustees before named, or the Survivors of them, or some Person or Persons by them duly authorized, shall and do, as soon as conveniently may be, after the passing of this Act, proceed for the Recovery of the Debts due to the said *Richard Stevens,* and so as aforesaid assigned and made over by him, and also proceed to make Sale of all the Real Estate of the said *Richard Stevens,* also so as aforesaid assigned and made over and not as yet sold or disposed of, and thereupon to make a just and equal Distribution to and amongst all the Creditors of the said *Richard Stevens,* in Proportion to the several and respective Debts justly due to them, of all Sum or Sums of Money that have been, or shall or may, by Virtue of the said Conveyance or Deed of Trust aforesaid, or by any other Ways or Means whatsoever, come to their Hands, of the Estate and Effects of the said *Richard Stevens,* and thereupon to give and take proper Receipts and Acquittances therefor, and to proceed in all Things according to the true Intent and Meaning of the said Deed of the said *Richard Stevens* to the said Trustees.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Person of him the said *Richard Stevens* shall, for ever after the Publication of this Act, be freed, exempted and discharged from Confinement, on Account of any Debts by him contracted before the said Sixteenth Day of *February,* in the Year of our Lord One Thousand Seven Hundred and Sixty-seven. PROVIDED NEVERTHELESS, That the Discharge of the Person of the said *Richard Stevens* from Imprisonment, by Virtue of this Act, shall not acquit or discharge any other Person from such Debts, Sum or Sums of Money, for which such Person now is bound or engaged with the said *Richard Stevens,* nor exempt any Lands, Goods, Chattels or other Estate or Effects which the said *Richard Stevens* now hath, or which he may hereafter acquire, from the Payment of any of his just Debts.

Collins (1772), pp. 61-63.

An ACT *for the Relief of* Benjamin Ayars *now a Prisoner in the Gaol of the County of* Cumberland.

WHEREAS *Benjamin Ayars* of the County of *Cumberland* within this Colony of *New-Jersey,* Carpenter, hath presented a Petition to the Legislature setting forth, That he is now under Confinement in the Gaol of the said County, and that all his Debts amount to the Sum of *One Hundred Pounds,* or thereabouts, proposing to pay the Sum of *Twenty Pounds* annually for the Space of Five Years to the Use of his Creditors, and praying that his Person and Estate may in the Performance of the said Payment, during the said Five Years, be exempted from any legal Process, and that he may be discharged from his present Imprisonment. AND WHEREAS it is apparent that the Performance of the aforesaid Proposal will be beneficial to the Creditors of the said *Benjamin Ayars,* and that the same *Benjamin Ayars* at present hath no Estate to assign to his Creditors; Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Sheriff of the County of *Cumberland* aforesaid do, and he is hereby authorized and commanded to discharge the Person of the said *Benjamin Ayars* from his present Confinement, and that, until Failure be made of the annual Payment of *Twenty Pounds* Proclamation Money, the Person and future Estate and Effects of the said *Benjamin Ayars,* of every Kind and Sort, shall be and are hereby declared to be exempted from all legal Process whatsoever for the Space of Five Years next ensuing the Publication of this Act, for or on the Account of any Debt or Debts contracted on or before the Eighteenth Day of *August* in the Year of our Lord One Thousand Seven Hundred and Seventy-two.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Monies aforesaid shall be paid unto *David Bowen,* Esquire, and *Job Butcher* of *Cumberland* County, or one of them, yearly during the Time aforesaid, who are hereby appointed Trustees to receive and distribute the same amongst the Creditors of the said *Benjamin Ayars* in Proportion to their several Debts.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall or do arrest, attach or issue any Process whatsoever against the Person, Estate or Effects of the said *Benjamin Ayars,* contrary to the true Intent and Meaning of this Act, it shall and may be lawful for any one of the Judges of any one of the Inferior Courts of Common Pleas of this Colony in which the Person or Estate or Effects of the said *Benjamin Ayars* shall or may be attached, arrested or affected to issue a Supersedeas against the said Process to the Officer or Person so arresting or attaching either the Person or Estate of the said *Benjamin Ayars;* which said Officer or Person shall and is hereby strictly enjoined and commanded to pay Obedience to the said Supersedeas and to discharge the Person or Estate of the said *Benjamin Ayars* from every such Attachment or Process so to be issued as aforesaid, contrary to the true Intent and Meaning of this Act. PRO-

VIDED ALWAYS, That the said Sheriff of the County of *Cumberland* do not discharge the said *Benjamin Ayars* from his Confinement, until sufficient Security be given to the said Trustees, that the said *Benjamin Ayars* shall not depart this Colony within the said Five Years, without the Leave of his Creditors, or a Majority of them, any Thing contained in this Act to the contrary notwithstanding.

Disallowed 1 Sept. 1773.
Collins (1772), pp. 64-65.

An ACT *to naturalize* John George Felthausen.

WHEREAS *John George Felthausen,* by his humble Petition, hath set forth that he was born under the Dominions 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 *John George Felthausen* 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 entitled 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 George Felthausen* 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 before contained to the contrary notwithstanding.

Disallowed 1 Sept. 1773.
Collins (1772), pp. 65-66.

An ACT *to dissolve the Marriage of* David Baxter, *with* Margaret *his Wife, late* Margaret Mac Murtry.

WHEREAS *David Baxter* of the County of *Hunterdon* in the Colony of *New-Jersey,* hath presented a Petition to the Governor, Council, and General Assembly, setting forth, That he the said *David Baxter* was some Time in the Year of our Lord One Thousand Seven Hundred and Seventy-one, taken into Custody at the Suit and by Virtue of an Affidavit of a certain *Margaret Mac Murtry,* wherein she the said *Margaret* deposed that she was then pregnant by the said *David,* and that by the said *Margaret's* harrassing the said *David* by Means of the said Charge in the said Affidavit contained, he was compelled to marry her; and that within Six Days after the said Marriage the said *Margaret* was delivered of a Mulatto Child, or Child of the Mixture of Negro and White; and praying that the Legislature would be pleased to afford him Relief by dissolving the said Marriage, and enabling him to marry again. And whereas it appears that Notice of this Application was given to the said *Margaret,* and that she was required to attend and shew Cause if any she had why the Prayer of the said Petition should not be granted which she hath declined: And whereas on a full and publick Hearing and Inquiry into this Matter it appears that the said Complaint of the said Petitioner is true; that the said *David Baxter* and *Margaret Mac Murtry* are both White Persons, and that the said Mulatto Child could not have been begot by the said *David* on the Body of the said *Margaret,* as charged in her Affidavit before mentioned.

IN ORDER THEREFORE to give Relief in the Premises, and to discourage such Impositions 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 said Marriage and Bond of Matrimony be, and are hereby declared to be from henceforth wholly dissolved, annulled and made void to all Intents, Purposes and Constructions whatsoever.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That no Child or Children, Male or Female, which, at any Time heretofore hath been or hereafter may be born of the Body of the same *Margaret* shall be deemed, taken or reputed to be the lawful Issue of the said *David Baxter* on the Body of the said *Margaret* begotten.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said *Margaret* shall be and is hereby debarred and excluded of and from all Dower and Share or Part, and of and from all Right and Title of Dower, and Share or Part whatsoever, in, to or out of the Lands, Tenements, Hereditaments and Personal Estate of the said *David Baxter.*

Disallowed 1 Sept. 1773.
Collins (1772), pp. 66-67.

Twenty-second Assembly, Second Session

10 Nov. 1773-11 Mar. 1774

Burlington

All acts passed 11 Mar. 1774.

An ACT *for the Support of Government of His Majesty's Colony of* New-Jersey, *to commence the First Day of* October *One Thousand Seven Hundred and Seventy-three, and to end the First Day of* October *One Thousand Seven Hundred and Seventy-four, 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 First Day of *October* 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, and supplying the King's Troops quartered in the Barracks of this Colony, 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 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 cheerfully 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 any unapplied Money now in the Treasury, or that may come therein by Payment of any Sum or Sums now outstanding and due to this Colony, or otherwise, as herein after is provided; *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 First Day of *October* last.

To *David Ogden,* Esquire, one of the Justices of the Supreme Court of this Colony, at the Rate of *One Hundred and Fifty Pounds per Annum,* Money aforesaid.

To *Richard Stockton,* Esquire, one of the Justices of the Supreme Court of this Colony, at the Rate of *One Hundred and Fifty Pounds per Annum,* Money aforesaid.

To *Cortland Skinner,* Esquire, Attorney-General of this Colony, at the Rate of *Forty Pounds per Annum,* Money aforesaid.

To *Samuel Smith* and *John Smyth,* 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 Dr. *Benjamin Franklin,* Agent of this Colony, at the Rate of *One Hundred Pounds per Annum,* Money aforesaid.

To the Clerk of the Circuits, for the Time being, residing in this Colony, at the Rate of *Twenty Pounds per Annum,* Money aforesaid.

To the Doorkeeper of the Council of this Colony, at the Rate of *Ten Pounds per Annum,* Money aforesaid.

ALL which several Sums above-mentioned shall be paid to the several Officers before-mentioned for their respective Salaries for and during 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,* Esquire, 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 First Day of *October* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-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 authorized and commanded to pay to His Excellency *William Franklin,* Esquire, or to the said other Officers, or to his or their several Executors, Administrators and Assigns, or to their Orders, out of the Money 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,* Esquire, 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 any one of the Justices of the Supreme Court of this Colony, *Ten Pounds* for each Time, during the Continuance of this Act, that they 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, 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. PROVIDED ALSO, That Twenty Days Notice be given of the Day of holding such Courts of *Nisi Prius* and Courts of Oyer and Terminer.

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, *Videlicet.*

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 of any Sitting, during the Continuance of this Act, fair in the Journals, and copying the Laws and Minutes for the Printer. And to the said *Richard Smith* the Sum of *Twenty-five Pounds* for Pen, Ink and Paper, and hiring Clerks to forward the Business of this Session.

To *Charles Pettit,* Esquire, Deputy-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; and to the said *Charles Pettit* the Sum of *Twenty Pounds* for extraordinary Services.

To each of the Treasurers of this Colony, *Six-pence per Pound,* for exchanging ragged and torn Bills of Credit of this Colony.

To *Isaac Collins,* 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 *Hendrick Fisher, Stephen Crane, James Kinsey* and *Thomas Polgreen Hewlings,* Esquires, or any two of them, shall agree to be paid for the said Service.

To the Sergeant at Arms, for the Time being, who shall attend the Council, the Sum of *Three Shillings per Diem;* and to the Sergeant at Arms,

who shall attend the House of Representatives, the Sum of *Three Shillings per Diem.*

To the Doorkeeper 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 His Excellency the Governor, or his Order, any Sum not exceeding *Fourteen Hundred Pounds,* to be by him applied for the Repairs and usual Furniture of the Barracks, and the Support of His Majesty's Troops quartered therein.

ALL which said several Sums above-mentioned shall be, and are hereby directed to be paid to the several 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, Henry Paxson, John Hinchman, James Kinsey, Thomas Polgreen Hewlings* and *Richard Lawrence,* Esquires, or any Three of them, expressing the Number of Days such Member 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.

AND WHEREAS, by an Act passed in the Twelfth Year of the Reign of His present Majesty, entitled, *An* Act *for the Support of Government of His Majesty's Colony of* New-Jersey, *to commence the First Day of* October *One Thousand Seven Hundred and Seventy-one, and to end the First Day of* October *One Thousand Seven Hundred and Seventy-two, and to discharge the Publick Debts and Contingent Charges thereof,* among other Things the Treasurers of this Colony were authorized to apply the Monies, made subject to the Demand of the Committee of Correspondence by an Act passed in the Thirty-first Year of the Reign of GEORGE the Second, to the Payment of the several Sums by the said recited Act, passed in the Twelfth Year of His present Majesty's Reign, given and granted; and, for replacing the same in the Treasury, it was

by the said last recited Act, Enacted and Declared, that the Treasurers of this Colony should replace the same out of any Money outstanding on Bonds and Mortgages as the same should by them, or either of them, be received: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Treasurers of this Colony, or either of them, and they are hereby directed and required, out of any Money outstanding on Bonds or Mortgages, as the same shall be by them or either of them received, to replace all such Money as shall be advanced by Virtue of the said last recited Act; which Money, at all Times hereafter, shall be subject to the Demand of *John Wetherill, James Kinsey, Samuel Tucker, Henry Paxson, John Combs,* junior, *John Hinchman, Richard Lawrence, Robert Friend Price* and *Anthony Sykes,* Esquires, the present Committee of Correspondence, or any Five of them, in the same Manner, and to be applied to the same Purposes, as in and by the said Act of the Thirty-first of GEORGE the Second is directed.

AND, That the Monies hereby given and granted may be duly paid, and the Contingent Charges of Government provided for, BE IT ENACTED *by the Authority aforesaid,* That on or before the Twenty-first Day of *December,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-four, the Sum of *Three Thousand Five Hundred Pounds,* Proclamation Money of this Colony, shall be assessed and levied on the Inhabitants of this Colony, their Goods and Chattels, Lands and Tenements, and paid into the Treasury of this Colony, in the same Manner, Form and Proportion, and under the same Fines and Penalties, and with the same Fees and Rewards, as is directed, required and enjoined by an Act, entitled, *An* Act *to settle the Quotas of the several Counties of this Colony for the levying Taxes.*

AND BE IT ENACTED *by the Authority aforesaid,* That the several Counties of this Colony shall be assessed and pay the said *Three Thousand Five Hundred Pounds,* in the following Proportions, *to wit.*

By the County of *Bergen,* the Sum of *Two Hundred and Thirty-two Pounds Eleven Shillings.*

By the County of *Essex,* the Sum of *Two Hundred and Sixty Pounds One Shilling.*

By the County of *Middlesex,* the Sum of *Three Hundred* and *Five Pounds Six Shillings.*

By the County of *Monmouth,* the Sum of *Three Hundred* and *Seventy-four Pounds Four Shillings.*

By the County of Somerset, the Sum of *Three Hundred* and *Sixteen Pounds Nine Shillings.*

By the County of *Morris,* the Sum of *Two Hundred* and *Fifty-three Pounds Four Shillings.*

By the County of *Sussex,* the Sum of *Two Hundred* and *Seven Pounds Thirteen Shillings.*

By the County of *Hunterdon,* the Sum of *Four Hundred* and *Seventy-seven Pounds Seven Shillings.*

By the County of *Burlington,* the Sum of *Three Hundred* and *Seventy-five Pounds One Shilling.*

By the County of *Gloucester,* the Sum of *Two Hundred* and *Sixty-seven Pounds One Shilling.*

By the County of *Salem,* the Sum of *Two Hundred* and *Thirty-seven Pounds Seventeen Shillings.*

By the County of *Cumberland,* the Sum of *One Hundred* and *Thirty-four Pounds Seventeen Shillings.*

By the County of *Cape-May,* the Sum of *Fifty-eight Pounds Nine Shillings.*

AND WHEREAS the said Sum of *Three Thousand Five Hundred Pounds* cannot be levied, nor will the outstanding Debts due to this Colony be probably paid in, in Time to defray the Exigencies of Government: AND WHEREAS a Sum of Money in Gold, Silver, and the Current Money of the neighbouring Colonies, sufficient for the Purposes of this Act, now is in the Treasury of this Colony; therefore,

BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Treasurers of this Colony, and they are hereby authorized to apply such Part of the Monies aforesaid, now in the Treasury, as shall be necessary for the Payment of the several Sums herein and hereby given and granted, and to defray the Incidental Charges of Government.

AND, for the replacing the said Money in the Treasury, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Treasurers, and they are hereby directed and required, out of the Monies so directed to be levied and assessed as aforesaid, or out of any Money outstanding on Bonds and Mortgages, as the same shall be by them or either of them received, to replace all such Monies now in the Treasury as aforesaid as shall be applied in Payment of the several Sums in and by this Act given and granted as aforesaid.

Collins (1774), pp. 3-10.

An Act *for defraying Incidental Charges.*

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 authorized and directed to pay the several Sums herein after mentioned to the several Persons following, *That is to say,*

To His Excellency WILLIAM FRANKLIN, Esquire, and to be drawn

by him from the Treasury, whenever *Samuel Ford, Joseph Richardson* and *John King,* or either of them, shall be taken and secured in either of the Gaols of *Philadelphia* or *Burlington,* to wit, *Three Hundred Pounds* for *Samuel Ford, Three Hundred Pounds* for *Joseph Richardson,* and *Fifty Pounds* for *John King.*

To *John Barker,* the Sum of *Seven Pounds Six Shillings* and *Three-pence Halfpenny,* being the Amount of his Account against the Colony for Repairs of the Assembly Room.

To *John Carty,* the Sum of *Twenty Pounds,* being the Amount of his Account for summoning the Council and General Assembly.

To *Daniel Bacon,* junior, the Sum of *One Pound Twelve Shillings* and *Five-pence,* being the Amount of his Account for Andirons, &c. for the Use of the Assembly.

To *Henry Writer, Fourteen Shillings* and *Eight-pence,* being the Amount of his Account for whitewashing the Assembly Room.

To *Samuel Allinson,* Esquire, *Five Hundred Pounds,* being so much advanced to him, the better to enable him to print the new Edition of the Laws of this Colony, to be accounted for by him upon delivering the Number of Books ordered for the Use of the Colony.

To *David Overton,* the Sum of *Seven Pounds Seven Shillings,* being the Amount of his Account for Firewood, Candles &c. for the Use of the House of Assembly.

To *Thomas Polgreen Hewlings,* Esquire, *Thirty Shillings per Week,* to pay for a Room, Firewood and Candles for the Use of the Council during this Session of General Assembly.

To *James Kinsey,* Esquire, *Four Pounds Eight Shillings,* being the Amount of his Account for Chairs and other Things bought for the Use of the House of Assembly, and *Twenty Shillings per* Week to pay for a Room for the Use of the Assembly, deducting thereout *John Barker's* Account for Repairs of the said Room; and the Sum of *Ten Shillings* for two Sets of the Laws of *Pennsylvania,* passed in One Thousand Seven Hundred and Seventy-three.

To *Cortland Skinner,* Esquire, *Thirty-two Pounds Five Shillings* and *Eight-pence,* being the Amount of his Account for Expresses relative to the Money Coiners, the Postage of publick Letters, and Expences of three Men intended to be sent after *Samuel Ford, Joseph Richardson* and *John King.*

To *Daniel Ellis,* Esquire, *Seven Pounds Eight Shillings* and *One Penny,* the Balance of his Account as one of the Barrack-Masters of this Colony.

To *Jonathan Deare,* Esquire, *One Pound Seventeen Shillings* and *Seven-pence,* being the Amount of his Account for Cash paid for transporting the Papers belonging to the House of Assembly from *Perth-Amboy,* and for a new Chest.

To *Thomas Rodman,* Esquire, *Forty Shillings* for a Table for the Use of the Assembly.

Collins (1774), pp. 10-11.

An Act *for regulating Roads and Bridges.*

WHEREAS the several Acts of the General Assembly of this Province relating to the laying out, altering and keeping Roads 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 Act or Acts of Assembly of this Colony, before the Passing of this Act, shall be and remain publick Highways until altered by Virtue 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 *Perth-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 City, Township and Precinct within this Province, shall at their annual Town-Meeting yearly and every Year 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 City, Township or Precinct; which Clerk 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 respectively 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; a Certificate of which Qualification, or in case of his Refusal, a Declaration thereof in Writing, signed by the said Person so elected, shall also, within Five Days thereafter, be served by him on the Clerk of such City, Township or Precinct for which he may be so elected. 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 *Five Pounds,* 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 City, Township or Precinct for which the said Surveyor hath been so chosen as aforesaid, to be applied towards repairing and amending the Bridges and Causeways within the said City, Precinct or Township not otherwise provided for by Law; and in case of the Neglect, Refusal or Death of any Surveyor so appointed as aforesaid, of which the

Clerk of the City, Township or Precinct aforesaid, is hereby directed to give Notice within Five Days thereafter to any two Justices of the Peace, (*Quorum Unus*) then such Justices are hereby impowered and required, within Five Days after such Notification, to appoint another Surveyor 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 when any Persons who are Freeholders, and not less than Ten in Number, shall think a publick Road necessary in any City, Township or Precinct, within this Colony, where they dwell, or in either of the Cities, Townships or Precincts next adjoining, they shall apply in Writing to the two Surveyors of the City, Township or Precinct where the said Road is proposed to be laid, and to the Surveyors of the two nearest and adjacent Cities, Townships or Precincts, and two of the applying Persons shall sign and affix up Advertisements in three of the most publick Places of the City, Township or Precinct where the said 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 said Road is to be laid; which Advertisements shall be affixed up at least Ten Days immediately before the said Time of meeting. And the Six Surveyors, when met as aforesaid, on viewing the Premises, may proceed to lay out the said Road, as they or the major Part of them in their Discretion may think necessary, not exceeding Four nor under Two Rods wide, as the Nature of the Case may require, and to the best Conveniency of the City, Township or Precinct in which such Road shall be laid, and of the adjacent Cities, Townships or Precincts, and with as little Disadvantage as may be to the Owner or Owners of the Land; and if the said Road should be on a Line between two Tracts of Land, the said Surveyors shall lay the same equally as near as may be on such Tracts, with as little Disadvantage also as conveniently may be to the Owner or Owners of the Lands through which any Road shall be laid out, according as the aforesaid Six Surveyors, or the major Part of them shall judge proper and agree upon; and the said applying Persons shall procure a Surveyor with Chain and Compass to lay out the said Road or Roads solely at their own Expence. And the said Surveyors, or a major Part of them, including one of the Surveyors of the City, Township or Precinct in which the Road shall lie, so agreeing and affixing the said Road or Roads, shall draw a Return thereof, certifying the Courses, Distances and Boundaries of the same, together with the Time when the Overseers of the Roads shall open the same for publick Use; and shall sign the said Return with the Date affixed, and deliver the same to the Parties, or some of them, applying for said Road, to be delivered to the Clerk of the Peace of the County where the said Road is laid out; which said 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; for which Service the said Clerk shall have and receive *Three Shillings,* and no more. And if the said Clerk of the Peace shall neglect or refuse to do and perform any Duty or Thing enjoined him by this Act, he shall forfeit and pay the Sum of

Five Pounds, to be recovered and applied in Manner aforesaid; 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 directed to be opened as aforesaid.

AND WHEREAS many of the publick Roads in this Province, heretofore laid out of Six and Four Rods wide and under, have been and are lessened and encroached upon by those owning the Land through or on each Side of which the same run, to the great Inconvenience of the Publick; and it being oftentimes difficult for the Overseer of the Roads to determine which of the Owners of Land adjoining have encroached upon the same, whereby the said Roads remain unopened to their original Width: To remedy which, BE IT ENACTED *by the Authority aforesaid,* That the Overseers of the Roads of any City, Township or Precinct, through which such Roads of Six and Four Rods wide and under, were heretofore laid out, or which may hereafter be laid out, shall cause the same to be fully opened, and all Encroachments removed; and should any Doubts arise with the said Overseer, who have or have not encroached thereupon, then and in such Case the said Overseer, or the Party conceiving himself to be injured thereby, shall and may apply to any Two Justices of the Peace of the County, City or Town-Corporate, and to the two Surveyors of the City, Township or Precinct through which the said Road runs, who are hereby directed and impowered to determined the same, and when so determined, the said Overseers shall proceed to open the same as above directed; and if thereafter any Person or Persons shall presume to stop (except according to the Directions of this Act) lessen, narrow or encroach upon any Road and Roads so as aforesaid heretofore laid out, or that may hereafter be laid out, or commit any Nuisance therein, shall for every such Offence or Delay of removing such Nuisance after Notice, forfeit the Sum of *Three Pounds,* to be sued for, recovered and applied in Manner and Form first aforesaid; and should it be doubtful to the said Justices and Surveyors which of the Proprietors of the Land adjoining have encroached, then and in such Case they the said Justices and Surveyors shall order and direct the said Road to be opened equally upon each.

PROVIDED ALWAYS, That nothing herein contained shall be construed to extend to altering and widening the Streets in any of the Cities, Towns or Villages in this Colony, by pulling down or removing any Dwelling-House, Market-House or other publick Building that may heretofore have been erected and may encroach on any publick Road.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all Roads and publick Highways of four Rods broad or under, (except as herein excepted) which on Experience have been or hereafter may be found inconvenient or unnecessary to any City, Township or Precinct in this Province, through which the said Roads are laid out, or may be much prejudicial 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, Eight of whom agreeing may cause any Roads to be altered, laid, regulated or shut up at their Discretion.

PROVIDED ALWAYS, AND BE IT FURTHER ENACTED, That publick Notice be given of every such Alteration, intended Regulation, or Shutting up of any Road, 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, Relaying, Regulation or Shutting up 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 Eight Surveyors so agreeing to the Alteration, Relaying or Regulation of the said Roads, shall draw a Return of the Road so altered or relaid, certifying the Courses, Distances and Boundaries of the same, with the Date affixed, or a Declaration in Writing of any Road by them thought proper to be shut up; which said Return or Declaration shall be delivered by one of the said Surveyors to the Clerk of the County wherein the said altered and relaid or shut up Road doth lie, to be by him entered in the Road-Book aforesaid, within Ten Days thereafter; for which the Party applying for such Alteration shall pay the Sum of *One Shilling*. All which being done, the said Road so altered or relayed as aforesaid shall be taken, deemed and allowed to be a lawful Highway.

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 said Surveyors 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 City, Township or Precinct where the Road so intended to be laid out, relaid, regulated or shut up, doth lie, for the Purposes first aforementioned.

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 any of the Surveyors out of a neighbouring County shall be called for any of the foregoing 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 therefor.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it

shall and may be lawful for the Inhabitants of every City, Township and Precinct within this Colony, at their annual Town-Meeting, yearly and every Year, by Plurality of Voices of the Persons so met and assembled, to elect and choose Two or more Persons for each respective City, Township or Precinct, to be Overseers of the Highways for making and keeping in good Repair all publick Roads and Highways within each respective City, Township 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 by the Clerk of the said Town in Manner aforesaid, every such Overseer so neglecting or refusing shall forfeit and pay the Sum of *Five Pounds,* to be recovered in the said Manner and Form, and to be applied in Manner aforesaid.

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, any two Justices of the Peace in any County, City, Township or Precinct, upon Application made to them by the Town Clerk, or 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 Overseers so appointed shall, upon Notice thereof by the said Justices or Town Clerk, be under the same Restrictions, subject to the same Penalties, and vested with the same Powers and Authorities 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-Meeting as aforesaid, or otherwise appointed according to Law, pretending they have not had due and timely Notice of such Election or Appointment; for the more effectual 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 City, Township or Precinct, and affix them in three of the most publick Places in the said City, Township or Precinct for the Information of the Inhabitants thereof, under the Penalty of *Forty Shillings,* to be recovered and applied in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Overseer so elected or appointed as aforesaid, shall at least once in Two 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 (including single Men above the Age of Twenty-one Years, and Men that Work for Hire) wherein he is Overseer (the Surveyors of the Highways only excepted) as he in his Discretion 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 (such Hand being above the Age of Sixteen and under Sixty Years) 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, 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 reasonable Excuse to be allowed 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 he shall be absent and not appear when summoned as aforesaid. PROVIDED ALWAYS, That the said Overseers shall give the Inhabitants Two Days Notice of the Time and Place when and where, and with what Instruments of Labour they are to appear as aforesaid; and that no Overseer shall be hereby impowered to command or compel the Inhabitants of any City, Township or Precinct to work upon any publick Roads, Bridges or Causeways in Time of Harvest without a 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 Overseer who shall sue for the same to Effect, and the other Half in Manner aforesaid.

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 any Duty enjoined him by this Act (for which no specific Fine is herein imposed) he shall forfeit and pay the Sum of *Three Pounds,* to be recovered in Manner aforesaid; 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 in Manner first aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Person attending and labouring with a Cart drawn by one Horse for One Day, shall be esteemed equivalent to Two Days Labour of one Man; and with a Cart or Waggon drawn by two Horses or Cattle, equivalent to Three Days Labour; and with four Horses or Cattle, to Four Days; and the Forfeiture of either, not coming and performing the Duty and Service required by the respective Overseers, shall be in Proportion to *Five Shillings per* Day, or the Labour of a single Man, and to be recovered and applied in the same Manner and Form as is before first prescribed by this Act.

AND WHEREAS the too free Use of Liquor by Persons working on the Road is of mischievous Consequence, BE IT THEREFORE 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 or receive any Thing from any Traveller, he shall forfeit and pay for every such

Offence the Sum of *Ten Shillings,* to be recovered by the Overseer, or any other Person who shall prosecute the same, One Third for his own Use, and the remaining Two Thirds to be applied in Manner first aforesaid: And in case any Overseer shall connive at any Persons asking or receiving 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 *Ten Shillings,* to be recovered by any Person whatsoever, One Half to the Use of the Prosecutor, the other Half to be applied in Manner first aforesaid.

AND, as it is the Intention of this Act, that the Inhabitants of every City, Town or Precinct, shall be employed and labour equally in Proportion to their Circumstances not less than One Day, nor more than Three Days each, on any one Notice given them or any of them, by any Overseer or Overseers of any City, Township or Precinct, BE IT THEREFORE ENACTED *by the Authority aforesaid,* That every Overseer of the Roads in every City, Township and Precinct, shall keep a Book, which he shall transfer to his Successor in Office, in which he shall enter the Names of all the Inhabitants within his City, Township, Precinct or District, and keep a fair Account of all the Labour done by each Inhabitant; and when, and as often as it shall be necessary to repair the Roads, the several Inhabitants of the City, Township or Precinct, shall by the said Overseer be summoned to labour on the Roads in Proportion to their Circumstances not less than One Day, nor more than Three Days: And if the Roads are not then sufficiently repaired and amended, the said Overseer or Overseers shall again give Notice as before is directed by this Act, always observing the Proportion as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the respective Overseers aforesaid shall cause the Inhabitants of every City, Township 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 lopping off the Limbs of the Trees that hang over the same to a sufficient Height, and cutting and grubbing up the Stubs, Stumps and Roots that lie above Ground, and pulling up the Stones that can be moved to the Width of at least Two Rods.

AND WHEREAS there are several Places in Roads that from Gullies, Springs or Rain remain ponded or mirey for Want of proper Outlets; for Remedy whereof, 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 be necessary completely to drain such Road, with the least Disadvantage that may be to the Owner of such Lands; which Drains shall not be filled up by the said Owner, or any Person whatever, under the Penalty of *Forty Shillings* for every such Offence, to be sued for, recovered and applied as other Penalties are herein before first directed, but the same shall be kept open by the Inhabitants working on said

Road for the good Purposes aforesaid. And the Overseers of the Roads are hereby directed to cut such and all other necessary Drains and Ditches, and at all Times keep the same open by a Trunk, or make a Bridge, as may be most proper, and make Causeways at such Places as may be necessary, under the Penalty of *Forty Shillings,* to be sued for, recovered and applied as first aforesaid.

AND, for the more effectual keeping the Highways dry, and conveying the Water from off the same, BE IT FURTHER ENACTED, and the Overseers are hereby required and directed where-ever the Nature and Situation of the Ground of the said Highways will admit of the same, to cause Ditches, Drains and Watercourses of a sufficient Depth and Breadth to be dug on each Side the said Highways at the Distance of at least Twenty-five Feet from each other, and the Earth and Soil so to be dug out of such Ditches, Drains and Watercourses, or that may be brought thereon, to cause to be thrown into the Middle of the said Highways, the better to raise the same, and fill up Hollows as may be necessary, and shall from Time to Time, as often as Occasion may be, open, cleanse and scour such Ditches, Drains and Watercourses, and spread the Earth so to be thrown into the Middle of the Highways as aforesaid, in the most effectual Manner to cause the Water to pass without Obstruction from off the said Highways, always observing to keep the Road highest in the Middle where the Ground will admit thereof.

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 Two Rods of any publick Road or Highway, and shall remain standing for Two Years after such girdling, the Owner or Possessor so girdling the same, shall cut down or cause to be cut down such Tree and Trees, or on 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, to be applied in Manner first aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Inhabitants of any City, Township or Precinct, or any other Person or Persons whatsoever, that have already or may hereafter think proper to set up and affix any Posts, Road-Marks or Mile-Stones in any Publick or Cross Roads directing Travellers in their Way, and any mischievous Person or Persons shall pull down, deface 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 or Mile-Stone so pulled down, defaced or destroyed, to be recovered in Manner aforesaid, and to be applied One Half to the Informer, or the Person who shall prosecute the same to Effect, and the other Half in Manner first aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* 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 straight 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 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 any publick Landing Place, or to a Mill or Market, or to any publick Road, every such Person or Persons shall apply to Four of the Surveyors of the Cities, Townships or Precincts next adjacent, and to the Two Surveyors of the City, Township or Precinct where the Road is intended to be altered or laid out; 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 subjected 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 or Gates so hung by Virtue of this Act, and leave the same open, or shall cut or pull down and destroy the said Gate or 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 City, Township or Precinct where the Offence shall be committed, to be applied in Manner first aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That each Overseer of the Highways of every City, Township and Precinct within this Province, at the End of every Year, and before he shall be discharged from his Office, shall make up an Account of what Monies he hath disbursed by Virtue of his Office, and of what Monies still remain in his Hands for Forfeitures or otherwise, and deliver the same, together with the Book in which the Names of the Inhabitants within his City, Township or Precinct, together with the Labour done by each Inhabitant is entered, to the Overseer for the ensuing Year, and shall pay the Remainder into the Hands of the new Overseer, to be applied to the Uses herein directed.

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 Cities, Townships and Precincts within this Province, that have been taken by Distress or otherways from several Persons neglecting to work on the Highways, or for any Forfeitures by him or them received; and it is fitting and necessary such Monies should be paid to the proper Officer, to be applied to 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 Highways for the Time being, of the City, Township or Precinct where such Money or Goods have been 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 or deliver the same, it shall and may be lawful for the Overseer or Overseers of the Highways in any City, Township or Precinct within this Province, to commence an Action of Debt against him or them so neglecting or refusing, in any Court of Record of this Province where the same is cognizable, or before any one Justice of the Peace, and recover all such Money or Goods with double Costs of Suit, and the same when recovered by the Overseers shall be applied to the Purposes herein first before directed.

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 Cities, Townships and Precincts within the Counties of *Burlington, Gloucester, Salem, Cumberland* and *Cape-May,* 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 City, Township or Precinct 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,* 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 Feet 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 or 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 choosing 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 endorsed 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 Cities, Townships 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 Cities, Townships and Precincts between which the said Bridge and Bridges do lie. PROVIDED ALWAYS, That nothing herein contained shall be construed to affect the Toll-Bridge over *Newtown* Creek, in the County of *Gloucester,* or the Toll-Bridge at *Stony-Island,* in the County of *Salem.*

AND WHEREAS it is highly proper and necessary that all Bridges which heretofore have been built on publick Roads by Subscription or otherwise, or hereafter may be built in the Counties of *Middlesex, Monmouth, Somerset, Essex, Bergen, Morris, Hunterdon* and *Sussex,* and requiring the Labour of Artificers, should be deemed necessary Bridges, and be built, rebuilt, repaired and amended at the sole Charge and Expence of the County wherein any such Bridge or Bridges do lie. BE IT THEREFORE ENACTED *by the Authority aforesaid,* That where it is or may be necessary to erect, repair, rebuild or amend any such Bridge or Bridges on publick Roads

within the Counties of *Middlesex, Monmouth, Somerset, Essex, Bergen, Morris, Hunterdon* and *Sussex,* that the Overseers of the Highways of the City, Township 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 chosen for each respective City, Township or Precinct in any of the Counties above-mentioned wherein such Bridge or Bridges may be wanting to be built, rebuilt, repaired or amended, 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 aforementioned, by Days Work, or 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, or expended, shall be from Time to Time assessed, raised and levied upon all the Inhabitants of each respective County last mentioned, after the same Manner and Form as is directed and appointed by Virtue of an Act passed in the Twelfth Year of the Reign of Her late Majesty Queen *Anne,* entitled, *An* Act *for the raising of Money for the Building and Repairing of Gaols and Court-Houses within each respective County of this Province;* and also by Virtue of one other Act made and passed in the Tenth Year of His present Majesty's Reign, entitled, *An* Act *to settle the Quotas of the several Counties in this Colony for the levying Taxes.* And by such Assessors and Collectors as are or shall be appointed by Virtue of one other Act made and passed in the Third Year of the Reign of His late Majesty King GEORGE the First, entitled, *An* Act *for the more regular choosing and electing Assessors and Collectors in the respective Towns and Counties in this Province;* and every Collector of any of the Cities, Townships 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 of any shall retain the said Monies in his Hands until he shall receive Orders from the Justices and Freeholders of every such County as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if there shall remain any Money in the Hands of any Collector or Collectors of any County 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 County under the Penalty of *Five Pounds,* 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 first prescribed by this Act; and the succeeding Collector is hereby required and impowered to sue for and recover the said overplus Money with Costs of Suit.

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 completely 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 Collector's 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 to and made use of for the building, rebuilding, repairing and amending all and every 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, with Cost of Suit, any Law, Usage or Custom to the contrary hereof in anywise notwithstanding.

AND, to prevent the unnecessary Expence in calling the Justices and Freeholders together when Bridges require small repairs, BE IT ENACTED, That whenever it shall be necessary to build a new Bridge, or repair any Bridge already built, or that shall hereafter be built by Virtue of this Act, in any of the Counties of *Middlesex, Monmouth, Somerset, Essex, Bergen, Morris, Hunterdon* and *Sussex,* it shall and may be lawful for the chosen Freeholders of the Cities, Townships or Precincts in which any Bridge or Bridges do lie, in

Conjunction with the chosen Freeholders of the two next adjacent Cities, Townships or Precincts, with Two Justices of the County, and the major Part of them the said Freeholders, to order and direct the immediate Building, Reparation and Amendment thereof, and to draw an Order for defraying such Expence upon the County Collector, who is hereby directed and required to pay the same forthwith out of the County Monies in his Hands. PROVIDED ALWAYS, That the Sum so laid out and drawn for, shall not exceed the Sum of *Twenty Pounds* for any one Bridge. PROVIDED ALSO, That whenever it shall be necessary to repair any Bridge or Bridges already built, or which shall be hereafter built in any of the said Counties of this Province, where the Expence of such Reparation, including necessary Materials for that Purpose, shall not exceed the Sum of *Five Pounds* for each respective Bridge, it shall and may be lawful for the Overseer of the Roads, in Conjunction with the Two chosen Freeholders, or a Majority of them, of such City, Township or Precinct in which any such Bridge or Bridges do lie, to order and direct the immediate Reparation and Amendment thereof, and to draw an Order for defraying such Expences upon the County Collector, who is hereby directed and required to pay the same forthwith out of the County Monies in his Hands.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That where-ever it may be necessary to place any small Bridge or Bridges in the publick Highways of this Province, the same shall be at least Twelve Feet in Breadth; and that all such small Bridges to be made of Logs, Poles or Slabs, shall have four Sleepers at least, and that the Logs, Poles or Slabs covering such Bridge, shall be sufficiently squared, fixed down, and as closely joined as the Nature of such Materials will admit.

AND BE IT ENACTED *by the Authority aforesaid,* That the Inhabitants of each City, Township and Precinct, who are Freeholders, and shall meet on the second *Tuesday* in *March* yearly, to choose 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 City, 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 the Work of Artificers, and make an Order in Writing for that Purpose: And the Clerk of the said Town shall deliver said Order to the Assessor of the said City, Township or Precinct, 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 City, 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 Overseers shall severally account to the Inhabitants of the said City, Township or Precinct at their

yearly Meeting on every second *Tuesday* in *March,* for all Monies received by them by Virtue of this Act: And if either of the said Overseers or Collector shall neglect to account as aforesaid, then either of the chosen Freeholders of the said City, 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 and Purposes as aforesaid intended by this Act; and the Assessors shall have *Eight-pence per Pound* for assessing; and the Collector *Eight-pence per Pound* for collecting and paying out the same.

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 *Forty 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, City or Town-Corporate, and to be applied in Manner first aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any Bridge or Bridges are necessary 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, except the Bridges herein aftermentioned; 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 WHEREAS the Roads and Bridges over or near Dams and Races of Mills and Iron-Works have been of late much neglected, and the Waterwheels lie open and exposed to the said Roads and Bridges, to the great Annoyance, Danger and Terror to His Majesty's Subjects passing and repassing the same; to prevent these Inconveniencies for the Future, BE IT ENACTED *by the Authority aforesaid,* That all Roads laid out, or to be hereafter laid out, near to, or across Dams for Mills or Iron-Works, shall be kept in good and sufficient Repair, and the Bridges over the Races and Floodgates shall be substantially built, repaired, amended and railed in on each Side, the Rails to be at least Three Feet high, and the whole rendered easy, convenient and safe for the Passing and Repassing of Travellers, Horses and Carriages: And the Wheels of all such Mills or Iron-Works, shall be completely covered in and hid, either by a sufficient Breast Work to be built between the said Road or Bridge and the said Waterwheels, or in such other Manner that no Annoyance, Fright or Damage may be given or happen to any Passengers, Horses, Cattle or Carriages passing the same. And 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 near to or over the said Dam, and across the Races and Floodgates, every such Road shall be made and maintained, and the Bridge and Bridges over the same, and the Railing in thereof shall be built, rebuilt, repaired and amended, and the Wheels of the Mills and Iron-Works covered in and hid as aforesaid, under the Care and Inspection, Order and Direction, of the Overseer of the

Highways of every City, Township or Precinct where such Iron-Work, 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 and Highway already hath been, or hereafter shall be laid out before the erecting of any such Dam, every such Road, if it shall go near to or over any such Dam, Races or Floodgates, shall be made and maintained, and the Bridge and Bridges over the same cut across the said Road for the Use of every such Iron-Work or Mill; and the Railing thereof shall be built, rebuilt, repaired and amended, and the Wheels covered in and hid as aforesaid, at the Charge and Expence of the Possessor or Possessors of every such Iron-Work or Mill so erected as aforesaid. PROVIDED ALWAYS, That if such possessor be a Tenant, paying Rent for the same, it shall and may be lawful for such Tenant to deduct the same out of the Rent that then is or shall hereafter become due: And if the said Possessor or Possessors of such Iron-Work or Mill, shall refuse or neglect to do the Duty hereby 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 with Costs of Suit, before any Justice of the Peace of the County, City or Town-Corporate wherein the said Iron-Work or 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 City, Township or Precinct where the Offence shall be committed, to be applied in Manner first aforesaid.

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 or Iron-Works to go, he shall not at such Times be obliged to keep in Repair the said Bridges, until the said Mill or Iron-Works are 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, City or Town-Corporate where the Person neglecting resides, with Costs of Suit; and to be applied when recovered One Half to the Use of him who shall prosecute the same to Effect, and the other Half in Manner first aforesaid.

AND WHEREAS the Main or High Street in the Town of *Greenwich,* and the Main or High Street in the Town of *Bridgetown,* both in the County of *Cumberland,* are by the Proprietors laid out to the Width of One Hundred Feet, which being a greater Width than by the Laws of this Colony any Surveyors of the Highways are authorized to lay out Roads, BE IT ENACTED *by the Authority aforesaid,* That the said High or Main Streets in the said Towns of *Greenwich* and *Bridgetown* shall, after the Publication of this Act, be deemed and esteemed publick Highways, and as such repaired and amended by the Overseers of the Roads in the same Manner and Form, and

under the same Penalties that other Highways are herein before directed to be repaired and amended.

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 late 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.*

PROVIDED, That nothing in this Act shall anyways alter or affect the Act, 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.* PROVIDED ALSO, That nothing in this Act shall affect or alter the Act, entitled, *An* Act *for rebuilding, repairing and maintaining the Drawbridge over* Crosswicks *Creek in the County of* Burlington, *and for the Repairing the Causeways adjoining said Bridge.*

PROVIDED ALWAYS, AND BE IT ENACTED *by the Authority aforesaid,* That nothing in this Act contained shall be construed in anywise to affect the *Great-Cedar-Swamp* Bridge leading on to *Cape-May.*

PROVIDED ALWAYS, That nothing in this Act contained shall be construed to extend to or affect any Cities, Townships or Precincts, which, by the Laws of this Colony, are authorized to repair their Roads and Bridges so far forth only as to prevent their doing it by Taxes.

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

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall be and 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.

Collins (1774), pp. 11-33.

An ACT *for the Settlement and Relief of the Poor.*

WHEREAS the present Law of this Colony for the Settlement and Relief of the Poor, and for the Removal of Vagrants and other disorderly Persons, hath by Experience been found not to be attended with the good Effects designed by the Legislature, nor hath sufficiently pointed out the Manner to obtain a Settlement; for the better ascertaining what shall gain a Settlement, and for the more effectually providing for the Purposes aforesaid,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That every Person who shall become seized of any Freehold Estate of the Value of *Fifty Pounds* in any City, Town-corporate, Township or Precinct, and shall dwell upon the said Estate, or in the City, Town-corporate, Township or Precinct in which such Estate doth lie, for one full Year, shall thereby obtain a legal Settlement in such City, Town-corporate, Township or Precinct; and every Person who shall have served an Apprenticeship under Indenture, and every indented Servant legally and directly imported from *Europe,* or brought in from the neighbouring Colonies into this Province, shall obtain a legal Settlement in the City, Borough, Township or Precinct in which such Apprentice or Servant shall first serve with his or her Master or Mistress for the Space of one full Year; and if afterwards such Apprentice or Servant shall duly serve in any other Place for the Space of one full Year, such Apprentice or Servant shall obtain a legal Settlement in the City, Borough, Township or Precinct where such Apprenticeship or Service was last performed, either with his or her first Master or Mistress, or with the Assignee or Assignees on an Assignment of the said Indentures; and that all Mariners coming into this Province, and having no Settlement in this, or any of the neighbouring Colonies, and every other healthy Person directly coming from *Europe* into this Province, shall be legally settled in the City, Borough, Township or Precinct in which he or she shall first settle and reside for the Space of one Year.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That, from and after the Publication of this Act, no Person or Persons whatsoever, other than those herein before-mentioned, coming into any City, Town-

corporate, Township or Precinct within this Colony, shall be esteemed or deemed to have obtained a legal Settlement in the same, unless such Person or Persons within Forty Days after his, her or their coming into such City, Town-corporate, Township or Precinct, shall give Notice in Writing to the Overseers of the Poor of the City, Town-corporate, Township or Precinct into which he, she or they shall come to reside, of the House and Place where he, she or they do live or abide, and the Number of his or her Family if any he or she hath; a Copy of which said Notice shall be endorsed by the said Overseer, acknowledging his Receipt thereof, and delivered by the Person or Persons serving the same on the said Overseer as aforesaid, to the Town-Clerk of the City, Town-corporate, Township or Precinct in which he, she or they shall come to reside as aforesaid; which said Town-Clerk shall enter the same with the Endorsement thereon as aforesaid in the Town-Book by him kept, and return the Original to the Person or Persons so giving Notice as aforesaid, for which Service the said Clerk shall be entitled to receive the Sum of *One Shilling,* and no more, from the Person so giving Notice as aforesaid; and in case the said Overseer of the Poor shall not, within Twelve Months after such Notice, cause such Person or Persons to be removed by Warrant under the Hand and Seal of at least one Magistrate of the County, City, Town-corporate, Township or Precinct, into which they shall so come to reside, that then and in such Case such Person or Persons so giving Notice, and entering the same in the Town-Clerk's Book as aforesaid, shall be deemed, esteemed and taken to be legally settled in such City, Town-corporate, Township or Precinct, to all Intents, Purposes and Constructions whatsoever.

AND WHEREAS Servants are purchased, hired or otherwise procured from the Gaols, Hospitals and Workhouses of the neighbouring Colonies, and Inconveniencies have arisen therefrom, BE IT ENACTED *by the Authority aforesaid,* That no Servant or Servants bought, hired or otherwise procured from the Gaols, Hospitals and Workhouses of the neighbouring Colonies, shall gain any Settlement in this Colony by Virtue of his or her being bought or hired as aforesaid, or otherwise assigned to any Person or Persons inhabiting in this Colony, any Thing herein before to the contrary notwithstanding.

AND WHEREAS single Women with Child often remove from the Places of their Settlement, and are delivered of Bastard Children in distant Cities, Townships or Precincts, whereby such Cities, Townships or Precincts are unjustly liable to, and often made chargeable with the Support of such Bastard Children, BE IT THEREFORE ENACTED *by the Authority aforesaid,* That all Bastard Children shall hereafter be deemed, esteemed and taken to be settled in the Place of the last legal Settlement of the Mother of such Bastard Child or Children, any Law, Usage or Custom to the contrary notwithstanding.

AND for the more effectual preventing any Rogues, Vagabonds, Vagrants, Sturdy Beggars, and other idle, strolling disorderly Person or Persons concealing him, her or themselves within any City, Town-corporate, Town-

ship or Precinct within this Colony, BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Housekeeper or Inhabitant of this Colony shall, after Publication of this Act, take into, receive or entertain in his, her or their Dwelling Place or Places of Abode, House or Houses, any Person or Persons whatsoever, who have not gained a legal Settlement in some City, Town-corporate, Township or Precinct within this Colony; and shall not give Notice in Writing within the Space of Ten Days next after his, her or their taking in, receiving or entertaining any such Person or Persons as aforesaid, to the Overseers of the Poor of every such City, Town-corporate, Township or Precinct where such Person dwelleth; every such Inhabitant or Housekeeper, being thereof legally convicted by the Oath or Affirmation of one credible Witness, before any one Justice of the Peace of the County, City or Town-corporate where such Offence shall be committed, shall forfeit and pay the Sum of *Twenty Shillings* for every such Offence, the one Moiety or Half Part thereof to be applied to the Use of the Poor of the said City, Town-corporate, Township or Precinct, and the other Moiety to the Use of the Informer, or Person who shall prosecute the same to Effect, to be recovered in the usual Manner, by Process and Execution as Actions of Debt before Justices of the Peace in this Colony are made cognizable and recoverable: And in case the Person or Persons, so entertained as aforesaid, shall become poor, and unable to maintain him, her or themselves, and cannot be removed to the Place or Places of his, her or their last legal Settlement, or shall happen to die and not leave wherewithal to defray the Charge of his or her Funeral, then and in such Case the Inhabitant or Housekeeper, convicted as aforesaid of entertaining such poor Person or Persons, shall be obliged to provide for and maintain such poor and indigent Person and Persons, and to pay for the Charges of such poor Persons Funeral; and, upon Refusal so to do, it may and shall be lawful for any one Justice of the Peace, together with any two or more of the Overseers of the Poor of every such County, City, Town-corporate, Township or Precinct where the said Offence shall be committed, and they are hereby required to assess such Sum or Sums of Money on the Person and Persons so convicted as aforesaid, by a weekly Assessment from Time to Time, as shall be sufficient for the Maintenance of such poor indigent Person or Persons, according to the usual Allowance made for the Relief of the Poor; and also to assess in like Manner a certain Sum for defraying the Charges of every such poor Person's Funeral as aforesaid: And in case the Party, so convicted as aforesaid, shall neglect or refuse to pay the Sum and Sums of Money so assessed or charged as aforesaid, to the Overseers of the Poor for the Uses aforesaid, the same shall be levied upon the Goods and Chattels of the Offender by Warrant of Distress, to be issued by one of the Justices of the Peace of said County, City or Town-corporate, directed to One of the Constables of said County, City or Town-corporate, who shall, as near as may be, make Sale of so much of his or her said Goods and Chattels as shall be sufficient to pay the said Sum and Sums of Money so assessed; and the Overplus, if any be, after all legal Costs and Fees are deducted, shall be returned to the Owner: And if such Person, so convicted

as aforesaid, hath no Goods and Chattels to satisfy and pay the Money so assessed for him or her to pay, then and in such Case it may and shall be lawful for such Justice of the Peace, and he is hereby required to commit such Offender to Prison, there to remain without Bail or Mainprize, until he or she have paid the same, or until he or she shall be discharged by due Order of Law.

AND WHEREAS it is found by Experience that many poor Persons belonging to this Colony, cannot find Employment in the City, Town-corporate, Township or Precinct where they are legally settled, yet might get Work for themselves and Families in other Places within the said Colony, but not being able to give Security (if required) upon their coming to settle in any other Place, that they and their Families shall not become chargeable and burdensome to such Place or Places within the said Colony where they intend to remove, and for Want of such Security may be confined to their own legal Place of Settlement, though their Labour may be wanted elsewhere; for removing every such Inconveniency, BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons shall think proper to remove out of any one City, Town-corporate, Township or Precinct within this Colony into another there to inhabit and reside, and shall at the same Time procure, bring and deliver to the Overseers of the Poor of every such City, Town-corporate, Township or Precinct where he, she or they shall so come to inhabit, a Certificate under the Hands and Seals of the Overseers of the Poor, or any two of them, of his, her or their last legal Settlement, attested by two or more credible Witnesses, and allowed of and subscribed by two or more Justices of the Peace of the City or Town-corporate, or of the County wherein the Township or Precinct doth lie, from which he, she or they shall remove as aforesaid, thereby acknowledging the Person or Persons therein mentioned to be an Inhabitant and Inhabitants legally settled in such City, Town-corporate, Township or Precinct mentioned in such Certificate as aforesaid, then and in such Case it shall and may be lawful for every such Person and Persons, with their Families, upon the Delivery of such Certificate as aforesaid, to continue, abide and remain in any such City, Town-corporate, Township or Precinct to which he, she or they shall remove as aforesaid, and to follow any honest Employment within the same, he, she or they conforming to the Laws and Custom of any such Place and Places to which they shall so remove; and the Overseers of the Poor shall deliver every such Certificate to the Clerk of the City, Town-corporate, Township or Precinct to which any such Person shall come to reside as aforesaid, and the said Clerk is hereby required and commanded to file and take Care of every such Certificate.

PROVIDED ALWAYS, AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That whenever it shall happen that the said Person or Persons with their Families so removing by Virtue of the Certificate or Certificates aforesaid, shall become chargeable, or be obliged by Sickness or otherwise to ask Relief of the City, Town-corporate, Township or Precinct to which such Certificate was given, and into which he, she or they were

received as aforesaid, that then and not before it shall and may be lawful for the Overseers of the Poor of the last mentioned Place or Places, to remove and convey all and every such Person or Persons with all and every of their Family and Families, and Children, though born within the last mentioned Place or Places, together with his, her or their Servants and Apprentices to the City, Town-corporate, Township or Precinct from which such Certificate was brought as aforesaid, who are hereby required and obliged to receive and provide for every such Person and Persons with his, her and their Family and Families as aforesaid, as Inhabitants of that Place. PROVIDED NEVERTHELESS, That every such Servant and Apprentice, who shall have duly served his Apprenticeship and Servitude in the said City, Town-corporate, Township or Precinct in which his Master or Mistress shall have so settled by Certificate as aforesaid, and who shall thereby have gained a legal Settlement in such Place agreeable and according to the Laws of this Colony, shall not be liable to be removed as aforesaid.

PROVIDED ALSO, That the aforementioned Clauses relating to the obtaining temporary Settlements by Certificates, shall not be deemed or construed to extend to any Person or Persons who have not already obtained, or shall not hereafter obtain a legal Settlement or Settlements in some Part of this Colony; and also that no Person or Persons who shall be required to bring such Certificate or Certificates as aforesaid, shall be deemed or esteemed by any Act or Acts of him, her or them to have gained a legal Settlement in any City, Town-corporate, Township or Precinct during the Time he, she or they shall reside there, by Virtue of the said Certificate or Certificates.

AND WHEREAS it often happens that Persons having a Residence in a Township, City or Precinct in this Colony, come out of the Places of their legal Residence into other Parts of this Colony, and there become sick, lame, or otherwise so infirm that they cannot be removed, and many Times die before they can be legally sent back, whereby the Inhabitants of such Places where such Persons become sick, lame or die, are put to Charges and Expences in the Maintenance or Burying such Persons: AND WHEREAS it is highly just and reasonable that such Charges and Expences should be repaid; BE IT THEREFORE ENACTED *by the Authority aforesaid,* That if any Person or Persons shall come out of any of the Place or Places where they are legally settled into any City, Town-corporate, Township or Precinct within this Colony, and shall happen to be taken sick or lame so that they cannot be conveniently moved back to the Place of their last legal Settlement, then the Overseers of that Place into which such Person or Persons shall so come as aforesaid, or one of them, shall give Notice to the Overseers of the City, Town-corporate, Township or Precinct, or one of them, out of which such Person or Persons shall so come as aforesaid, of the Name, Circumstances and Condition of such Person or Persons, and request such Overseers, or one of them, to take Care to relieve and maintain such sick or lame Person during his or her Illness, and also to provide for the Funeral of such Person, if he or she should happen to die; and if such Overseer or Overseers

shall neglect or refuse so to do upon such Notice given as aforesaid, that then and in such Case it shall be lawful for any Two Justices of the Peace of the County, City or Town-corporate where such Person had last gained a legal Settlement, and they are hereby authorized and required, upon Complaint made to them, to cause all such Sum and Sums of Money as shall be necessarily expended in the Maintenance of such poor Person in his or her Sickness or Lameness, or on his or her Funeral, by Warrant under their Hands and Seals to be directed to some Constable of the said County, City or Town-corporate, to be levied in the usual Manner, by the Distress and Sale of the Goods and Chattels of the said Overseer or Overseers of the Poor so neglecting or refusing to take Care and provide for any such Person as aforesaid, after such Notice given to them, or to one of them, as aforesaid; and such Sum or Sums of Money so recovered, shall be paid to the Overseers of the Poor, or to one of them, of such City, Town-corporate, Township or Precinct where such Person shall happen to be sick, lame or die as aforesaid; and the Overplus of the Money arising by the Sale of such Goods and Chattels, after the lawful Costs and Charges are deducted, if any be, shall be paid to the Owners.

AND, that the indigent Poor within this Colony may be taken Care of and provided for, BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the several Inhabitants of this Colony at their annual Town-Meeting, to choose such and so many Overseers of the Poor, not exceeding four, to serve for each and every respective City, Town-corporate, Township and Precinct within the said Colony for the Year ensuing; and in case any Person or Persons so elected and chosen to be Overseer or Overseers of the Poor of any such respective City, Town-corporate, Township or Precinct shall refuse to take upon him or them the said Office, he or they shall forfeit and pay the Sum of *Five Pounds* each, which said Forfeitures shall be applied to the Use of the Poor of such Place where such Refusal shall be made, and shall be recovered in the same Manner and Form as other Fines and Forfeitures accruing by this Act are directed to be levied and paid. And if any Overseer or Overseers shall by Refusal, Death or other Disqualification be rendered incapable of performing the said Office, then any one Justice of the Peace of the County, City or Town-corporate where such Vacancy shall happen, is hereby required to issue his Precept to the Constable or Constables of every such Place to summon the Inhabitants Householders to meet together on a short Day in the said Precept to be appointed, and there to choose an Overseer and Overseers to serve in the Room of him or them so disqualified as aforesaid; which Overseer or Overseers so elected as aforesaid, are hereby required to take upon them the said Office, and to perform the Duties in this Act required, under the same Penalties and Forfeitures as are prescribed by this Act; to which, upon Refusal, Negligence or Nonperformance, they are hereby made subject and liable, and to be recovered, levied and applied in the same Manner and Form as is directed by this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That

when and so often as any poor Person belonging to any City, Town-corporate, Township or Precinct within this Colony, shall apply for Relief to any Overseer or Overseers of such Place where he or she may reside, that the said Overseer or Overseers shall make Application to a Justice of the Peace of any such City or Town-corporate, or to a Justice of the County to which any such Township or Precinct shall belong, which said Justice and the Overseer or Overseers shall enquire into the State and Circumstances of such Person so applying as aforesaid; and, if it shall appear to said Justice that such Person is in such poor Circumstances as to deserve Relief, then the said Justice shall give an Order in Writing to the said Overseer or Overseers to make such Allowance weekly or otherwise to every such poor Person as they in their Discretion shall think his or her Necessities may or shall require; and the said Overseer or Overseers shall make no other or further Allowance to such poor Persons than what by the said Order shall be directed; which said Order shall be a sufficient Voucher for the Payment or Expending of so much Money by the said Overseer or Overseers, and shall be allowed in adjusting his or their Accounts.

AND WHEREAS many Inconveniencies may arise, especially in Places where the Inhabitants are numerous, and the Cities, Towns-corporate, Townships or Precincts are large and extensive by Reason of the unlimited Power of Overseers of the Poor, who may frequently, upon frivolous Pretences, and for their own private Ends, grant Relief to what Persons they think fit, and may continue the same longer than there may be a real Occasion for granting such Relief, by which Means the Rates for the Poor may be greatly augmented, contrary to the true Intent and Meaning of this Act; for remedying of which Abuses, BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, as soon as conveniently may be, the Overseer and Overseers of the Poor shall procure, at the publick Charge, a handsome Folio Book of good Paper and well bound, wherein the Name and Names of all poor Persons applying for Relief, and being ordered the same as aforesaid, shall be registered with the Day and Year when they were first admitted to have Relief, the weekly or other Sum or Sums of Money allowed by the said Order for their Relief, and the Occasion which brought them under that Necessity; and no Person or Persons shall be entered into the Poors Books, or receive Relief from the Overseer or Overseers of the Poor, without such Order procured as aforesaid; and in case any Overseer or Overseers shall enter into the Poors Books, and relieve any such poor Person or Persons without such Order, he or they shall forfeit all such Money and Goods paid and distributed to such Poor Person or Persons, nor shall any Allowance be made unto him or them for the same in passing his or their Account and Accounts; and the said Overseer and Overseers are hereby ordered and required to enter, or cause to be entered in the said Poors Books, all Monies received, laid out and disbursed by him or them for the Use of the Poor, and also all Matters and Things which shall be transacted by him or them relating to their said Office; and the said Overseer and Overseers shall lay the said Poors Books before the Inhabitants at their

aforesaid annual Town-Meeting, or any other of their Meetings before appointed by this Act, that they may then examine and look into the State of the Poor Accounts, and make such further Provision for them as they upon such Inspection shall find necessary.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when and so often as Money shall be wanted for the Relief of the Poor, the Overseer or Overseers shall apply to a Justice of the Peace of the City or Town-corporate, or to a Justice of the Peace of the County to which the Township or Precinct doth belong; which Justice, upon Notice from the said Overseer or Overseers that Money is wanting for the Relief of the Poor, shall forthwith issue his Precept or Precepts to the Constable or Constables of the said District, commanding him or them to summons the Inhabitants Householders of every such City, Town-corporate, Township or Precinct, to assemble and meet together at such Time and Place as the said Precepts shall appoint, who shall agree upon the Sum or Sums to be raised for the Purpose aforesaid, by Plurality of Voices then present; which said Sum or Sums shall be assessed by the same Assessor of each City, Town-corporate, Township or Precinct, and in such Manner and Form as the Provincial Taxes within the said Colony are directed to be assessed, with all the convenient Speed that may be; and the said Assessor shall deliver every such Assessment so made by him as aforesaid to the said Overseer or Overseers, who shall collect the Money according to every such Assessment: And the said Assessor shall also assess the Taverns, and all other poor Taxes whatsoever; and the said Overseer or Overseers of the Poor shall collect the said Sum and Sums so assessed, any Thing in any former Act notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall, upon Demand, refuse or neglect to pay his, her or their Tax and Taxes so assessed for the Relief of the Poor, then the said Overseer or Overseers shall make out a List of the Name or Names of such Delinquent or Delinquents, and deliver the same to any one Justice of the County, City or Town-corporate wherein such Delinquents live, who is hereby required to make out his Warrant without any Fee or Reward, directed to the Constable of any such City, Town-corporate, Township or Precinct, to make Distress of every such Offender or Offenders Goods and Chattels, and to make Sale of the same at publick Vendue within ten Days after such Distress, and to pay the Tax and Taxes for which such Distress and Sale are made, to the Overseer or Overseers of any such City, Town-corporate, Township or Precinct, deducting out of the Money arising from such Sale *Eighteen-pence* to the Constable for every Distress and Sale so made; all which being paid and deducted, the Overplus, if any there be, shall be returned to the Owner and Owners: And where Goods and Chattels cannot be found, the Constable and Constables aforesaid, are hereby directed and required to take the Body and Bodies of him, her or them so delinquent as aforesaid, and deliver him, her or them into the Custody of the Sheriff of any such City, Town-corporate or County, who is hereby required and impowered to receive and keep every such Person and Persons in close Gaol

until Payment be made of such Tax and Taxes as aforesaid, and all Costs and Charges accrued thereby defrayed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any poor Person or Persons shall apply for Relief from any City, Town-corporate, Township or Precinct within this Colony, the Overseer or Overseers of the same shall take an Inventory of every such poor Person or Persons Goods and Chattels before he, she or they shall be admitted to Relief; and in case of the Death of any such poor Person so obtaining Relief as aforesaid, the said Overseer or Overseers shall cause such Goods and Chattels to be sold at publick Vendue; and out of the Money arising therefrom shall reimburse the City, Town-corporate, Township or Precinct, all such Charges and Expences which they may have been put to in maintaining all and every such poor Person or Persons, or their Families; and all Sales and Bills of Sale, made or given for any such poor Person or Persons Goods and Chattels during the Time they shall become chargeable to any such City, Town-corporate, Township or Precinct, are hereby declared to be null and void and of none Effect.

AND, to the End that the Money raised for the Relief of such as are impotent Poor may not be misapplied and bestowed upon idle, sturdy, disorderly Beggars, BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after Publication of this Act, all and every Person or Persons who shall be ordered to receive Relief as aforesaid, and the Wife and Children of him or them cohabiting in the same House (such Child only excepted as may be appointed by the Overseer to take care of and nurse an impotent helpless Parent) if it shall be thought expedient by the Overseer or Overseers of the Poor of any City, Town-corporate, Township or Precinct within this Colony, in Concurrence with one Justice of the Peace as aforesaid, upon the Shoulder of the right Sleeve of the upper Garment of every such Person in an open and visible Manner, wear such Badge or Mark as is herein after mentioned and expressed, *that is to say,* a large *P,* together with the first Letter of the Name of the City, Town-corporate, Township or Precinct whereof such poor Person is an Inhabitant, also in a large Capital Letter, cut either in red or blue Cloth as by the said Justice and Overseer or Overseers of the Poor shall be directed and appointed: And if any such poor Person shall at any Time neglect or refuse to wear such Badge or Mark, in Manner and Form as aforesaid, then the Relief, ordered to such poor Person as aforesaid, shall be and is hereby ordered to be suspended and withdrawn, until he or she shall comply and agree to wear such Badge as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Father and Grandfather, Mother and Grandmother, and the Children and Grandchildren, severally and respectively, of every poor, old, blind, lame and impotent Person or other poor Person not able to work, being of sufficient Ability, shall at his, her or their Charges and Expences, relieve and maintain every such poor Person as aforesaid, in such Manner as the Justices of the Peace at their General Quarter-Sessions shall order and direct, on the Penalty of forfeiting and paying *Ten Shillings* for each Person so ordered to be

relieved, for every Week they shall fail therein, to be sued for, levied and recovered in the usual Manner, and to be applied for the Use of the Poor.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Overseers of the Poor, or any two of them, with the Assistance and Approbation of two Justices of the Peace of any County, City or Town-corporate of this Colony, and they are hereby enjoined and commanded to put forth and bind out any poor Child or Children who have no Parents, or whose Parents shall apply to the said Overseer or Overseers for Relief, or the Child or Children of any poor Parents whatsoever who shall bring up their said Children in Sloth, Idleness and Ignorance, and upon Advice and Direction given by the said Overseer or Overseers shall, for three Months after such Advice and Direction, refuse or neglect to put forth and bind out such poor Child or Children, for such a Number of Years as the said Justices and Overseers in their Discretion shall think proper, for a Male Person till they shall arrive at Twenty-one Years of Age, and for a Female till they arrive at Eighteen Years of Age, and no longer; and the said Justices, in Conjunction with said Overseers, or any two of them, amongst the common Covenants in the Indenture and Indentures made and agreed upon between the Parties, shall always insert the following Clause, *That every such Master and Mistress, to whom such poor Child or Children shall be bound out as aforesaid, shall cause every such Child and Children to be taught and instructed to read and write.* And the said Justices, Overseers, or any two of them, are hereby appointed the Guardians of all and every such poor Child and Children so put forth and bound out as aforesaid, to take Care that the Terms of the Indenture or Indentures, Covenant and Covenants agreed upon between them and the Master or Mistress of every such poor Child be performed and fulfilled, and that he, she or they be not abused or ill used; which said Justices, Overseers, or any two of them, as aforesaid, or the major Part of them, are hereby impowered and directed to enquire into the same, and to redress any such Grievance or Grievances in such Method as the Law hath prescribed.

AND WHEREAS it sometimes happeneth, that Persons run away or abscond from their Places of Abode and legal Settlement, and leave their Wives and Families a Charge to the Publick, although such Persons may have some Estate Real or Personal, whereby the Place might be eased in Whole or in Part, which is most just and reasonable; BE IT THEREFORE ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Overseer or Overseers of the Poor of any City, Town-corporate, Township or Precinct within this Colony where any Father shall run away or absent from his Wife and Children, or any Widow shall run away or absent from her Children, and leave them a publick Charge, to apply to two Justices of the Peace, and by Warrant, under the Hands and Seals of the said two Justices, to take and seize the Goods and Chattels, and to let out and receive the annual Rents and Profits of the Lands and Tenements of such Father or Mother so absconding as aforesaid, for and towards the maintaining, bringing up and providing for such Wife, Child or Children so left as

aforesaid; and so soon as the said Seizure shall be allowed of and confirmed by the Justices in their General Quarter-Sessions of the Peace, it shall and may be lawful for the said Overseers, or any two of them, from Time to Time, and as often as the Case may require, to sell and dispose of so much and so many of the said Goods and Chattels at publick Vendue to the highest Bidder, and to apply the Money arising thereby towards the Maintenance of such poor Family so left as aforesaid.

PROVIDED ALWAYS, AND BE IT FURTHER ENACTED, That the said Overseer or Overseers shall be accountable to the Justices of the Peace in their said General Quarter-Sessions for all such Monies as shall or may arise by every such Sale or Sales, and for the Rents, Issues and Profits of such Lands and Tenements.

AND for the greater Ease of the Publick in the Relief of the Poor, BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Overseers of the Poor of any City, Town-corporate, Township or Precinct, with the Approbation and Consent of the major Part of the Inhabitants Householders of such City, Town-corporate, Township or Precinct, if they shall think it convenient and necessary, at any publick Town-Meeting for that Purpose met and assembled, of which timely Notice shall be given in the usual Manner, to build, purchase or hire any House or Houses in such City, Town-corporate, Township or Precinct, and also to purchase necessary Materials for that Purpose out of the Money provided, or to be provided, for the Relief of the Poor, and there to keep, maintain and employ all and every such poor Person and Persons, and to take the Benefit of the Work, Labour and Service of any such poor Person or Persons who shall be kept and maintained in any such House or Houses, for the better Maintenance and Relief of such poor Person or Persons who shall be there kept and maintained; and in case any poor Person or Persons, claiming Relief of any City, Town-corporate, Township or Precinct within this Colony where such House or Houses shall be so built, purchased or hired, shall refuse to be lodged, kept to work and maintained in such House or Houses, such poor Person or Persons so refusing shall be put out of the Book where the Names of the Poor are ordered to be registered by Virtue of this Act, and shall not be entitled to ask or receive any Relief from the Overseer or Overseers of any such City, Town-corporate, Township or Precinct. And where any City, Town-corporate, Township or Precinct may be too small to build, purchase or hire such House or Houses as aforesaid, it shall and may be lawful for two or more of them, with the Consent and Approbation of the major Part of the Inhabitants Householders of each respective Place, at a publick Town-Meeting for that Purpose met and assembled, of which timely Notice shall be given in the usual Manner, to join together and unite in building, purchasing or hiring such House or Houses for the Lodging, Keeping and Maintaining of the Poor of such Places so joining together and uniting, and there to keep, maintain and employ the Poor of such united Places as aforesaid, and to take and have the Benefit of the Work, Labour or Service of any Poor there kept and maintained, for the better Maintenance

and Relief of the Poor there kept, maintained and employed. And in case any poor Person or Persons, claiming Relief of any such united Places as aforesaid, shall refuse to be lodged, kept to work, or maintained in the House or Houses built, purchased or hired for such united places as aforesaid, such poor Person or Persons so refusing, shall be put out of the Book where the Names of the Poor are ordered to be registered by Virtue of this Act, and shall not be entitled to ask or receive any Relief from the Overseer or Overseers of any such City, Town-corporate, Township or Precinct; and it shall and may be lawful for the Overseers of the Poor of any City, Town-corporate, Township or Precinct within this Colony, with the Consent and Approbation of the major Part of the Inhabitants Householders of such Place or Places where such House or Houses shall be built, purchased or hired for the Purposes aforesaid, at a publick Town-Meeting for that Purpose met and assembled, of which timely Notice shall be given in the usual Manner, to contract with the Overseers of the Poor of any other Place for the Lodging, Maintaining and Employing of any poor Person or Persons to such other Place belonging, as to them shall seem meet; and in case any such poor Person or Persons belonging to any other City, Town-corporate, Township or Precinct within this Colony, shall refuse to be lodged, maintained and employed in such House or Houses so contracted for as aforesaid, such poor Person or Persons so refusing shall be put out of the Book where the Names of the Poor are ordered to be registered by Virtue of this Act, and shall not be entitled to ask or receive any Relief from the Overseer or Overseers of any such City, Town-corporate, Township or Precinct.

PROVIDED ALWAYS, AND BE IT ENACTED, That no Person or Persons, his, her or their Child or Children, shall acquire or gain a Settlement in the City, Town-corporate, Township or Precinct to which he, she or they shall or may be so removed by Virtue of this Act, but his, her or their Settlement shall be and remain in the same Place where it was before such Removal, any Thing in this Act to the contrary notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Overseer or Overseers of the Poor shall have Reason to believe that any Person or Persons who have not obtained a legal Settlement in any City, Town-corporate, Township or Precinct in this Colony, according to the Directions, true Intent and Meaning of this Act, herein before specified, is or are likely to become chargeable, such Overseer or Overseers shall and may apply to any two Justices of the Peace of such County, City or Town-corporate, and inform them thereof, who are hereby required and impowered to issue their Warrant to a Constable, thereby commanding him to convene such Person or Persons before them at such Time and Place as the said Magistrates shall, in their Warrant, appoint; and they shall examine every such Person or Persons when brought before them, upon Oath or Affirmation, relating to his, her or their last Place or Places of legal Settlement, and thereby finding the information given to them to be true and reasonable, they shall order and direct such Person or Persons, by a certain Day by them to be prefixed, to remove to the Place of his, her or their former Settlement; and

on Neglect or Refusal to comply with the said Order, the said Magistrates shall issue their Warrant to a Constable, thereby commanding him to convey and deliver such Person or Persons to the Constable of the next City, Town-corporate, Township or Precinct, and so the nearest and most direct Way from Constable to Constable until he, she or they be conveyed to the Place of his, her or their legal Settlement: For all which Services the said Constable shall be paid so much Money as a Justice of the Peace, and the Overseer and Overseers of any such County, City, Town-corporate, Township or Precinct shall judge he or they reasonably deserve.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons removed as aforesaid, shall return to the Place from whence he, she or they were so removed, with Intent to remain there, and shall not depart such Place within twenty-four Hours after Notice to him, her or them given to that Purpose, by any one Overseer of the Poor of such Place; in that Case it shall and may be lawful for such Overseer to make Complaint to some Magistrate of the County, City or Town-corporate where such Persons do return, who is hereby required to order any Constable of the City, Town-corporate, Township or Precinct, to whip such Person or Persons on the bare Back with not less than ten, nor more than fifteen Lashes being a Male; and if a Female, in the Discretion of the Magistrate, either to send her away again, or commit her to close Confinement, to be fed at the Expence of the Township on Bread and Water only, for such Time as the said Magistrate shall think proper, and then to send him, her or them back again to the Place whither he, she or they were first ordered and removed to in Manner aforesaid, and so as often as the Case shall happen: And if any Constable shall refuse to perform the Service herein directed, he shall forfeit and pay the Sum of *Forty Shillings,* to the Use of the Poor of such Place; and on Refusal to pay the same, such Magistrate shall issue Execution against him for the Penalty and Costs as in other Cases is provided and directed. PROVIDED ALWAYS, That if any Person or Persons complained against as aforesaid, shall enter into Bond, with two good and sufficient Sureties in the Sum of *Fifty Pounds* to our Sovereign Lord the King, his Heirs and Successors, with Condition to indemnify, and save Harmless the City, Town-corporate, Township or Precinct from all Charges and Expences to which the same may be liable by such Person or Persons being resident there, then in such Case he, she or they shall not be removed as herein before is directed, any Thing in this Act to the contrary thereof in anywise notwithstanding; which Bond shall be taken before a Magistrate, who shall deliver the same to one of the Overseers of the Poor of the Place so intended to be kept Harmless, and he shall safely keep the said Bond, and deliver it to his next Successor.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person be removed by Virtue of this Act from one City, Town-corporate, Township or Precinct to another within this Colony by Warrant under the Hands and Seals of two Justices of the Peace as above, the Overseer or Overseers of the Poor of that Place, to which such poor Person shall be so removed as aforesaid, are hereby required to receive the said Person; and if

he or they shall refuse so to do, such Overseer or Overseers so refusing or neglecting (upon Proof thereof by one credible Witness upon Oath or Affirmation before any Justice of the Peace of the County, City or Town-corporate in which the Place is situated whereto such Person shall be so removed) shall forfeit and pay, for each Offence, the Sum of *Five Pounds,* to the Use of the Poor of the Place from which the said Person was removed; to be levied by Distress and Sale, in the usual Manner, of such Offender or Offenders Goods and Chattels by Warrant under the Hand and Seal of the said Justice, directed to the Constable of the Place where such Offender or Offenders do dwell.

PROVIDED ALWAYS, AND BE IT FURTHER ENACTED, That all and every such Person or Persons, who shall think him or themselves aggrieved by any such Warrant of Removal, granted by two Justices of the Peace or by such Removal of any poor Person as aforesaid, may appeal to the next General Quarter-Sessions of the Peace of the County, City or Borough wherein such Removal shall happen, and the poor Person be removed from: And that no Justice of the Peace who shall reside in any City, Town-corporate, Township or Precinct where the Dispute or Debate shall happen, shall sit in Court upon any such Appeal; and no Appeal as aforesaid shall be proceeded upon in such Court of Quarter-Sessions, unless reasonable Notice be given in Writing by the Overseer or Overseers of the Poor, who shall make such Appeal to the Overseer or Overseers of the Poor of such Place from which the poor Person shall be removed, the Reasonableness of which Notice shall be determined by the Justices of the Peace at the Quarter-Sessions to which the Appeal is made: And if it shall appear to them that reasonable Time of Notice was not given, then they shall adjourn the said Appeal to the next Quarter-Sessions, and then and there hear and determine the same.

AND BE IT ENACTED *by the Authority aforesaid,* That upon all Appeals to be made to the Justices of the Peace at their respective Courts of General Quarter-Sessions of the Peace to be holden for any County, City or Borough within this Province of *New-Jersey,* against Judgments or Orders given or made by any Justices of the Peace for the Removal of any Pauper or Paupers, such Justices so assembled at any Court of General Quarter-Sessions of the Peace shall, and they are hereby required, from Time to Time, upon all and every such Appeals so made to them, to cause any Defect or Defects of Form that shall be found in any such original Judgments or Orders to be rectified and amended without any Cost and Charge to the Party concerned; and, after such Amendment made, to proceed to hear and determine the same in the usual Manner, and to make such Determination thereon as by Law they ought to have done in case there had not been such Defect or Want of Form in the original Proceedings; and in case the said Courts of Quarter-Sessions shall not rectify and amend such original Judgments or Orders, and the same Judgments or Orders shall be removed into the Supreme Court, such Supreme Court shall and may have equal Authority, and are hereby enjoined to amend any such original Orders or Judgments, any Law, Usage or Custom to the contrary notwithstanding.

AND for the preventing vexatious Removals and frivolous Appeals, BE IT ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, if the Justices of the Peace shall at their Quarter-Sessions, upon an Appeal before them there had, concerning the Settlement of any poor Person or Persons, determine in Favour of the Appellant or Appellants that such poor Person or Persons was or were unduly removed; that then the said Justices shall, at the same Quarter-Sessions order and award to such Appellant or Appellants so much Money as shall appear to the said Justices to have been reasonably paid and expended by the City, Town-corporate, Township or Precinct on whose Behalf such Appeal was made for or towards the Relief of such poor Person or Persons between the Time of such undue Removal and the Determination of such Appeal; and, upon any Appeal before them there to be had for and concerning the Settlement of any poor Persons, or upon any Proof before them there to be made of Notice of any such Appeal to have been given by the Overseer or Overseers of the one Place to the Overseer or Overseers of the other (though they did not afterwards prosecute such Appeal) the said Justices shall, at the same Quarter-Sessions, award and order to the Party for whom, and in whose Behalf, such Appeal shall be determined, or to whom such Notice did appear to have been given as aforesaid, such Costs and Charges in the Law, as by the said Justices in their Discretion shall be thought most reasonable and just, to be paid by the Overseer or Overseers of the Poor against whom such Appeal shall be determined, or who gave Notice of such Appeal as aforesaid, and did not prosecute the same.

AND WHEREAS the Person or Persons against whom such Award and Order shall be made may reside in some County, City or Town-corporate out of the Jurisdiction of the said Court of Quarter-Sessions, whereby the Recovery of the Sum or Sums of Money so awarded and ordered, may be rendered difficult and precarious; therefore, BE IT ENACTED *by the Authority aforesaid,* That all such Sum and Sums of Money, which shall be awarded and ordered to be paid by the Justices in their said Quarter-Sessions in the Case and Cases aforementioned, shall and may be sued for and recovered with Costs of Suit, by Action of Debt, in any Court of Record of any County, City or Town-corporate in this Colony, where the Person or Persons shall reside, against whom such Determination shall be given as aforesaid; and a true Copy of such Award and Order of such Justices in their Quarter-Sessions, signed and sealed by the Clerk of the Court, when produced, shall be sufficient Evidence for the Recovery of such Sum or Sums of Money so awarded and ordered as aforesaid.

AND WHEREAS the Overseers of the Poor of the respective Cities, Towns-corporate, Townships or Precincts within this Colony, at going out of their Office and Offices, not only frequently neglect or refuse to deliver a fair and true Account of the Monies by them received for the Use of the Poor, but likewise leave considerable Sums of Money assessed for the Maintenance of the Poor uncollected, by which Means it often happeneth, that the Monies remaining uncollected are lost, and the Burden of maintaining the Poor

thereby falleth heavy on those who have paid their Taxes; therefore, for Remedy of this Inconvenience for the future, BE IT ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, all and every the Overseer and Overseers of the Poor of the respective Cities, Towns-corporate, Townships and Precincts within this Colony, shall, at their going out of their Office and Offices, render a fair and true Account to any one Justice of the Peace of the County, City or Town-corporate in which he or they do live and reside; and to the succeeding Overseer or Overseers, of all the Monies collected and received by him or them, or which have otherwise come to his or their Hand or Hands, and how the same have been disposed of, and also what Part doth still remain in his or their Hand or Hands, and shall pay the Balance to such succeeding Overseer or Overseers, and shall, at the said Time of accounting, deliver up to the said next succeeding Overseer or Overseers all Books of Accounts and other Papers relating to the Poor as aforesaid; and if any Overseer or Overseers within this Colony shall refuse or neglect to render such Account or Accounts as aforesaid, and to pay what shall be remaining in his or their Hand or Hands as aforesaid within Fifteen Days after such accounting as aforesaid, every such Overseer or Overseers shall forfeit and pay, for every such Neglect or Refusal, the Sum of *Five Pounds* over and above the said Balance remaining in his or their Hands; and if any Overseer or Overseers of the Poor of any City, Town-corporate, Township or Precinct within this Colony, shall neglect or refuse to collect such Sum or Sums of Money as may remain uncollected at the Time of his or their going out of his or their Office and Offices, or to prosecute such Delinquent or Delinquents, who shall, upon Demand, neglect or refuse to pay the Monies assessed upon him, her or them for the Space of ten Days after his or their going out of such Office or Offices, every such Overseer or Overseers shall forfeit and pay, for every such Neglect and Refusal, the Sum of *Five Pounds;* all and each of which Fine and Fines shall and may be prosecuted and recovered in any Court of Record where the same are or may be cognizable; one Half of which shall be paid to the Person who shall prosecute the same to Effect, and the other Half to the Overseers of the Poor where the Offence is committed, for the use of the Poor.

PROVIDED ALWAYS, AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall find him, her or themselves aggrieved by any Judgment or Determination, which any Justice or Justices of the Peace shall give or make in any of the Cases aforementioned, or by any Tax or Taxes assessed upon him, her or them, the said Person or Persons shall have Liberty to appeal to the next General Quarter-Sessions of the Peace, to be held for any County, City or Town-corporate within this Colony where any such aggrieved Person or Persons shall dwell or reside, who, upon hearing such Appeal, shall have Power and Authority finally to determine the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all former Acts and Laws of this Colony relating to the Settlement and Relief of the Poor, and every Matter, Article and Thing therein contained, are and

shall be hereby repealed and declared to be null and void and of none Effect, excepting such Acts and Laws as have been for building of a Workhouse, and setting the Poor to work, and Labour in any of the Counties, Cities, Towns-corporate or Townships within this Colony. PROVIDED ALWAYS, That if any Person or Persons have, by Virtue of any former Act or Acts of this Colony, gained a Settlement in any City, Town or Precinct of this Colony, such Settlement shall not be altered by any Thing herein contained.

AND WHEREAS the Number of idle Vagrants, Vagabonds and Beggars do daily increase, who infest the publick Highways, Cities and Townships in this Colony, insomuch that they are become a publick Nuisance and a dangerous Annoyance to honest industrious People; to prevent therefore the Increase and Continuance of this pernicious Evil, BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Constable or Constables, or any of the Inhabitants of this Colony, to apprehend any idle Vagrants, Vagabonds and Beggars, who shall be found wandering, strolling and begging about the Country, and to carry him, her or them forthwith before any one Justice of the Peace of the County, City or Town-corporate where they shall be apprehended, who is hereby required to examine every such Person and Persons so brought before him, upon Oath or Affirmation of his, her or their Place of Settlement, and shall take the Examination in Writing, and oblige the Examinant to sign the same: And the said Justice shall also sign the same, and shall transmit it to the Clerk of the City, Town-corporate, Township or Precinct where such Person or Persons shall be apprehended, to be filed, and to be kept on Record: And in case it shall appear that any such idle Vagrant, Vagabond or Beggar hath any Place of Settlement, then the Justice of the Peace is required to make out a Pass Warrant, and to give it to the Constable of the City, Town-corporate, Township or Precinct where such Person or Persons shall be apprehended, commanding him to deliver such Vagrant, Vagabond or Beggar to the Constable of the next Place, and so from Constable to Constable the readiest Way to his, her or their Place of Settlement; but if such Vagrant, Vagabond or Beggar hath no Place of Settlement in this Colony, then the said Justice of the Peace shall order, by his Pass Warrant, that he, she or they shall be conveyed back by every City, Town-corporate, Township or Precinct through which they have been suffered to stroll and wander unapprehended, and so to be transported out of this Colony, and to be set on shore in that Province from which he, she or they strolled and wandered first into this Colony; and if such idle Vagrant, Vagabond or Beggar shall return into this Colony after having been so passed out as aforesaid, he or she shall be apprehended and carried before any Justice of the Peace of the County, City or Town-corporate where he or she shall be so apprehended; which Justice of the Peace shall order the Constable of the said Place to carry him, her or them to the Whipping-Post, and to strip him, her or them to the bare Back, and to give them a Number of Lashes not exceeding twenty; after which he, she or they shall be passed out of the Colony again, in the same Manner and Form as before directed, and so to be whipped and passed away as often as

they shall return. And if any Justice of the Peace or Constable shall neglect or refuse to do and perform the Duties hereby required of them, every such Justice of the Peace or Constable, shall forfeit and pay the Sum of *Forty Shillings* for every such Neglect or Refusal, which shall be recovered by Action of Debt in the usual Manner, and shall be applied one Moiety to the Use of the Poor where the Offence shall be committed, and the other Moiety to the Person who shall prosecute the same to Effect.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all poor indigent Persons strolling from their Places of legal Settlement, and craving Alms; all Persons coming out of other Colonies and begging about this Colony, under Pretence of Losses by Fire, or having their Goods and Effects destroyed by the Indians, and not being able to produce a License to ask Charity under the Hand of the Commander in Chief of this Colony; all Persons peddling about without a legal License for that Purpose; all straggling Persons who shall practise any unlawful Gaming to trick and deceive the People; all Persons who shall run away from their Families, and leave them to be maintained by the Publick; are and shall be deemed and esteemed Vagrants and Vagabonds, within the true Intent and Meaning of this Act.

PROVIDED ALWAYS, That in case any Appeal as aforesaid shall be offered to the second Court of Quarter-Sessions, after such Judgment or Removal as aforesaid, and the said Court shall be satisfied with the Reasons given for every such Delay, that then it shall and may be lawful for the said Court to hear and determine such Appeal in the same Manner as if the same had been made to the next Court of Quarter-Sessions as above, any Thing in this Act to the contrary thereof notwithstanding.

Collins (1774), pp. 33-54.

An ACT *for striking* One Hundred Thousand Pounds *in Bills of Credit, and directing the Mode for sinking the same.*

WHEREAS through the great Scarcity of Gold and Silver within this Province, daily increasing from the Purchase of the Manufactures necessarily imported from *Great-Britain* and the constant Sinking of the Bills of Credit emitted during the late War for His Majesty's Service, the Inhabitants of this Colony are greatly obstructed in extending their Settlements, improving and

cultivating their Lands, and lie under great Difficulties in paying their just Debts; WE, the House of Representatives, for Remedy thereof, 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, *videlicet;*

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 of Proclamation, is emitted by a Law of the Colony of *New-Jersey,* passed in the Year of the Reign of His Majesty King GEORGE the Third. Dated, *&c.*

AND BE IT ENACTED *by the Authority aforesaid,* That *Hendrick Fisher, Stephen Crane, John Wetherill, James Kinsey, Thomas Polgreen Hewlings, Henry Paxson* and *Richard Smith,* 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, Bonds and Warrants of Attorney, 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 Administrators, 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 *Robert Smith,* Esquires, 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 Meaning of the Act of General Assembly of* New-Jersey, *entitled,* An *Act* for striking *One Hundred Thousand Pounds* in Bills of Credit, and directing the

Mode for sinking the same, *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 or Affirmation 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, and directing the Mode for sinking the same, *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 *Robert Smith* 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, *videlicet, John Johnston* shall deliver his Part, with the Stamps by him received, to the Treasurer of the Eastern Division, and *Robert Smith* 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 *Robert Smith,* 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,* Esquire, is hereby appointed a Signer in his Room; and in case of the Death, Refusal or other Disability of the said *Robert Smith,* then *Richard Smith,* Esquire, is appointed a Signer in his Stead; which said *Jonathan Deare* and *Richard Smith,* 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 Signers 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.

PROVIDED ALWAYS, And the said Treasurers are hereby directed and enjoined to sign no more of the said *Twenty-five Thousand Pounds* than as they from Time to Time shall have Occasion for the same, to exchange ragged and torn Bills, or any other the Purposes by this Act directed.

AND BE IT FURTHER ENACTED, That in case of the Death, Refusal or other Disability of the Honourable *Samuel Smith,* Esquire, the present Treasurer of the Western Division, then *Joseph Smith,* Esquire, is hereby appointed a Signer in his Stead; and in case of the Death or Disability of *John Smyth,* Esquire, the present Treasurer of the Eastern Division, then the 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 proportionably for so much as he or they may sign: And in case of the Removal of the said *Samuel Smith* or *John Smyth* 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, *videlicet,* 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 Commissioners 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 Administrators 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, *videlicet,* 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, *videlicet;*

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 Commissioners, *videlicet,* 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, *videlicet,*

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 Administrators, and every of us and them, jointly and severally, firmly by these Presents; sealed with out 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, and will obey the Orders and Instructions in taking the Mortgages and other Securities as they shall, from Time to Time, be directed by the Persons for that Purpose, named in the Act, entitled, *An* Act *for striking* One Hundred Thousand Pounds *in Bills of Credit, and directing the Mode for sinking the same,* 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, *videlicet,* To the Judge who shall grant the aforesaid Precept for summoning the said Justices and Freeholders, *One Shilling,* and to the Constable *Two Shillings,* 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 an 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 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 summon 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 so 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, entitled 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 Politick and Corporate in Succession in Fact and in Law; *That is to say,*

The Commissioners for the County of *Bergen,* shall be one Body Politick

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 Politick 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 Politick 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 Politick 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 Politick 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 Politick 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 Politick 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 Politick 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 Politick 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 Politick 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 Politick 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 Politick 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 Politick 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 Politick 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 anywise 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 publick 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 orderly 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 the 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 Inquiry 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 AB *am* bona fide *seized of the Lands, Tenements and Hereditaments by me proposed to be mortgaged, in my own or my Wife's 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 administering an Oath or Affirmation to the Borrowers as aforesaid; which Mortgages shall be taken by filling up the Blanks in one of the printed Mortgage 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 for the Bond and Warrant of Attorney herein after directed *One Shilling,* 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 Evidences 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, any Thing in the said recited Act to the contrary in anywise 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 such Form as shall be directed and settled by *Cortland Skinner, Hendrick Fisher, Stephen Crane, James Kinsey, Henry Paxson,* and *Samuel Tucker,* Esquires, or the Survivors of them.

AND WHEREAS it may happen that the Titles of mortgaged Premises may prove defective, and thereby the Monies lent may be in Danger of being lost; to remedy which, BE IT ENACTED *by the Authority aforesaid,* That at the

Time of executing such Mortgage as aforesaid, each respective Mortgager shall execute a Bond of double the Mortgage Money to the Commissioners aforesaid, conditioned for the Payment of the Money borrowed, with the Interest, according to the Proviso or Condition in each such Mortgage mentioned; and also a Warrant of Attorney, impowering such Person or Persons as the said Commissioners shall appoint, to confess or suffer Judgment; which the said Commissioners are hereby required to cause their Attorney to enter in any Court in this Colony, having Cognizance of such Sum, against such Mortgager, and to issue immediate Execution thereon, whenever the said Commissioners shall have just Cause to suspect that the Title to the Lands mortgaged is defective; the Form of which said Bond and Warrant of Attorney shall be such as the said *Cortland Skinner, Hendrick Fisher, Stephen Crane, James Kinsey, Henry Paxson* and *Samuel Tucker,* or the Survivors of them, shall direct.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Printer of the Bills of Credit shall print five Thousand Copies of the Mortgages so directed to be taken, 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 nowise 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 Commissioners 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 Buyers 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, during the first ten Years, pay into the Loan-Office the Interest of the Sum lent, computed at the Rate of Five per Cent per Annum; and after the Expiration of the said first ten Years, one tenth Part of the Sum borrowed, together with the Interest computed at the Rate aforesaid, so that the last Payment, together with the Interest, shall be paid in on the Twenty-fifth Day of *March,* twenty Years after the Date of the Bills aforesaid. 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 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 impowered 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 impowered 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 indefeisible Estate in the Lands, Houses, Tenements or 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 Benefit 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 or 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 for-ever, 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, and directing the Mode for sinking the same,* 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 for-ever, 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 for-ever. 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 FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever shall counterfeit, or be aiding or assisting in counterfeiting any of the said Bills of Credit, emitted by Virtue of this Act, or utter or cause to be uttered any Bill or Bills, knowing the same to be counterfeit 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 the Discoverer or Informer shall have, as an Encouragement for his Discovery, the Sum of *Fifty Pounds,* to be levied out of the Goods and Chattels, Lands and Tenements of the Person convicted; and if no such Goods and Chattels, Lands and Tenements, can be found, then the said Commissioners of the Loan-Office, for the County wherein the Offender shall be convicted, shall pay to such Informer or Discoverer, his Executors, Administrators or Assigns, the Sum of *Ten Pounds.* And if any Person or Persons shall alter 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 shall utter such Bills, knowing them to be so altered as

aforesaid, and shall be thereof legally convicted in the Supreme Court or Court of Oyer and Terminer and General Gaol Delivery in any of the Counties of this Colony, such Person or Persons shall be pilloried, cropped, whipped or fined, or suffer all or any of the said Punishments in the Discretion of the Justices of the Court in which he or they shall be convicted as aforesaid: And the Offender or Offenders so convicted, shall moreover pay to the Party grieved, double the Value of the Damages thereby sustained, with the Costs of Prosecution: And in case the Offender hath not sufficient to pay the Damages and Costs aforesaid, then, and in such Case such Offender shall, by Order of any two Justices of the County wherein the Offender is confined, be sold for any Term of Time not exceeding seven Years, for Satisfaction of the Damages and Costs aforesaid.

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 Commissoners 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 of Money for building and repairing Gaols and Court-Houses within each respective County of this Province,* the Accounts relating to the Sums annually received 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 of the Width of the said Bills, leaving the two Ends of the said Bills joined together at Bottom by about Half their 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 Disalllowance 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 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 Covin 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 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 her 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 of Devisees, and such Executor or Executors are hereby disabled from making any Conveyance thereof from such Devisee of 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 entitled 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 entitled 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 Treasuries of this Colony, or either of them, the same shall be applied to the Support of the Government of this Colony, or 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 Balances 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.

Collins (1774), pp. 55-82.

An ACT *more effectually to punish the Counterfeiters of foreign Gold or Silver Coin current within the Colony of* New-Jersey, *and the Utterers thereof, knowing the same to be Counterfeit.*

WHEREAS evil-disposed Persons have lately counterfeited the foreign Gold and Silver Coins imported into this Colony, to the great Hurt and

Damage of the Inhabitants; for Prevention whereof 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 any Person or Persons who shall hereafter be found guilty of counterfeiting any of the Gold or Silver Coins of any foreign Kingdom or Country, current within this Colony, with an Intention to deceive or defraud any Person or Persons whatsoever, or shall utter or pass any such counterfeit Coin, knowing the same to be counterfeit, such Person or Persons shall, for such Offence, being thereof for the first Time convicted in the Supreme Court, any Court of Oyer and Terminer and General Gaol Delivery, or in any Court of General Quarter-Sessions of the Peace within this Colony, be whipped, branded with the Letter *R* in the Brawn of the left Thumb, by an Iron sufficiently hot to make a lasting Mark, fined, imprisoned, pilloried or cropped, or shall have any one or more of these Punishments, at the Discretion of the Court in which such Person or Persons shall be convicted.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall be convicted in the Supreme Court, or the Courts of Oyer and Terminer and General Gaol Delivery in this Colony, of any or either of the Offences herein before-mentioned, and it shall appear to the Justices of the said Courts before whom such Conviction shall be had, by the Record of a Supreme Court, Court of Oyer and Terminer and General Gaol Delivery, or General Quarter-Sessions of the Peace, in this or any of the neighbouring Colonies, that such Person or Persons had before been duly convicted of the Crimes aforesaid, or either of them, that then and in such Case, such Person or Persons, for such second Offence, and being thereof so convicted as aforesaid, shall be adjudged guilty of Felony, without Benefit of Clergy, and suffer Death accordingly.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall be and continue in Force for and during the Term of seven Years, and from thence to the End of the next Session of General Assembly thereafter, and no longer.

Collins (1774), pp. 82-83.

An ACT *for lowering the Interest of Money to Six per Cent within this Colony.*

WHEREAS the encouraging of Commerce and Agriculture in this Colony is an Object worthy the Attention of the Legislature: AND WHERE-

AS it is conceived that the lowering the Interest on Money would be greatly conducive thereto;

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, after the first Day of *September,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-four, shall directly or indirectly take any greater Use or Interest, than *Six Pounds,* current Money of this Province, for the Forbearance of *One Hundred Pounds* like Money for a Year; and so after that Rate for a greater or less Sum, or for a longer or shorter Time, or for the Loan of any Money, Wares or Merchandizes, or any Thing whatsoever. And that all Mortgages, Bonds, Bills, Contracts and Assurances of what Nature or Kind soever they be, made after the Time aforesaid, for the Payment of any Principal or Money, Goods, Wares, Merchandizes, Commodities, or any Thing whatsoever lent, or in Performance of any Covenant, Contract or Assumption, upon or for any Usury or Interest, whereupon, wherein or whereby shall be reserved or taken directly or indirectly, above the Rate of *Six Pounds* in the Hundred as aforesaid, shall be utterly void; and that all and every Person and Persons whatsoever who shall, after the Time aforesaid, upon any Contract or Agreement to be made after the first Day of *September* aforesaid, by Way or Means of any Bargain, Loan, Exchange of any Wares or Merchandizes, Money or other Thing whatsoever, or by any deceitful Way or Means, or by any Covin, Craft, Invention, Fetch or deceitful Conveyance, or under the Colour of Brokage, Storage, Procurage, Service, or by any other Ways or Means whatsoever it be, contrary to the true Intent and Meaning of this Act, to elude and avoid the Ends and Intentions thereof, take, accept or receive, directly or indirectly, for the forbearing or giving Day of Payment for one whole Year, of and for any Money or other Thing as aforesaid, above the Sum of *Six Pounds* for the Forbearance of *One Hundred Pounds,* and so after that Rate for a greater or less Sum, or for a longer or shorter Time, shall forfeit and lose, for every such Offence, the full Value of the Monies, Wares, Merchandizes or other Things so lent, bargained, sold, exchanged or procured as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That all and every Scrivener, Broker, Solicitor or Driver of Bargains or Contracts, who shall, after the Time aforesaid, take or receive directly or indirectly, any Sum or Sums of Money, or other Reward or Thing for Brokage, soliciting, driving or procuring the Loan or Bargain, or the forbearing of any Sum or Sums of Money over and above the Value of *Five Shillings* for the Loan or Forbearing of *One Hundred Pounds* for one Year, and so in Proportion for a greater or less Sum, or above the Sum of *One Shilling* for the making or renewing a Bond or Bill for the Loan or Forbearing thereof, or for any Bond, Counterbond or Bill concerning the same, shall forfeit for every such Offence *Ten Pounds,* the one Moiety of all which Forfeitures mentioned in this Act, is hereby given to the Overseers of the Poor of the City, Town-corporate, Township or Precinct in which the Fact is committed, for the Use of the Poor of such City, Town-corporate, Township or Precinct, and the other Moiety to him or them that

will sue for the same in any Court of Record within this Province, by Action of Debt, Bill, Plaint or Information, in which no Essoin, Wager or Protection of Law, or any more than one Imparlance shall be allowed, any Law, Usage or Custom to the contrary of this Act, or any Article, Clause or Thing herein contained to the contrary thereof in anywise notwithstanding.

PROVIDED ALWAYS, That nothing herein before contained shall affect any Mortgages, Bonds, Bills or other Contracts now in being, or that may be made before the said first Day of *September* One Thousand Seven Hundred and Seventy-four.

AND BE IT ENACTED *by the Authority aforesaid,* That the Act entitled, *An* Act *to restrain extravagant and excessive Interest,* passed in the Twelfth Year of the Reign of his late Majesty King GEORGE the Second, shall be and is hereby repealed.

Disallowed 20 Feb. 1775.
Collins (1774), pp. 83-85.

An ACT *for the more speedy Recovery of Legacies in this Province, and for affirming such Acts of Administrators* bona Fide *done before Notice of a Will.*

FORASMUCH as the Laws of this Province relating to the Recovery of Legacies, which have been or may be given by the Last Will and Testament of any Person or Persons, are defective; for remedying whereof,

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 any Person or Persons whatsoever, to whom any Legacy, Devise or Bequest of any Sum or Sums of Money, or other Personal Goods or Chattels have been or may be made by the Last Will and Testament of any other Person or Persons legally made, to commence, sue or prosecute an Action of Debt, Action on the Case, or Detinue for such Legacy after it becomes due, if it amounts to the Value of *Fifteen Pounds* or upwards in the Supreme Courts of this Province, or any other Court of Record; and if under *Fifteen Pounds,* in any Court where the same may be cognizable; in which Action or Actions so to be commenced, if it shall appear that the Legacy or Legacies are due, and there be sufficient Assets in the Hands of the Executors to discharge the just Debts of the

Testator, and the Legacy and Legacies bequeathed, the Plaintiff or Plaintiffs shall recover with Costs of Suit, any Law, Usage or Custom to the contrary notwithstanding. But in case there shall be Assets to discharge all the Debts of the Testator, with an Overplus not amounting to a Sum sufficient to discharge all the Legacies that may be given, then an Abatement shall be made in Proportion to the Legacies so given; and where any Legatee or Legatees are or may be under Age at the Time when such Legacy or Legacies shall become due, in such Case such Legatee or Legatees shall and may maintain an Action for their respective Legacies so given, by Guardian or next Friend, as fully, amply and largely as by Law they may do in any other Actions whatsoever.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the respective Courts, where the said Actions may be commenced, upon the Plea of Want of Assets to pay all the Debts and all the Legacies, shall appoint Auditors to examine the Accounts of the Executors, who after full Hearing thereof, at such Time and Place, or Times and Places, as by the said Auditors shall be appointed, with Notice to the Executors and the Plaintiffs or their respective Attornies, shall procure the Auditors aforesaid, to report how the Accounts of the Executors do stand, and how much Assets will remain after Payment of the whole Debts, and what Part of the Remainder is the Proportion that ought to go towards paying of the Plaintiff's Legacies, for which Proportion only the Court shall then award Execution upon the Judgment to be had in the said Suit; which Judgment shall remain a Security for Payment of the Remainder of the said Legacies and Costs, when sufficient Assets for Payment thereof come to the Executors Hands; which Court is also hereby impowered, upon Exception of either party, and hearing of the Parties, to correct and amend any Mistakes or Errors that may happen in the Accounts so reported.

PROVIDED ALWAYS, That no such Suit shall be maintained for any such Legacy or Bequest, until reasonable Demand made of the Executor or Executors, who ought to pay the same, and an Offer made to two sufficient Securities to the said Executor or Executors, who, if they think proper to accept thereof, shall become bound to them the said Executor or Executors in double the Sum of the said Legacies or Bequests with Condition underwritten, that if any Part, or the Whole thereof, shall at any Time after appear to be wanting to discharge any Debt or Debts, Legacy or Legacies, which the said Executor or Executors may not have other Assets to pay, that then, and in such Case, he the said Legatee will return his said Legacy, or such Part thereof as may be necessary for the Payment of the said Debts, or for the Payment of a proportional Part of the said Legacies; and if the said Executors should not think proper to accept thereof, then the said Legatees shall file such Bond in Court before obtaining any Process against the said Executors, otherwise the same Process, for Want thereof, shall abate.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Courts, upon Consideration of the Report of the Accounts of the Executors, shall, according to Justice and Equity, either award no Costs, or Costs out of the

Testator's Estate, or in case the Executors have been faulty in delaying to pay the Legacy demanded, or a proportional Part thereof, without sufficient Excuse, then out of the proper Estate of the Executor or Executors, any Thing herein contained to the contrary notwithstanding.

AND BE IT FURTHER ENACTED, That all lawful Acts done, or to be done *bona Fide,* by any Administrator, before Notice of a Will, and all Purchases made of such Administrator *bona Fide,* before such Notice, shall remain good, and shall not be impeached or altered by an Executor or Executors on such Will after appearing. PROVIDED ALWAYS, That when at any time after such Will shall appear, the Executor or Executors shall have the same Remedy against such Administrator or Administrators for the Goods and Chattels, Rights and Credits remaining unadministered, as he, she or they might have had before the making of this Act.

PROVIDED ALSO, That where there are or may be several Legatees, and a Return of Part of the said Legacy shall afterwards appear necessary, in such Case each Legatee shall only be compelled to return a proportional Part of his Legacy, so as to make up the whole Sum wanting.

PROVIDED ALSO, That where no Time in and by any Last Will and Testament is limited, for the Payment of any such Legacies, that then and in such Case the said Executor or Executors shall have the Space of one Year to discharge the same.

PROVIDED ALSO, That nothing in this Act contained shall be construed to enforce the Payment of any Legacies to the Prejudice of Creditors, or to enforce any Last Will and Testament, not warranted by the former Laws of this Province.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Act passed in the fourth Year of the Reign of King GEORGE the Second, entitled, *An* Act *for the more speedy Recovery of Legacies that have been or may be given in this Province, and for affirming such Acts of Administrators* bona Fide *done before Notice of a Will,* and the Act passed in the twelfth Year of the Reign of King GEORGE the Second, entitled, *An* Act *for continuing an Act, entitled, an* Act *for the more speedy Recovery of Legacies that have been or may be given in this Province, and for affirming such Acts of Administrators* bona Fide *done before Notice of a Will,* shall be, and they are hereby repealed.

Collins (1774), pp. 85-88.

A supplementary ACT *to an Act, entitled, An* Act *for the more effectual Discovery and Punishment of the Crime of Horse Stealing.*

WHEREAS by the Act, entitled, *An* Act *for the more effectual Discovery and Punishment of the Crime of Horse Stealing,* passed in the Tenth Year of His present Majesty's Reign, the first Offence of Horse Stealing cannot be tried in any Court but the Supreme Court and Courts of Oyer and Terminer and General Gaol Delivery; whereby it often happens that Offenders against the said Act lie long confined in Gaol, as well to the great Delay of Justice, as a very great Expence upon the County wherein the Fact was done and the Offender is committed; therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That whenever any Person or Persons shall, after the Publication of this Act, be committed to any of the Gaols of this Colony for Horse Stealing, and the same shall appear to be the first Offence of the Kind by such Person committed, that then, and in such Case, it shall and may be lawful for, and the Justices of the several Courts of General Quarter-Sessions of the Peace in the several Counties, Cities and Boroughs in this Colony, shall and may try any such Person or Persons as aforesaid, and upon due Conviction before them shall and may order such corporal Punishment to be inflicted upon such Person or Persons (not extending unto Loss of Life) as they, in their Discretion, shall judge proper, according as the Circumstances of the said Crime shall appear to them to be more or less aggravated, any Thing in the before recited Act to the contrary notwithstanding.

Collins (1774), pp. 88-89.

An ACT *for the better preserving of Oysters in the Colony of* New-Jersey.

WHEREAS the Act passed in the tenth Year of His present Majesty's Reign, entitled, *An* Act *for the better preserving of Oysters in the Colony of* New-Jersey, hath been found very beneficial; 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 *April,* 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 Banks or Beds 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 Warrants 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 entirely 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 or 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 for 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 Five Years, and from thence to the End of the next Session of General Assembly, and no longer.

Collins, (1774), pp. 89-91.

An ACT *more effectually to prevent the erecting of Lotteries and selling of Lottery Tickets within this Colony.*

WHEREAS the Laws heretofore passed for preventing of Lotteries in this Colony, and the Sale of Tickets of Lotteries erected out of the Colony, have not proved effectual for the Purposes thereby intended; 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 no Person or Persons, from and after the Publication of this Act, shall erect, set up, make or draw any Lottery or Lotteries whatsoever within this Colony; and if any Person or Persons shall hereafter erect, set up, make or draw any Lottery or Lotteries for Money, Goods, Wares or Merchandize, Lands, Tenements or other Matter or Thing whatsoever within this Colony, contrary to the true Intent and Meaning of this Act, every such Person or Persons so offending shall Forfeit the Sum intended to be raised by such Lottery, or the Value of such Lands, Tenements, Goods, Wares, Merchandizes or other Thing intended to be disposed of by such Lottery, to be sued for and recovered by the Overseers of the Poor of any City, Borough, Township or Precinct within this Colony, or by any one of them, who, and each of them are hereby impowered, directed and commanded to sue for and recover the same in any Court of Record in this Colony, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law, or any more than one Imparlance shall be allowed, any Law, Usage or Custom to the contrary notwithstanding; which said Forfeiture, when recovered as aforesaid, shall be applied one Half for the Use of the Poor of the City, Borough, Township or Precinct where the Offence was committed, and the other Half to the Overseer or Overseers aforesaid, who shall sue for and recover the same with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That, from and after the Publication hereof, no Inhabitant or Inhabitants of this Colony, or any Person or Persons coming within the same, shall sell or offer to sell any Lottery Ticket or Tickets under any Pretence whatsoever; and every Person or Persons that shall sell or otherwise dispose of any Lottery Ticket or Tickets, under whatsoever Name the same may be coloured or distinguished, State Lottery Tickets of *Great-Britain* only excepted, shall forfeit and pay for every Ticket so sold the Sum of *Three Pounds* Money aforesaid, to be recovered by the Overseers or Overseer of the Poor as aforesaid, or by any other Person who will sue for the same before any Justice of the Peace of any County, City or Borough in this Colony, where the Offence shall be committed; and the Money, when recovered shall be paid one Half to the Overseer or Overseers of the Poor aforesaid, for the use of the poor of the said City, Borough, Township or Precinct, and the other Half to the Person or Persons who shall prosecute the same to Effect, any Law, Usage or Custom to the contrary notwithstanding.

AND WHEREAS the good Intentions of the Legislature in the former Laws passed in this Colony for the preventing of Lotteries, have been in a great Degree frustrated, by the Inattention and Disinclination of the Inhabitants to give Information against the Person and Persons who have infringed the same; for the Prevention whereof in Future, BE IT ENACTED *by the Authority aforesaid,* That every Sheriff, Coroner, Overseer of the Poor and Constable within this Colony shall be, and are hereby commanded to be vigilant in their Searches and Inquiries respecting the erecting Lotteries and selling of Lottery Tickets in this Province, and upon Discovery of the same to give immediate Information to a Justice of the Peace, or to such other Court where the same may be cognizable, at the next Meeting of such Court; and if any Sheriff, Coroner, Overseer of the Poor or Constable, shall neglect to give such Information upon discovering the same, he or they shall severally forfeit the Sum of *Five Pounds,* to be recovered by Action of Debt by any Person who will sue for the same; one Half to the Use of the Prosecutor, and the other Half to the Use of the Poor of such City, Town-corporate, Precinct or Township where the Fact shall be committed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, possessing any publick or other House within this Colony, shall knowingly and wittingly permit or suffer any Lottery to be drawn in such publick or other House, or upon the Land, or in any Out-house belonging to the same, or shall knowingly permit or suffer any Scheme or Advertisement of any Lottery whatsoever (except as before excepted) to be put up at, or within the same House or Premises, or shall after Knowledge thereof suffer such Scheme or Advertisement to remain up, such Person or Persons shall severally forfeit and pay the Sum of *Five Pounds:* And that all, or any Person or Persons who shall presume to set up, shew or expose to publick View (with Intention of promoting such Lottery) in any Place within this Colony, any Scheme or Schemes or Advertisements of any Lottery whatsoever (except as before excepted) shall also forfeit and pay the Sum of *Five Pounds;* which said last mentioned Fines are hereby made recoverable before any one Justice of the Peace, by Action of Debt, and to be applied one Half to the Use of the Prosecutor or Informer, and the other Half to the Use of the Poor where such Fact or Facts shall or may be committed. PROVIDED ALWAYS, That nothing in this Act shall in anywise affect any Lotteries heretofore erected or authorized by any Law of this Colony, any Thing herein contained to the contrary in anywise notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That so much of the Act, 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 Horseracing within this Colony for the Future,* passed in the twenty-second Year of His late Majesty King GEORGE the Second; and also so much of an Act, entitled, *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,* passed in the first Year of His present Majesty's Reign, as respects Erecting of Lotteries and the Sale of Tickets, be, and they

are hereby repealed, any Thing in the before recited Acts to the contrary notwithstanding.

Collins (1774), pp. 91-93.

An ACT *to oblige the Treasurers of the Colony of* New-Jersey *to give Security for the due Execution of their Offices, and to prescribe the Mode in which the same Security shall be taken.*

WHEREAS it is of the greatest Importance to His Majesty's Service, and to the Interest of the Colony, that the publick Monies should be properly secured, We the House of Representatives of the Province of *New-Jersey* 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 each of the Treasurers of this Colony, who now is or shall hereafter be appointed to that Office, shall immediately after the Publication of this Act, or as soon as he shall be appointed to that Office, and before any publick Money be put into his Hands, enter into a Bond, either by himself, or with one or more good and sufficient Sureties, unto our Sovereign Lord the King, his Heirs and Successors, in the penal Sum of *Ten Thousand Pounds* Proclamation Money of *New-Jersey,* with a Condition in the Words, or to the Effect following, *that is to say,*

THE Condition of this Obligation is such, That if the above-bounden does well, truly and faithfully execute the Office of Treasurer of the Division of the Colony of *New-Jersey,* and shall from Time to Time, and at all Times hereafter, render a just and true Account to the Council and Assembly, when thereunto by them required, of all publick Monies that now are, or shall be hereafter committed to his Charge; and shall deliver up all the publick Monies in his Hands, together with all Instruments in Writing belonging to, and for the Use of the Colony, to his Successor in Office; then the above Obligation to be void, otherwise to be and remain in full Force and Virtue.

Which Bonds shall be executed before His Excellency the Governor, or the Commander in Chief for the Time being, or one of the Justices of the

Supreme Court of this Colony, and shall be deposited in the Secretary's Office, there to be safely kept for the Purposes aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Governor or the Commander in Chief for the Time being, the Council and General Assembly, shall be, and each of them are hereby authorized to be the Judges of the Sufficiency of the Bond so to be given by the said Treasurer himself, or with Sureties as aforesaid; and that it shall be lawful for them, or either of them, as often as they, or either of them shall suspect any Security taken by Virtue of this Act, to be insufficient, to call upon the said Treasurers, or either of them, to give such further Security as by the Governor or the Commander in Chief, the Council and General Assembly, shall be approved of as good, and to procure a new Bond in the Manner and for the Purposes aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when and as often as any Treasurer of this Colony shall cease to hold his Office by Death or otherwise, it shall and may be lawful for the said Treasurer, or his Heirs or Executors or Administrators, and he and they are hereby required to make up his or their Accounts honestly and fairly with the succeeding Treasurer, and to deliver up to him all such publick Monies in his or their Hands as shall be found due to the Colony on the Settlement of the said Accounts; and that the Accounts so made up, when settled and reported to the Council and Assembly, and agreed to by them, shall discharge the said Treasurer, his Heirs, Executors and Administrators; and that the Bond so as aforesaid taken, by Virtue of this Act, shall be void, and shall be delivered up to the said Treasurer, so divested of his Office of living, or if dead, to his Heirs, Executors or Administrators.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That whenever the Council and Assembly, or either of them, shall think such Treasurer not to have rendered a just or true Account, or otherwise to have misbehaved himself in his said Office, and shall make Application to the Governor or Commander in Chief for the Time being, it shall and may be lawful for the said Governor or Commander in Chief, and he is accordingly, upon such Application, to order the said Bond to be immediately prosecuted for any such Omission or Misbehaviour as aforesaid.

AND WHEREAS the Honourable *Samuel Smith,* Esquire, the present Treasurer of the Western Division, hath heretofore, entered into Bond with Sureties, bearing Date the fourth Day of *December* One Thousand Seven Hundred and Sixty-nine, for the due Performance of his Office as Treasurer, BE IT ENACTED *by the Authority aforesaid,* That upon his entering into a new Bond in Pursuance of this Act, the said former Bond shall be void and of none Effect, to all Intents, Constructions and Purposes whatsoever, and the said Bond shall be cancelled, and delivered up to him again.

Collins (1774), pp. 94-96.

An ACT *to authorize the present Treasurer of the Eastern Division to bring an Action against the late Treasurer of the said Division, for the Sum of* Six Thousand Five Hundred and Seventy Pounds Nine Shillings and Four-pence, *for which the said late Treasurer claims Allowance in his Accounts, alledging the same to have been stolen from the Treasury, and for other Purposes therein mentioned.*

WHEREAS the Honourable *Stephen Skinner,* Esquire, late Treasurer of the Eastern Division of *New-Jersey,* doth alledge, That in the Month of *July,* in the Year of our Lord One Thousand Seven Hundred and Sixty-eight, the Sum of *Six Thousand Five Hundred and Seventy Pounds Nine Shillings and Four-pence,* Money belonging to the Publick, was stolen out of his Custody, which Sum he does not deem himself liable to pay, and has often, and does now pray an Allowance for from the Colony: AND WHEREAS many Doubts have arisen from the peculiar Circumstances attending this extraordinary Case, whether the Laws of this Colony as they now stand are sufficient to bring the Merits of this Controversy, between the Colony and the said *Stephen Skinner,* to a fair and legal Decision, upon any Action or Suit which may be commenced against the said *Stephen Skinner,* without the Aid of the Legislature, by a law for that Purpose to 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 *John Smyth,* Esquire, the present Treasurer of the Eastern Division aforesaid, to demand and receive of and from the said *Stephen Skinner,* the Sum of *Six Thousand Five Hundred and Seventy Pounds Nine Shillings and Four-pence,* for which the said *Stephen Skinner* prays Allowance as aforesaid: And that in case the same *Stephen Skinner* shall refuse or neglect to pay the said Sum of Money for the Space of one Month after such Demand, he the said *John Smyth* shall be and is hereby authorized to bring and prosecute an Action on the Case in his own Name, and to the Use of the Colony, for the said Sum of *Six Thousand Five Hundred and Seventy Pounds Nine Shillings and Four-pence,* any Law, Usage or Custom to the contrary in anywise notwithstanding.

BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case any Suit or Suits shall be so brought for said Sum of Money, that *John Wetherill, James Kinsey* and *Robert Friend Price,* Esquires, and the Survivors of them, be, and are hereby appointed Managers of the Suit or Suits aforesaid; and that they or any two of them shall, and they are hereby authorized to draw and receive from either of the Treasurers of this Colony, on a Warrant or Warrants for that Purpose to be drawn, under the Hand of the Governor or Commander in Chief of this Colony in Council, any Sum or Sums of Money to carry on the said Suit or Suits, in the Whole not exceeding the Sum of *Two Hundred Pounds* Proclamation Money; and that the said Warrant or

Warrants endorsed by them the said Managers, or any two of them, shall be a sufficient Discharge to the said Treasurers, or either of them, for the Sum so paid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Judges of the Court, and that the Jurors who shall try any Issue or Issues, joined in the Action or Actions so to be brought as aforesaid, all Witnesses examined in such Suit or Suits, and all Officers who shall nominate or return the said Jurors, shall be, and are hereby declared for-ever hereafter to be exempt from the Payment of any Tax or Taxes which shall or may be raised for or on the Account of the Suit or Suits so as aforesaid to be commenced and prosecuted, or for the making good the said Sum of *Six Thousand Five Hundred and Seventy Pounds Nine Shillings and Four-pence.*

Collins (1774), pp. 96-97.

An ACT *to regulate the Packing of Beef and Pork, and to ascertain the Size of Casks.*

WHEREAS an Act passed in the twelfth Year of the Reign of His present Majesty, entitled, *An* Act *to prevent Abuses in the Packing of Beef and Pork, and for ascertaining the Size of Casks, and the Quantity that shall be put in each,* does not answer the good Purposes intended; 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 of this Act, all Casks made or used in this Province for Beef or Pork for Exportation, or for Sale, shall be made tight, and of good, sound well-seasoned Whiteoak Timber; and each Barrel shall contain thirty-one Gallons and a Half Wine Measure, and not Half a Gallon more or less; and each Half Barrel sixteen Gallons, and not one Quart more or less; and on every such Barrel and Half Barrel shall be put twelve good Hoops: And, in order that the above Particulars may be better observed, every Cask made in this Province for the Purposes aforesaid, shall be branded on the Quarter by the Cooper or Coopers who shall make and dispose of the same, with the initial Letters of the Christian and Sir Name of such Cooper or Coopers; and on Failure in all or any of the above Particulars the Person or Persons so offending, shall for each Offence forfeit and pay the Sum of *Three Shillings.*

AND BE IT ENACTED *by the Authority aforesaid,* That all Pork designed for Exportation, or to be disposed of within this Province by the Barrel or Half Barrel, shall be sound and merchantable Meat, well cured with Salt and Pickle, and each Barrel well secured, and containing of such Meat Two Hundred and Ten Pounds, and each Half Barrel One Hundred and Five Pounds, and not including more than two Hog's Heads in a Barrel, nor more than one Hog's Head in a Half Barrel.

AND BE IT ENACTED *by the Authority aforesaid,* That all Beef designed for Exportation shall be sound and merchantable Meat, well cured with Salt and Pickle, and each Barrel well secured, and containing of such Meat Two Hundred and Twenty Pounds, and each Half Barrel One Hundred and Ten Pounds, and not including more than two Legs or Shins in a Barrel, nor more than one Leg or one Shin in a Half Barrel.

AND BE IT ENACTED *by the Authority aforesaid,* That each Barrel and Half Barrel of Pork, which shall be packed in this Colony for Exportation or for Sale, shall be branded on the outside of one of the Heads with the Name of the County at large wherein such Pork shall be put up, and well salted in Bulk at least ten Days before it is packed, and with the Letters *N.J.* for *New-Jersey,* and also with the Brand-mark of the Trader or Traders who shall direct the Packing of the same, and with the initial Letters of the Christian and Sir Name at large of the Packer of the said Pork.

AND BE IT ENACTED *by the Authority aforesaid,* That every Packer of Beef and Pork within this Colony shall, before he takes upon himself the Execution of that Office, be well recommended by at least six reputable Freeholders of the Neighbourhood, to the Mayor or Recorder of the City or Borough, or to a Justice of the Peace of the County where the said Packer doth reside; which Magistrate is hereby directed and required to administer to him an Oath or Affirmation as the Case may require, in the Words or to the Effect following:

I A B *do swear (or affirm) That I will execute the Office of Packer of Beef and Pork, within the City, Borough or County of faithfully and truly to the best of my Ability and Knowledge, agreeably to an Act of Assembly of this Colony, entitled,* An *Act* to regulate the Packing of Beef and Pork, and to ascertain the Size of Casks.

AND BE IT ENACTED *by the Authority aforesaid,* That each Packer of Beef and Pork so qualified shall be entitled to demand and receive of his Employer for Packing, Pickling, Pinning, Bunging and Nailing, and for providing Pins and Bungs, the Sum of *One Shilling* for each Barrel, and *Ninepence* for each Half Barrel, and no more; and if any Person or Persons within this Colony shall pack any Beef or Pork for Sale or Exportation, unless appointed and qualified to the Office of Packer by Virtue of this Act, or by Direction and under the Inspection of a Person so appointed and qualified, he or they so offending shall for each Offence forfeit and pay the Sum of *Forty Shillings.*

AND BE IT ENACTED *by the Authority aforesaid,* That for every Offence committed by the Packer or Packers appointed as aforesaid, against the true Intent and Meaning of this Act, he or they so offending shall forfeit and pay

the Sum of *Twenty Shillings;* and if any Trader or Traders shall brand, or cause to be branded, his or their Barrels or Half Barrels of Pork with the Name of any County other than the County in which such Pork was put up and packed, he or they so offending shall forfeit and pay, for each Barrel and Half Barrel so branded, the Sum of *Five Shillings;* or if any Trader or Traders shall cause or procure his or their Pork to be packed and exported, or deliver the same out to be exported, the Casks not being branded as directed in the fifth Section of this Act, he or they so offending shall forfeit and pay the Sum of *Ten Shillings* for every Cask in that Case deficient; all and every of which Fines and Forfeitures shall be recovered on the Oath or Affirmation of two or more credible Witnesses, before any Justice of the Peace, or in any Court in this Colony where the same shall be cognizable; one Half thereof to the Informer who shall prosecute the same to Effect, and the other Half to be paid to the Overseers of the Poor of the City, Borough or Township where the Offence shall be committed, to be applied to the Use of the Poor.

PROVIDED ALWAYS, That nothing in this Act contained shall be construed to affect the Packing or Repacking of Beef or Pork transported to the City of *New-York,* any Thing herein before to the contrary notwithstanding.

AND BE IT ENACTED *by the Authority aforesaid,* That the before recited Act, entitled, *An* Act *to prevent Abuses in the Packing of Beef and Pork, and for ascertaining the Size of Casks, and the Quantity that shall be put into each;* as also every Clause, Article and Thing contained in an Act, entitled, *An* Act *to ascertain the Size of Casks, and the Standards of Weights and Measures, and to impower the Justices of the Peace at their Quarter-Sessions to appoint Packers for packing Provisions at the most convenient Landings in each respective County within this Province,* passed in the twelfth Year of the Reign of His late Majesty King GEORGE the First, as far as the same relates to packing and repacking of Beef and Pork, and to tight Casks, shall be and the same are hereby repealed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall be in Force during the Term of seven Years from and after the Publication hereof, and from thence to the End of the next Session of the General Assembly of this Colony thereafter, and no longer.

Collins (1774), pp. 98-100.

An ACT *to postpone the Payment of the Provincial Taxes into the Treasury of this Colony for one Month, and for other Purposes therein mentioned.*

WHEREAS by an Act passed in the tenth Year of the Reign of His present Majesty, entitled, *An* Act *to settle the Quotas of the several Counties of this Colony for the levying Taxes,* among other Things it is Enacted, that the Provincial Taxes shall be paid into the Treasury, on or before the twenty-first Day of *November* yearly, which on Experience is found inconvenient to many of the Inhabitants;

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, it shall and may be lawful for the Town and Precinct Collectors to pay the Provincial Taxes to the County Collector at any Time within ninety Days after the Receipt of their respective Duplicates; and also for the several County Collectors to postpone the Payment of the said Taxes into the Treasury to the twenty-first Day of *December,* during the Continuance of the above recited Act, any Thing in the said Act to the contrary notwithstanding.

AND WHEREAS by the thirteenth Section of the before recited Act, the Assessors are enjoined, within thirty Days, to prosecute the Delinquents there mentioned, which Time is found by Experience to be too short, BE IT ENACTED *by the Authority aforesaid,* That the said Assessors shall and may prosecute the Delinquents aforesaid, at any Time before the Assessment is returned into the Treasury, any Thing in the before recited Act to the contrary notwithstanding.

AND, inasmuch as large Improvements have been made in this Colony since the last Settlement of the Quotas, it becomes necessary more equitably to assess the Inhabitants; therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That the several County Collectors within this Colony shall deliver to the respective Treasurers for the Time being, by the first Day of *November* next, exact Duplicates of the Assessments of the Provincial Taxes for the Years One Thousand Seven Hundred and Seventy-three, and One Thousand Seven Hundred and Seventy-four, in order that the said Treasurers may lay the same before the next General Assembly.

AND, that the said County Collectors may deliver in the said Duplicates, BE IT ENACTED, That the several Assessors within this Colony shall, within twenty Days after Demand made, deliver in Duplicates of the Assessments of the Provincial Taxes by them made for the Year One Thousand Seven Hundred and Seventy-three; and shall, within twenty Days after making the Assessments for the Year One Thousand Seven Hundred and Seventy-four, deliver to the said County Collectors Duplicates thereof; and in case of Neglect or Refusal, such Assessor, so neglecting or refusing, shall forfeit and pay the Sum of *Five Pounds,* to be recovered and applied in the

same Manner and Form as other Fines and Forfeitures are directed to be recovered and applied in the before recited Act.

Collins (1774), pp. 101-102.

A supplementary ACT *to an Act, entitled, An* Act *for the regulating Fences.*

WHEREAS Difficulties have arisen, and may hereafter arise, touching Division Fences where Brooks are Boundaries between Plantations, and also concerning Ditches in Salt Meadows and Marshes; 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, it shall and may be lawful for the Surveyors of the Highway of the Township or Precinct or Townships or Precincts where the Lands lie, on Application to them made by the Owner or Owners of Lands bounded by or adjoining to Brooks, Streams or Runs of Water not navigable for Boats or Flats, in order to fix and settle a Partition or Division Fence, if they on Inspection find it impracticable or inconvenient to fix such Fence in the Water, or what may appear the true Division Line, in such Case they the said Surveyors are hereby authorized and impowered to fix and ascertain the Place where such Division Fence shall be set up, either in Part or the Whole on either Side of such Brooks, Streams or Runs of Water, and the Part thereof which each Owner shall make, any Thing in the above recited Act to the contrary notwithstanding.

AND WHEREAS it is found necessary and most convenient to make Ditches through Salt Marshes and Meadows for fencing and draining the same, BE IT FURTHER ENACTED *by the Authority aforesaid,* That all Ditches made in such Salt Marshes or Meadows five Feet wide and three Feet deep, shall be deemed and allowed hereafter as good and lawful Fences, any Law, Usage or Custom to the contrary in anywise notwithstanding.

Collins (1774), pp. 102-103.

An ACT *for rebuilding, repairing and maintaining the Drawbridge over* Crosswicks *Creek, in the County of* Burlington, *and for repairing the Causeways adjoining said Bridge.*

WHEREAS a large Number of the Inhabitants of the Counties of *Burlington, Hunterdon, Somerset* and *Middlesex* have by their Petition set forth, That the Drawbridge erected by Subscription over *Crosswicks* Creek, in the County of *Burlington,* is out of Repair and dangerous to pass, and the Draw so constructed as to obstruct the Navigation, and that they are desirous that a good Drawbridge should be erected over the said Creek, and the Draw so constructed that Shallops and Boats may pass through with Ease and Convenience; and it appearing that a Bridge over the said Creek is of great Utility to the Publick;

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That a good and sufficient Drawbridge shall be built as soon as may be in the Place where the present Bridge stands, and that the Piles of the said Bridge shall be drove and ranged as nearly as may be in the Set or Course of the Tide of Ebb in the said Creek.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for *Thomas Lawrie, Robert Pearson, Isaiah Robins, John Thorn* and *Timothy Bunting,* or any three of them (who are hereby appointed Commissioners) to build a good Drawbridge at the Place aforesaid, and to rail and board the same three Feet high on each Side, so that Travellers and Carriages of Burden may pass and repass the same with Safety: And, in case of the Death or Refusal of them, or any of them, it shall and may be lawful, from Time to Time, for the Justices of the Peace of the County of *Burlington* in their Sessions, to appoint others who shall, when so hereafter appointed, 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 Distance between two Bents of the said Bridge shall be twenty-two Feet wide, fourteen Feet of which shall be so constructed as to hoist or draw, for the free Passage of the Masts of such Boats or Shallops as may have Occasion to go above the said Bridge: And the said Bents of twenty-two Feet wide, wherein the said Draw is to be constructed, shall be set in that Part of said Bridge where the Boats may pass through with the greatest Ease, Expedition and Convenience for the Navigation of the said Creek; and that two or more Posts or Piles shall be drove on each Side of the Entrance of the said Draw, in such a Position or Form as will facilitate the entering of Shallops or Boats through the same: And if any Shallopman, or other Person or Persons, shall leave the Draw of the said Bridge hoisted above fifteen Minutes after such Shallop or Boat shall have gone through, he, she or they 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 Justice of the Peace for the County of *Burlington,* with Costs of Suit, to be applied to the Repairs of the said Bridge: Or if any Person shall remove any Plank from off said Bridge, or otherwise damage the same, he, she or they so offending, shall forfeit the Sum of *Five Pounds* over and above the Damages done to the said Bridge, to be recovered and applied as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said *Thomas Lawrie, Robert Pearson, Isaiah Robins, John Thorn* and *Timothy Bunting,* Commissioners as aforesaid, or any three of them, shall repair the Abutments on the south Side of the said Bridge, and the Abutments and Causeway on the north Side to the fast Land, and shall raise the said Causeway and Abutments above the Flow of the usual Freshes and high Tides that happen in the said Creek; which said Abutments and Causeway are hereby declared to be a lawful Highway four Rods wide.

AND WHEREAS the Preservation of the small Underwood and Brush that stands on each Side of the said Causeway, and within the said four Rod, will be of the utmost Consequence for the Preservation of the said Causeway from the high Winds in Times of high Tides; BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons (except the said Commissioners or their Successors) shall cut down or destroy any of the said Underwood or Brush, he or they shall pay the Sum of *Forty Shillings,* with Costs of Suit, to be recovered and applied as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assessors, chosen to assess the Provincial Tax in the County of *Burlington,* shall meet at *Burlington* on the second *Tuesday* in *May* next, and shall then assess, on the Inhabitants of the said County, the Sum of *Two Hundred Pounds* in the same Method, Manner, Proportion and Form, and collected by the same Persons that the Provincial Tax is appointed to be assessed and collected by; and the several Township Collectors shall, within forty Days of the Receipt of the Duplicates from the Assessors, pay the said Taxes to the County Collector; and the several Officers shall be intitled to the same Rewards, and be subject to the same Pains and Penalties, and have the same Time for assessing and collecting the Money as is given for the said Provincial Taxes.

PROVIDED ALWAYS, That the Plantation late *Hannah Bickerdykes,* deceased, in the Townships of *Nottingham* and *Chesterfield,* adjoining said Bridge, and the Shallops that now do or hereafter shall belong to Persons residing above the said Bridge, and transport Lumber or other Produce from the Landings that now are or hereafter shall be erected or used above the same, shall not be taxed for the Support of the said Bridge and Causeway.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Bridge, Abutments and Causeway shall be built, rebuilt, repaired and amended, at the Expence and Charge of the County of *Burlington.*

AND WHEREAS small Sums of Money, too inconsiderable to be assessed, may sometimes be wanted for the speedy Repairs of the said

Bridge; therefore, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Commissioners and their Successors, or any three of them, to borrow such Sum or Sums of Money as may be necessary for the Purposes aforesaid, and the same to repay out of the first Money that may be raised for the Use of the said Bridge.

AND BE IT FURTHER ENACTED, That the County Collector of *Burlington* shall pay the 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 any three of them, shall be his sufficient Discharge: And in case an Overplus may at any Time remain in their or any of their Hands, they are to pay the same to the said County Collector, to remain in his Hands to be disposed of as the Justices and chosen Freeholders of the County shall direct.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any Money shall be wanted for the building, amending or repairing of the said Bridge and Causeway, upon the said Commissioners, their Successors, or any three of them, certifying to the County Collector of *Burlington* what Sum or Sums of Money may be wanting for the Purposes aforesaid, the said Collector shall lay such Certificate before the Assessors at their annual Meeting, in order that the Sum expressed in such Certificate may be assessed and collected with the Provincial Taxes: And the said Commissioners, and their Successors, shall account to the Board of Justices and Freeholders as often as they shall be thereto required: And the said Commissioners, their Successors, or such of them as shall take upon them the said Service, shall be allowed Five per Cent for their Time and Trouble; but if any of the said Commissioners, or such others as may be hereafter from Time to Time appointed by the Court of Quarter-Sessions of *Burlington* County, shall refuse or neglect to take upon him or them the said Office, or neglect to build, rebuild or repair the said Bridge and Causeway from Time to Time, or any other Duty enjoined them by this Act, he or they shall forfeit and pay the Sum of *Five Pounds* for every Neglect, to be recovered by any Person who will prosecute the same to Effect, to be applied one Half to the Prosecutor, and the other Half to the Use of the said Bridge and Causeway.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall be and continue in Force for the Term of five Years, and from thence to the End of the next Session of General Assembly, and no longer.

Collins (1774), pp. 103-106.

An ACT *to revive Part of an Act, entitled,* 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 above recited Act did expire by its own Limitation at the End of the last Session of General Assembly; AND WHEREAS the said Act has been found by Experience to be of publick Use and Benefit to the Inhabitants of the said Township of *Bedminster,* as they have set forth by their humble Petition, praying that the said Act may be revived:

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 Act, entitled, *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,* so far as it respects the said Township of *Bedminster,* shall be and the same is hereby revived and continued with every Clause and Article therein contained, any Thing in the before recited Act to the contrary in anywise notwithstanding.

AND BE IT FURTHER ENACTED, That this Act shall be and continue in full Force for the Term of seven Years, and from thence to the End of the next Session of General Assembly thereafter, and no longer.

Collins (1774), p. 107.

An ACT *for Erecting a convenient Gaol in the County of* Cape-May, *and to authorize the Rebuilding and Repairing of the Court-House or Gaol of that County at any Time hereafter.*

WHEREAS the major Part of the Justices and Freeholders of the County of *Cape-May* have, by their humble Petition, set forth, That the Gaol built in the said County by Virtue of an Act passed in the fourth Year of His present Majesty's Reign, entitled, *An* Act *for erecting a new and convenient Court-House and Gaol in the County of* Cape-May, is consumed by Fire, and that the

said Law doth not enable them to rebuild the said Gaol, and therefore have prayed a Law to enable them to build, rebuild and repair all such Gaols and Court-Houses as shall hereafter to them, the said Justices and Freeholders, appear to be necessary, at or near the Place where the late Gaol was erected; and as the same appears reasonable,

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 now are or shall hereafter be chosen in the said County of *Cape-May* (by Virtue of an Act passed in the twelfth Year of the Reign of her late Majesty Queen ANNE, 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 direct and order the raising so much Money as will be sufficient to build a convenient Gaol on or near the Place where the late Gaol stood, and hereafter, from Time to Time, to rebuild and repair the Court-House or Gaol of the said County.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful to and for the said Justices and Freeholders, and their Successors in Office, and they are hereby impowered and directed to raise so much Money from Time to Time as Occasion shall require, as may by them be thought necessary to erect, rebuild and repair any Gaol or Court-House in the said County of *Cape-May,* at or near the Place where they were directed to be erected by the Act before recited, passed in the fourth Year of His present Majesty's Reign.

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 enjoined and required to appoint a Manager in and for each respective Precinct of the said County, not only to carry on and erect, but likewise hereafter to rebuild or repair the said Gaol and Court-House, 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 Sums of Money as shall, from Time to Time, be required for building, rebuilding or repairing the Court-House and Gaol aforesaid, or either of them, provided such Sums of Money do not

exceed the Sums 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 passed in the seventeenth Year of the Reign of the late King GEORGE the second, entitled, *An* Act *to impower the Freeholders chosen in each County of this Colony, 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 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, and entitled 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.

Collins (1774), pp. 107-109.

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 Wharf in the said City by a Tax on the Inhabitants of the said Northern Ward, and for other Uses and Purposes therein mentioned.*

WHEREAS by an Act passed in the eighth Year of His present Majesty's Reign, entitled, *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 Wharf in the said City by a Tax on the Inhabitants of the said Northern Ward,* the Inhabitants of the Northern Ward of the City of *Perth-Amboy* were authorized to amend the publick Roads and Streets, and repair the Town Wharf in said Northern Ward, by a Tax on the Inhabitants of the said Ward: AND WHEREAS the said Act will expire this Session of General Assembly, and the Inhabitants of the said Northern Ward of the said City are desirous to have the same continued, and to be enabled to raise Monies on the Inhabitants of the said Northern Ward for purchasing a Fire Engine or Engines, with Ladders, Buckets, Hooks, Poles and other Instruments useful and necessary for the

same, and to erect a proper House or Houses for the preserving and convenient keeping the same, and for keeping the same in Repair, and to dig such and so many publick Wells, and to fix Pumps therein, as shall be necessary and convenient; 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 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, and for purchasing a Fire Engine or Engines, with Ladders, Buckets, Hooks, Poles and other Instruments useful and necessary for the same, and to erect a proper House or Houses for the preserving and convenient keeping the same, and to keep the same Engines, Buckets and other Instruments and Houses always in Repair and good Order, and also for digging such and so many publick Wells with Pumps, and keeping the same in good Order, as they the said Mayor, Recorder, Aldermen and Common Council Men of the said Northern Ward, or the major Part of them, shall think proper; which Rates or Assessments 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 Housekeepers, 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 Council Men 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 by the Collector of the said Northern Ward; and such Part thereof as shall be collected for the repairing and amending the publick Roads and Streets to be by him paid to the Overseer of the Roads, to be applied to the repairing and amending the publick Roads and Streets and Town Wharf; and such Part thereof as shall be assessed, levied and collected for purchasing a Fire Engine or Engines, and for the other Purposes intended by this Act, to be by him paid to such Person or Persons as the said Mayor, Recorder, Aldermen and Common Council Men, or the major Part of them, shall order or direct, to be applied to the Purposes for which the same was levied.

AND WHEREAS the Town Wharf 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 Council Men 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 Wharf 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 Wharf 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 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 Balance thereof, if any, shall be paid to his or their 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 seven Years, and from thence to the End of the next Session of General Assembly, and no longer.

Collins (1774), pp. 110-12.

An ACT *to impower the Inhabitants of the Townships of* Elsinborough, Pilesgrove *and* Pittsgrove, *in the County of* Salem, *to repair their publick Highways by Hire, and to raise Money for that Purpose.*

WHEREAS sundry Freeholders and Inhabitants of the Townships of *Elsinborough, Pilesgrove* and *Pittsgrove,* in the County of *Salem,* have by their

Petitions humbly prayed a Law to repair their publick Highways by Hire; and as the same appears reasonable,

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, and during the Continuance thereof, all publick Highways in the said Townships shall be repaired, amended, cleared and kept in good Order by Hire; for which Purpose a Rate and Assessment shall be made, from Time to Time as Occasion may require, upon the Goods and Chattels, Lands and Tenements of the Inhabitants of the said Townships on the Pound Value, as in Provincial Taxes (exclusive of Certainties, except all single Men who work for themselves, and are Residents in the said Townships respectively, and Housekeepers whose Tax on their rateable Estates doth not amount to *One Shilling,* who shall be assessed at the Discretion of the Assessor, not under *Sixpence* nor above *Five Shillings:*) And the said Inhabitants at their several 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 in the said Townships, and shall make an Order in Writing, signed by their Clerks respectively, directed to the Assessor of the said Townships, setting forth the Sum to be raised, and a limited Time within which he shall assess the same on 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 the Act for regulating Roads, shall, within ten Days after they are so chosen, repair to a Magistrate of the County, and take an Oath or Affirmation, as the Case may require, for the faithful Performance of their Offices; and when so qualified shall hire Labourers and repair the said Highways whenever it shall become necessary: 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 respective Accounts annually, on or before the second *Tuesday* in *March,* before any one Justice of the Peace of the County, and the two chosen Freeholders of the said Townships; which Accounts, being signed by any two of them for their respective Townships, shall be a sufficient Settlement of the same: And the said Overseers shall retain in their Hands the same Sum per Day as the Labourers receive, for each Day they attend such Labourers in repairing the Highways, and pay the Overplus, if any be, to their Successors; and, on Neglect or Refusal, the said Succcessors shall sue for and recover the same by Action of Debt, in any Court of Record where it may be cognizable, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assessor and Collector for the Time being, chosen by Virtue of former Laws, shall assess and collect all Monies ordered to be raised pursuant to the

Directions of this Act: And the said Collector, within thirty Days after receiving the Duplicates or Assessments, shall collect and pay the Money therein assessed to the Overseers of the Highways of the said Townships severally, to be applied to the Purposes aforesaid: And all Delinquents, who may neglect or refuse to give a true Account of their rateable Estates, shall be proceeded against in the Manner directed by the Sinking Fund Acts: And the Assessors and Collectors shall receive the same Rewards for the Performance, and suffer the same Pains and Penalties for the Neglect of the Duties herein required, as by the said Acts are directed in like Cases.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall neglect or refuse to pay his, her or their Tax or Taxes imposed by this Act, for the Space of ten Days after demanded, or Notice left at their Place of Abode, the Collector shall make out a List of his, her or their Names, and deliver it with the Duplicate and Money collected to one of the Overseers of the Highways of the said Townships; and, when the Highways may want Repair, the Overseers shall warn in so many of such Delinquents as may be necessary, giving each of them one Day's Notice, who shall attend at the Place appointed by the usual Time of beginning a Day's Work, with such Tools as the Overseer shall direct, and proceed to labour the Day through, as is common in private Service; and so from Day to Day, if Need be, until their Taxes are severally paid; and no Person beginning a Day shall depart without the Overseer's Consent, until he hath performed a Day's Labour; and whatever may be earned by any one more than his Tax, shall be paid to such Person by the Overseer who employeed him: And every Person summoned as aforesaid, who shall neglect or refuse to attend and labour as aforesaid, or send a sufficient Hand in his or their Stead, or a Reason for such Non-Attendance, at or before the Time they were to appear, to the Satisfaction of the Overseers, such Person shall forfeit and pay the Sum of *Ten Shillings* for every Neglect or Refusal: And if any Person or Persons shall send a Hand or Hands in Discharge of his or their Tax or Taxes, who is not of Ability of Body, or neglects to perform a reasonable Day's Labour, he or they shall be allowed accordingly, and all unjust Allowances made in this Respect, shall be deducted out of the Overseer or Overseers Accounts who made the same, at the Settlement thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when there may be Occasion to hire Labourers for the Purposes aforesaid, and they cannot readily be met with, the Overseer or Overseers may summon any Person in the said Town, who commonly works by Days Labour, giving the Party summoned one Day's Notice, and every Person so summoned who shall neglect or refuse to attend and labour as before directed, shall forfeit and pay the Sum of *Seven Shillings* for every such Offence, provided no one Person be compelled to work on Hire more than four Days in one Year; and when Teams cannot readily be hired, the Overseers may summon any Person who keeps a Team and Carriage suitable for the Service to send them, giving the Owner two Days Notice; and every Person so summoned, refusing or neglecting to send such Team and Carriage with a Hand to manage the

same, shall forfeit and pay the Sum of *Fifteen Shillings* for every such Offence, provided no one shall be compelled to send a Team more than two Days in one Year, to reckon from the second *Tuesday* in *March;* and a Team of four Creatures and Carriage, with a Hand to manage the same, shall be rated at *Ten Shillings* per Day; and a Labourer from the first Day of *May* to the first Day of *November, Three Shillings* and *Six-pence* per Day, and *Three Shillings* per Day the rest of the Year, they finding themselves Diet, and performing a sufficient Day's Work; but if they shall come late, or idle and neglect their Business, the Overseer shall deduct so much of their Wages as he may think just and reasonable.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Inhabitants of either of the said Townships, at any of their Town Meetings, on Application made by the Overseer of the Highways, shall refuse to order Money to be raised sufficient to keep the Highways within the said Township in good Repair, the said Overseers shall apply to two Magistrates of the County, and the two chosen Freeholders of the said Township, who are hereby commanded to appoint a Time to meet and inspect the said Overseers Accounts; and if, upon such Inspection, they find there is not Money in the Overseers Hands sufficient for the Purposes aforesaid, they shall make an Order commanding the Assessor to assess such Sum or Sums of Money in Manner aforesaid, as they the said Magistrates and Freeholders, or any three of them, may think necessary, on the Inhabitants of the 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 if any Justice of the Peace or Freeholder shall neglect or refuse to do and perform any Matter or Thing enjoined him or them by this Act, or Overseer or Overseers shall neglect or refuse to settle his or their Accounts as aforesaid, and pay the Balance if any be to their Successors, he or they so offending shall forfeit and pay the Sum of *Five Pounds* for every such Offence; which said Fines, and all others imposed by this Act, shall be recovered by the Overseers of the Highways by Action of Debt, in any Court of Record where the Suit may be cognizable, and applied to the Repairs of the Highways in the said Township.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall be and continue in Force three Years, and from thence to the End of the next Session of General Assembly, and no longer.

Collins (1774), pp. 114-16.

An ACT *to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on* Mason's *Creek, in the Township of* Evesham *and County of* Burlington, *to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same.*

WHEREAS the Owners of the Meadows lying on *Mason's* Creek, in the Township of *Evesham* and County of *Burlington,* by their humble Petition have set forth, That there is a considerable Quantity of Swamp or Tide Marsh lying and being on said Creek, which is now useless for want of banking out the Tide from overflowing the same, and therefore prayed that a Law may be passed authorizing and enabling the Petitioners to erect a Dam across the said Creek, from the fast Land of *Abraham Woolman* to the fast Land of *Joseph Engle:* AND WHEREAS it appears that publick Notice of this Application hath been given, and no one attending to shew any Reason to the contrary;

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 for the Owners of the said Meadows and Marsh to erect and keep up in good Repair, or cause to be erected and kept up, a sufficient Bank, Dam and other Waterworks over the said Creek, necessary for keeping out the Tide, from the fast Land of *Abraham Woolman* to the fast Land of *Joseph Engle.*

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

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers appointed by this Act, and the Manager and Managers that shall hereafter be chosen, shall have full Power to cut such necessary Ditches and Drains as may be sufficient at all Times for conducting the Waters to, and venting the same from the Sluices to be erected by Virtue of this Act.

AND, to the End that the said Bank, Dam and other Waterworks, may be immediately erected and done, and at all Times hereafter be well and sufficiently maintained and kept in Repair; BE IT ENACTED *by the Authority aforesaid,* That all the Owners and Possessors of the aforesaid Meadows, Marsh and Swamp, shall and may at all Times (after the ensuing Year) meet and assemble yearly on the first *Tuesday* in *March* at the Dwelling-House of *Abraham Woolman,* or at any other Place where a Majority of the Owners, for the Time being, shall appoint, and there choose, by Plurality of Voices of those so met, one or two of the Owners of the said Meadows to be a Manager

or Managers the ensuing Year, until which Time *Abraham Woolman* and *Robert Engle* are hereby appointed Managers; which Managers, during the said Year, shall have full Power to assess the Owners, 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 the Bank, Dam and other Waterworks as aforesaid, during the said Year; and if any of the Owners shall neglect or refuse to pay such Sum and Sums of Money as shall or may, from Time to Time, be assessed on him or them, for the Space of thirty Days next after the same shall be demanded, it shall and may be lawful for the said Managers, or either of them, their or either of their Successors in Office, to sue all and every such Person and Persons in his or their Names for the respective Sum or Sums of Money so assessed, by 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 further, it shall and may be lawful for the said Manager or Managers, and his or their Successor or Successors, at all Times hereafter, 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 erecting and repairing the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Owners or Possessors shall, at any Time hereafter, neglect to meet on the first *Tuesday* in *March,* to choose Managers as aforesaid, the Manager or Managers, chosen for the preceding Year, shall be continued in said Office from Year to Year until the said Owners and Possessors shall meet and elect others in their Room; and if the said Manager or Managers shall die or remove out of the said County, that then it shall and may be lawful for any one of the Owners or 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 instead of him or them so dead or removed, who shall be vested with the same Power and Authority as if he or they had been chosen on the first *Tuesday* in *March.*

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

AND, in order to ascertain the just Quantity of Meadow that each Owner doth hold within the said Bank, BE IT ENACTED *by the Authority*

aforesaid, That it shall and may be lawful for the said Manager or Managers, his or their Successors, at any Time hereafter, when they shall think proper, to cause all the inclosed Meadow, benefited by the said Dam, to be measured, the Expence whereof to be paid in Proportion as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the natural Watercourse of the said Creek, from the Bank to be erected by Virtue of this Act, so far up as the Tide usually flows, shall at all Times be kept open and clear, that the Water may have sufficient Fall from off the Meadows; and all Mud, Grass or other Rubbish that may be thrown or dragged thereout, shall be equally divided as near as may be to each Side of said Creek.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any of the Owners or Possessors of said Meadow and Swamp shall not reside within the Province of *New-Jersey,* or have any Person to represent them to pay the Sum or Sums of Money assessed as aforesaid, that then it shall and may be lawful for the Manager or Managers, for the Time being, to rent out Part of the said Meadow or Swamp belonging to the said Owner or Possessor, 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, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Managers now appointed, or hereafter to be chosen by Virtue of this Act, or either of them, shall neglect or refuse to perform the several Duties herein enjoined, then the said Manager or Managers so neglecting or refusing, shall forfeit the Sum of *Six Pounds* Proclamation Money for each Neglect or Refusal, to be recovered by Action of Debt as aforesaid, by any of the Owners of the said Meadows, or by the succeeding Manager or Managers, with Costs of Suit, to be applied towards supporting the said Bank, Dam and Water-works.

Collins (1774), pp. 116-19.

An ACT *to enable the Owners and Possessors of the low Lands, Meadows and Swamps on both Sides of* Assunpink *Brook, from the Line commonly called* George Keith's *to the Lands of* John Ely, *to remove the Obstructions to the free Course of the Waters of the same Brook.*

WHEREAS the Owners and Possessors of the Meadows, low Lands and Swamps lying and being on both Sides of *Assunpink* Brook, have by their

humble Petition prayed a Law to enable them to clear and keep the said Brook free from all Obstructions, from the Line commonly called *George Keith's,* where it crosseth the said Brook, unto the Lands of *John Ely,* in order to prevent the said Meadows, low Lands and Swamps, from being overflowed; and the same appearing reasonable,

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 said Meadows, low Lands and Swamps, are hereby authorized and enjoined to clear and remove every Obstruction to the free Passage of the Waters in the same Brook, within the Limits aforesaid, in Proportion to the Quantity of Meadow, low Lands and Swamps benefited thereby, and the same to keep so cleared from Obstructions for-ever hereafter.

BE IT ALSO ENACTED, That *John Chamberlain,* Esquire, *John Hammel* and *Dominicus Covenhoven* are hereby appointed, and shall continue Managers until the fourth *Tuesday* in *May* in the Year of our Lord One Thousand Seven Hundred and Seventy-five; and that it shall and may be lawful for the said Managers, or a Majority of them, or their Successors in Office hereafter to be chosen, in case any Person or Persons shall neglect or refuse to clear his, her or their proportionate Part of the Brook aforesaid, for the Space of three Years next after the Publication of this Act, to enter into and upon the Meadows, low Lands and Swamps of all Persons whatsoever so neglecting or refusing the Duties required by this Act, and lying on or benefited by clearing of the same Brook, and to remove every Obstruction to the Passage of the Waters thereof, and the Mud or other Obstructions taken out of the same, equally to throw on the Meadows, low Lands and Swamps next adjacent.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the same Managers and their Successors, or the Majority of them, shall and may, and they are hereby authorized, from Time to Time, to assess such Sum or Sums of Money as shall be necessary to defray the Expence of cleansing and removing the Obstructions aforesaid; or for keeping the said Brook so cleansed on all the Proprietors and Possessors of the said Meadows, low Lands and Swamps, so benefited as aforesaid, and so neglecting the Duties aforesaid, in Proportion to the Quantities of Meadows, low Lands and Swamps benefited thereby, or for any other Purpose herein mentioned; and shall and may demand and receive of all and every the Proprietors and Possessors aforesaid, such Sum or 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.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Owners and Possessors of the said Meadows, low Lands and Swamps, or as many as shall choose to attend, to meet at the Dwelling-House of *Thomas Hooper,* in the Township of *Windsor,* on the fourth *Tuesday* in *May* aforesaid, and yearly and every Year for-ever

thereafter, or at such other Place as the Managers for the Time being shall appoint, who, or the major Part so met, shall have Power to continue the said Managers or any of them, or choose three others, being Owners and Possessors of the said Meadows, low Lands and Swamps, to be Managers; which said Managers so elected 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 chosen, invested with all the Powers and Authorities herein before given to the said *John Chamberlain, John Hammel* and *Dominicus Covenhoven,* or either of them.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, that now is or hereafter shall be appointed or chosen a Manager or Managers as aforesaid, shall neglect or refuse to take upon him or them the Execution of the Powers herein before given, he or they so neglecting or refusing, shall forfeit and pay the Sum of *Five Pounds,* to be sued for and recovered as herein before is directed, by any of the Owners and Possessors of said Meadows, low Lands and Swamps, and applied to the clearing and removing the Obstructions in the said Brook: And in case any of the Managers that now are appointed, or shall hereafter be chosen by Virtue of this Act, shall die or remove before the Expiration of the Time for which he or they are appointed or chosen, or refuse to take upon them or himself the Execution of the Powers hereby given, then and in such Case it shall and may be lawful for the Owners and Possessors of the said Meadows, low Lands and Swamps, or the major Part of them who shall choose to attend, to meet and assemble together, and choose a Person or Persons to supply the Place or Places of such Manager, so refusing, removing or dying: And the Person or Persons so chosen, shall have all the Power and Authority herein before given to, and subject to the same Penalties herein before set on, the Managers appointed by this Act.

AND BE IT ENACTED *by the Authority aforesaid,* That the Managers appointed, and hereafter to be chosen by Virtue of this Act, shall have, for each Day they shall be employed in the Overseeing and Discharging all or any the Duties enjoined or required of them by Virtue of this Act, the Sum of *Five Shillings*.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, after the Publication of this Act, shall presume to fall any Tree or Trees, or cast any Thing whatsoever into the said Brook, that shall or may obstruct or be an Impediment to the free Course of the said Brook, within the Limits aforesaid, he, she or they so offending, shall forfeit the Sum of *Forty Shillings,* to be recovered by the Managers as herein before is directed, and to be by them applied to the Purposes aforesaid.

Collins (1774), pp. 120-22.

An ACT *to enable the Owners and Possessors of a Tract of Marsh and Meadow in* Lower-Penn's-Neck, *in the County of* Salem, *to uphold and maintain a certain Bank for draining the said Marsh, and for other Purposes therein mentioned.*

WHEREAS the Owners and Possessors of certain Marsh and Meadow in *Lower-Penn's-Neck,* in the County of *Salem,* have presented a Petition praying for a Law to enable them to keep up and maintain a certain Bank, beginning at *Fishing Island* and extending to *Stony Island,* and for keeping the Sluices and Drains in good and sufficient Repair; and it appearing that publick Notice hath been given of this Application, and no Objection being made thereto,

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 said Owners and Possessors, their and each of their Heirs and Assigns, or their or each of their Tenants, and they and each of them are hereby authorized and enjoined to uphold, keep up and maintain the Bank aforesaid, and all such Sluices and Drains as now are, or hereafter may be thought necessary to be made for carrying off the Water, and for preventing the Marsh or Meadow from being overflowed by the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Owners and Possessors of the said Marsh or Meadow shall meet and assemble yearly and every Year on the third *Tuesday* in *March,* or any other stated Time they or the major Part of them shall think proper, at the Dwelling-House of *Hans Lambson,* or any other Place appointed, and there, by a Majority of Voices, choose two Persons to be Managers for the ensuing Year, and *Whitton Crips* and *Joseph Copner* are hereby appointed to be the present Managers.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers hereby appointed, or hereafter to be chosen, shall, from Time to Time, inspect the State and Condition of the said Bank, Sluices and Drains; and when they are found to be defective or out of Repair, the said Managers, or either of them, are hereby enjoined immediately to give Notice thereof to the Owner or Possessor or Owners or Possessors of the Marsh or Meadow to whom it shall belong, to keep the said Bank, Sluice or Drain in Repair; and if in four Days after the said Notice shall be given, the Owner or Owners, Possessor or Possessors of such Marsh or Meadow, shall neglect or refuse to repair the said Bank or Sluice, or to clear the said Drain, it shall then be lawful for the said Managers, and they are hereby authorized to enter upon the Premises, and to cause such Bank or Sluice to be repaired, or such Drain cleared out, and the Charges thereof to recover before any Justice of the Peace for the said County, or 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 several Owners and Possessors of the said Tract of Marsh or Meadow shall, and they and each of them are hereby enjoined to maintain and keep up so much of the said Bank, and such Sluice or Sluices as shall front upon such Marsh or Meadow respectively belonging to them, and also to keep clean all such Division Drains as are necessary to carry off the Water from the same; and where such Drains are in the Line of Division, all Mud, Sand or Rubbish cleared from the same, shall be thrown in equal Proportions on the Marsh or Meadow bordering thereon; and each Owner or Possessor shall and is hereby enjoined to cause his or her Proportion of Bank to be mowed twice in each Year, *That is to say,* between the twentieth Day of *June* and the first Day of *July,* and between the first Day of *August* and the first Day of *September.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all Division Drains shall be eight Feet wide and three Feet deep, and shall be esteemed and held to be a lawful Fence; and all Damages done by Cattle trespassing over the same, shall be recovered as is directed by the Act in such Cases made and provided.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Owners and Possessors, or the major Part of them, shall neglect to meet on the Day appointed to choose Managers (without such Meeting shall be adjourned by joint Consent) then, and in such Case, the Managers chosen for the preceding Year shall be continued in Office the ensuing Year, and so continue from Year to Year until the said Owners and Possessors, or the major Part of them, shall meet and elect other Managers in their Room; and shall have the same Power and Authority to all Intents and Purposes as if the said Owners had met and elected them agreeable to the Directions of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if either or both of the said Managers, hereafter to be chosen, shall die or remove out of the said County, then it shall and may be lawful for any one of the Owners and Possessors of the said Marsh or Meadow to notify the other Owners and Possessors to meet at a Time and Place by him to be appointed, at least within ten Days after such Notice given, to choose a Manager or Managers in the Room of him or them so dead or removed; and the Manager or Managers so chosen, shall be invested with the same Power and Authority as if he or they had been chosen on the Day by this Act appointed; and if any Manager or Managers now or hereafter to be nominated shall neglect or refuse to perform the Duties required of him or them by this Act, then either of the said Managers so neglecting or refusing shall forfeit the Sum of *Five Pounds* lawful Money of this Province, to be recovered by Action of Debt, by any of the said Owners or Possessors, or by the succeeding Manager or Managers with Costs of Suit, to be applied towards maintaining the said Banks and Sluices in good and sufficient Repair.

Collins (1774), pp. 122-25.

An ACT *to enable the Owners and Possessors of a Tract of Marsh and Swamp in* Upper-Penn's-Neck *in the County of* Salem, *to erect and maintain a Bank, Dam and other Waterworks, in order to prevent the Tide from overflowing the same.*

WHEREAS the Owners and Possessors of a Tract of Marsh and Swamp in *Upper-Penn's-Neck* in the County of *Salem,* have by their Petition represented, that preventing the Tide from overflowing the same would be of great Benefit to them; and due Notice having been given, and no Objection appearing thereto,

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 Owners and Possessors of the said Marsh and Swamp to make, or cause to be made a good and sufficient Bank, Dam and other Waterworks 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 Waterworks 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 of Marsh and Swamp that each of the Owners or Possessors now do, or hereafter may hold within the said Bank and Dam; which Bank shall begin at and join the Bank of *William Beetle,* and, crossing *Deep Creek,* be continued to the fast Land of *John Pitman.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Owners and Possessors of the Marsh and Swamp on both Sides of all Partition Ditches or Drains already made, or that hereafter may be made, shall equally cleanse the same; and if any Owner or Possessor shall neglect or refuse to clean his proportionable Part or Share for the Space of six Weeks after Request made by the adjacent or other Owners and Possessors, Manager, or any of them for that Purpose, it shall and may be lawful for the Owner or Possessor of the Marsh or Swamp, divided by or adjoining the Ditch or Drain aforesaid, or others damaged thereby, to perform the same, and recover the Costs and Charges thereof in any Court where the same may be cognizable; and all Partition Ditches or Drains of eight Feet Wide at the Top, and three Feet deep, shall be esteemed lawful Fences within the said Marsh and Swamp, and Damages shall be recovered for Trespasses over the same, as is directed by an Act, entitled, *An* Act *for Regulating Fences.*

AND, to the End that the said Bank, Dam and other Waterworks may be immediately erected, and at all Times hereafter well and sufficiently supported and maintained, BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Owners and Possessors of the aforesaid Marsh and Swamp shall and may at all Times after the ensuing Year, on the third *Tuesday* in

March yearly and every Year, meet at the present Dwelling-house of *Jacob Savoy,* or where-ever else the Majority of them shall appoint, and then and there, by Plurality of Voices of those so met, elect and choose one of the Owners or Possessors thereof to be a Manager the ensuing Year (until which Time *Jacob Savoy* 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 Waterworks for the said Year; and if the said Owners or Possessors, 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 for the Space of thirty Days 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 any Court where the same may be cognizable; 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 Loam, 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 as aforesaid shall neglect to meet, on the said third *Tuesday* in *March* yearly as aforesaid, to choose a Manager, then and in such Case the Manager chosen for the preceeding Year shall be continued in said Office the ensuing Year, and so continued from Year to Year until the 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 agreeably to the Directions of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Manager shall die or remove out of the said County, then and in such Case it shall and may be lawful for any Owner or Possessor to warn in the other Owners and Possessors to meet at the Place aforesaid, on a Day by him to be appointed, giving each of them ten Days Notice, to choose a Manager in the Room of him so dead or removed as aforesaid; and the said Manager so chosen in Consequence of said Meeting, shall be invested with the same Power and Authority as if he had been chosen on the said third *Tuesday* in *March.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, so chosen as Manager, 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 and Possessors before any one Justice of the Peace of the said County, and applied towards the supporting the said Bank, Dam and other Waterworks as aforesaid, with Costs of Suit.

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 therefrom *One Shilling* in the *Pound* for all Monies by him expended for the Purposes aforesaid: And if the said Manager shall neglect or refuse to account and pay the Balance remaining in his Hands to the succeeding Manager, it shall and may be lawful for the succeeding Manager to sue for and recover the same, with Costs of Suit, in Manner aforesaid.

AND, in order to ascertain the Proportions aforesaid, it shall and may be lawful for the said Manager, at any Time hereafter, if found necessary, to cause all the said Marsh and Swamp to be measured, the Expence of which 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 it shall and may be lawful for any Tenant or Tenants, which are or shall be in Possession of any Part of said Marsh and Swamp, 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.

Collins (1774), pp. 125-28.

An ACT *for erecting a Dam, Mills and other Waterworks on* Nacut *Creek, in the County of* Gloucester, *and to indemnify those whose Property may be injured thereby.*

WHEREAS *Evi Smith, Hugh Mac Collum* and *Richard Westcot,* owning the Lands on both Sides of *Nacut* Creek, in the Township of *Great-Egg-Harbour,* in the County of *Gloucester,* near the Fork of the said Creek, a little above *Indian Landing,* have proposed to build a Grist and Saw Mills at the said Landing: AND WHEREAS sundry Inhabitants living near the said Fork, by their Petition to the Legislature of this Province have, in order to obviate the Objections of certain Persons holding Lands and Mills above the said Fork, on the Branches of the Creek, represented that the said *Nacut* Creek is not, in their Apprehension, navigable above the said Landing, nor ever has been so,

or capable as they conceive, of being made navigable: That the erecting of a Grist Mill at the Place aforesaid would be of publick Utility, and praying a Law to authorize the Erection of the said Dam and Mill;

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 to and for the said *Evi Smith, Hugh Mac Collum* and *Richard Westcot,* their Heirs and Assigns, to make and erect the said Dam sufficiently wide and strong for the Purposes aforesaid, at the Place proposed; and to erect and build thereon such Mills and other Waterworks as they may think beneficial and convenient, any Law to the contrary notwithstanding.

AND WHEREAS it is highly reasonable that every Person whose Property may be injured by the Erection of the said Dam, Mills and Waterworks, should be reasonably compensated therefor, and the Petitioners have agreed to place in the Dam so to be erected, and keep in good Repair, Floodgates sufficiently wide to give a reasonable Passage for the Transportation of Lumber through the same, which the Pond raised by the Dam will enable them to do, BE IT ENACTED, That the said *Evi Smith, Hugh Mac Collum* and *Richard Westcot,* their Heirs or Assigns, shall place in said Dam, and during the Continuance thereof keep in Repair, one good Pair of Floodgates sufficiently wide and large to give a reasonable and convenient Passage for the Transportation of Lumber or other Property through the same, down the said *Nacut* Creek, at proper Seasons for that Purpose.

AND, in case the said *Evi Smith, Hugh Mac Collum* and *Richard Westcot,* their Heirs or Assigns should, in erecting their said Dam and Works, either overflow the Grounds of any other Person or Persons, or injure his, her or their Property, it shall and may be lawful to and for the Person or Persons so injured (if the Parties cannot agree upon or ascertain the Value of the said Lands so overflowed, or the Quantum of such Damage themselves) to request the Attendance of *Micajah Wills,* Esquire, *Isaac Evans, Zachariah Rossel, Benjamin Thomas* and *Robert Mattocks,* on the Premises, to view the same, first giving at least twenty Days Notice to the said *Evi Smith, Hugh Mac Collum* and *Richard Westcot,* their Heirs or Assigns, of the Time when the said Arbitrators are to meet; which said five Arbitrators, or any three of them, after due Proof to them of Notice as aforesaid, and a full Hearing of the Parties on both Sides, shall have Power to award and determine the Value of the Land so overflowed, and the Amount of the Damages done by the said Dam and Works, to such Person or Persons apprehending him, her or themselves injured: And the said *Evi Smith, Hugh Mac Collum* and *Richard Westcot,* their Heirs or Assigns shall pay the Sum or Sums so awarded, agreeable to the Justice, Intent and Direction of the said Award.

AND in order to prevent Doubts and Contention, and more effectually to carry the said Award into Execution, the same shall be put in Writing, and a fair Copy made thereof, both which shall be signed by at least three of the said Arbitrators, and one Part delivered to each of the Parties; which Award so made and delivered shall be binding and conclusive to all Intents and Purposes; and on Demand and Refusal of the Monies, so awarded to be paid,

in the Presence of one Witness, it shall and may be lawful to and for the Party, in whose Favour the said Award shall be made, to apply to the Inferior Court of Common Pleas, or a Magistrate of the County, as the Case may require, for a Scire Facias against the said *Evi Smith, Hugh Mac Collum* and *Richard Westcot,* their Heirs or Assigns, to shew Cause for such Refusal: Which, if not done so as to impeach the Integrity of the said Arbitrators, or to manifest a plain Deception, to the Satisfaction of the said Court or Magistrate, after hearing of the Arbitrators, or some of them signing the said Award, the Court or Magistrate shall have full Power to give Judgment and award Execution as usual.

Collins (1774), pp. 128-30.

An ACT *to enable sundry of the Owners and Possessors of Meadows and Tide Marsh lying on* English's *Creek, in the County of* Burlington, *to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same, and to keep the former Course of said Creek open and clear, and to make the said Dam when erected a publick Landing.*

WHEREAS *Joseph English* and others by their humble Petition have set forth, That there is a large Quantity of Swamp or Tide Marsh lying and being on the Creek, commonly called *English's* Creek, in *Mansfield* in the County of Burlington, which is now useless for want of banking out the Tide from the same, and therefore prayed, that a Law may be passed authorizing and enabling the Petitioners to erect a Dam across the said Creek from the fast Land of *Thomas English,* junior, to the fast Land of *Joseph English:* AND WHEREAS it appears that the usual publick Notice of this Application hath been given,

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 said Meadows and Marsh to erect and keep in good Repair, or cause to be erected and kept up and in good Repair, a sufficient Bank, Dam and other

Waterworks over and across the said Creek, known by the Name of *English's* Creek, necessary for keeping out the Tide, from the fast Land of *Thomas English,* junior, to the fast Land of *Joseph English,* senior; which Bank and Dam, so to be erected over and across the said Meadows, Marsh and Creek, is to be for-ever hereafter kept up and maintained by the Owners and Possessors of the said Meadows and Marshes benefited thereby; and is to be at or near the Channel of the said Creek, of the Breadth of twenty-four Feet, and is so to continue of that Breadth, in Length from the Gates eight Rods.

AND BE IT ENACTED *by the Authority aforesaid,* That the natural Watercourse of the said Creek, from the Bank to be erected by Virtue of this Act, so far up as the Tide usually flows, shall at all Times be kept open and clear, that the Water may have a sufficient Fall from off the Meadows; and all Mud, Grass or other Rubbish that may be thrown or dragged thereout 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 Waterworks may be immediately erected and done, and at all Times hereafter be well and sufficiently maintained and kept in Repair; BE IT ENACTED *by the Authority aforesaid,* That *Joseph English,* senior, and *Samuel English,* be, and they are hereby appointed the present Managers; which Managers shall have full Power to assess the said Owners and Possessors in Proportion to the Quantity of Marsh and Meadows he or they shall hold, 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 Waterworks; 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, be assessed on him or them, for the Space of thirty Days next after the same shall have been demanded, it shall and may be lawful for the said Managers and their Successors, 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, by 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 further, it shall and may be lawful for the said Managers and their Successors, at all Times hereafter, 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 and repairing the same.

AND BE IT FURTHER 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 at any other Time they shall think proper, at the present Dwelling-house of *Joseph English,* senior, or at any other Place appointed, and there choose two Managers, who are hereby invested with the same Powers as in and by this Act are given to the Managers before mentioned; and if the said Owners and Possessors shall neglect to meet on the Times aforesaid for choosing Managers, in such Case

the Managers, hereby appointed or chosen for the preceding Year, shall continue and have the same Powers until new ones are chosen as aforesaid: And in order to ascertain the just Quantity of Meadow or Marsh each Owner or Possessor doth hold within the said Bank, it shall and may be lawful for the said Managers at any Time hereafter, when they shall find it necessary, to cause the same to be measured, the Expence whereof to be paid by the said Owners and Possessors in Proportion as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every of the 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* and *Six-pence* 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 FURTHER ENACTED *by the Authority aforesaid,* That when it shall happen at any Time that the Owners of any of the aforesaid Meadows shall not reside within the Province of *New-Jersey,* 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 Managers, for the Time being, to rent out Part of the said Meadow, 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, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Dam, when erected over and across the said Creek, shall be and hereby is declared a publick Landing; and that it shall and may be lawful for all Persons whatsoever to land, or cause to be landed on the said Bank, on the East Side of the Gates, Wood, Plank, Timber or any other Merchandize, without any Molestation from any Person or Persons whatsoever, any Thing herein before contained to the contrary thereof in any wise notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That an Act made in the Twelfth Year of His Majesty's Reign, entitled, *An* Act *to enable sundry of the Owners and Possessors of Meadows and Tide Marsh, lying on* English's *Creek in the County of* Burlington, *to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same, and to keep the former Watercourse of said Creek open and clear, and to make the said Dam when erected a publick Landing;* and every Clause, Article and Thing therein contained shall be, and the same is hereby repealed.

Collins (1774), pp. 130-33.

An ACT *to enable the Owners and Possessors of the Meadows and Marsh adjoining* Repaupa *Creek, in the County of* Gloucester, *to erect, cast up, repair and maintain a Dam and Bank and Waterworks sufficient to prevent the Tide from overflowing the same.*

WHEREAS the Owners and Possessors of the Meadows and Marsh lying on *Repaupa* Creek, in the County of *Gloucester,* have, by their humble Petition, requested a Law to enable them to erect a Dam across the said Creek, to cast up a Bank, and make such Waterworks as may effectually prevent the Tide from overflowing the said Meadows and Marsh; 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 and Marsh to meet on the Day next following the annual Town-Meetings yearly and every Year, the first Time at the now Dwelling-house of *John Shaw,* and afterwards at such Place as the Owners and Possessors shall adjourn to, and by Plurality of Voices of the Persons so met, to choose one Clerk, three Managers and one Assessor, all living in said County, and interested in said Meadows, for the Year next ensuing such Choice; and until such Choice is made, *Thomas Clark* is appointed Clerk and Assessor, *James Steelman, James Hinchman* and *Thomas Clark,* Managers; which said Clerk shall, at the Expence of said Owners and Possessors, provide himself with a Book wherein he shall enter the Names of all the said Owners and Possessors, and make fair Entries of all their Proceedings at their Meetings, and all such other Entries from Time to Time as may be thought necessary for the well ordering of their Affairs; and the said Managers now appointed, or hereafter chosen as aforesaid, shall, as soon as may be, after the Publication of this Act, call a Meeting of the said Owners and Possessors, giving each of them Notice in Writing at least ten Days before the Day of Meeting, in order that the said Owners and Possessors, or the Majority of them, may give the said Managers Instructions to agree upon a Sum of Money to be raised, and the Mode of raising what may be immediately necessary, before said Meadows and Marsh can be measured and valued; after which, said Managers shall proceed to cast up a Bank from the Land of *Thomas Thomson,* called *Thomson's Island,* in such Place, and of such Size, Shape and Dimensions, as the said Owners and Possessors, or the major Part of them shall direct, unto the Bank of *Lynford Lardner;* and also erect and make a good and sufficient Dam across the said Creek, with such other Waterworks as may be necessary effectually to prevent the Tide from overflowing said Meadow and Marsh: And when the said Dam and Bank are so erected and made, they shall at all Times hereafter be upheld, maintained and kept in good Repair by the Managers for the Time being; for which Purpose they shall defend said Dam and Bank from the Wash of the Tide by Wharfing, building Stone Walls or otherwise, as the said Owners

and Possessors, or the major Part of them, shall from Time to Time order and direct; and may dig Mud, Loam or Sand the most convenient and of least Damage to the Owners of the Soil for the Purposes aforesaid: And the said Managers shall also keep the natural Watercourse of the said Creek, up to the Line between *James Steelman* and *Daniel Sutherland* and *Purgo-Branch,* as far up as *William Rawson's* House, at all Times open and clear, so as to give the Water a sufficient Fall off said Meadows; and all the Mud and Rubbish, taken or cast out of said Creek and Branch, shall be thrown as equally as may be on each Side: All which Costs and Expences of so erecting, upholding, maintaining and defending said Dam, Bank and other Waterworks, and keeping said Creek and Branch open and clear, shall be paid by the said Owners and Possessors in Proportion to the Quantity and Quality of the Meadows and Marsh they severally hold, which are or may be benefited thereby, so far up as the Watercourse is kept open and clear at the Expence of the said Owners and Possessors.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Owners and Possessors at their annual Meeting, or at any other Meeting when summoned by the Managers for the Time being, having given ten Days publick Notice, shall direct so much Money to be raised for the Purposes aforesaid, as the Majority of the Owners and Possessors 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 when the Assessment shall be made and delivered to the Managers: And the Assessor so chosen as aforesaid, on the Receipt thereof, shall assess the same accordingly, in the Proportion aforesaid, and shall receive *Ten Shillings* for every such Assessment, to be paid by the Managers out of the common Stock: 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 the said Managers, or either of them, shall and may recover the same by Action of Debt in any Court of Record where the same may be cognizable, with Costs of Suit; and upon Oath or Affirmation of either of said Managers or other Person that such Demand was made, 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 or Return, Judgment would be insisted on, the Court in which or Justice before whom the said Action may be commenced, shall immediately give Judgment and award Execution for the Sum due, with Costs, unless the Defendant shall appear and plead, and consent to try the same at such Time and Place as the Court in which, or Justice before whom the Cause may depend, shall appoint.

AND BE IT ENACTED *by the Authority aforesaid,* That for the Security of the Monies which shall be assessed and levied or become due in Virtue of this Act, all and singular the Meadow and Marsh of every Owner and Possessor and Manager now appointed or chosen as aforesaid, shall be subject and liable to the Payment of all and every Sum or Sums of Money that shall be assessed on, 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 Money received: And the said Meadows and Marsh shall be esteemed a Pledge for the Payment of said Monies into whose Hands soever they may come, in like Manner as if they had been mortgaged therefor by the Owner or Owners: And the Managers may enter upon and take the Rents, Issues and Profits thereof, for Satisfaction of said Debt, or Monies, after Judgment obtained as aforesaid, or sell the same by Virtue of the said Judgment by publick Vendue, for such a Number of Years as will raise the said Assessments, as they shall think most expedient.

AND BE IT ENACTED *by the Authority aforesaid,* That the Managers shall, within one Year after the said Dam and Bank are made and completed (or sooner if ordered by the Owners and Possessors at any of their legal Meetings) cause all the said Meadows and Marsh to be measured, a correct Map to be made of the Whole, and the Quantity each Person holds entered in the Clerk's Book, with the Value each Lot is rated at, as hereafter directed: And all Assessments made thereon shall be in Proportion to such Measurement and Valuation: And in order to have such Valuation equitably made, the said Owners and Possessors at any of their said Meetings, when two Thirds of the Owners in Value are present, may choose five disinterested Persons to view and value all the Meadow and Marsh benefited by the said Dam and Bank as aforesaid, and make Return thereof under their Hands, or the Hands of any three of them; but as the Difference in the Value of said Meadow and Marsh cannot be fully discovered until after the same are improved, it shall and may be lawful for the Owners and Possessors, at the annual Meeting, next after the Expiration of five Years from the first Valuation, to order a Review and Valuation in Manner aforesaid: And at either of the two annual Meetings next after the Expiration of other five Years, the Owners and Possessors may, if they think it necessary, choose other Persons, and cause all the said Meadows and Marsh to be viewed and valued again in Manner aforesaid, each Valuation to be returned and recorded in the Clerk's Book; and all Assessments to be regulated by the Valuation next preceding; the Cost and Expence of such Measurement and Valuation to be paid by the Owners and Possessors in Proportion as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Owners and Possessors shall neglect to meet on the Day next following the annual Town Meetings, to choose a Clerk, Managers and Assessor as aforesaid, those chosen for the preceding Year shall be continued in Office from Year to Year, until others are chosen in their Room: And if any Manager or Assessor, chosen as aforesaid, shall die or remove out of the said County, or refuse to act, it shall and may be lawful for any one of the said Owners and Possessors to warn in the other Owners and Possessors, giving each of them ten Days Notice, to meet at the Place last adjourned to, and choose a Manager or Managers or Assessor in the Stead of him or them so dead, removed or refusing to act, who shall be vested with the same Power and Authority as though he or they had been chosen on the Day aforesaid,

appointed for the Purpose: And when at any Time a Manager or Managers shall die, remove or refuse to act, the Survivors or Survivor shall be vested with the whole Power of acting until others or another is chosen.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That at any Time when a Majority in Value of the said Owners and Possessors, at any of their Meetings as aforesaid, shall judge it necessary, they may order the said Managers to dig one or more large Ditch or Ditches of such Width, and in such Place or Places as they shall direct to be dug, and afterwards kept open by the Managers at the common Expence, in Proportion as aforesaid: And all Line Ditches necessary for draining the said Meadows shall be dug and kept open, agreeable to the Directions of the Managers, by and at the Expence of the Owners of the Soil adjoining, in Proportion to the Quantity of Meadows they severally hold and are benefited thereby; and if any of the said Owners shall neglect or refuse to dig, or cleanse their Proportion of such Line Ditches for three Months after Orders for that Purpose are given in Writing by the said Managers, or any two of them, it shall and may be lawful for any Person or Persons injured thereby, to enter upon the Premises, and dig or cleanse such Ditch or Ditches (the Mud both in these and the large Ditches to be cast as equally as may be on each Side) and recover the Cost and Expence by Action of Debt against the Person or Persons whose Duty it was to have performed the same in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* 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 or Breaches 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 Offence, to be recovered in Manner aforesaid; and any Person aggrieved shall have equal Authority with the Managers to repair such Breach or Breaches, and shall recover the said Fine or Fines, and pay himself, and return the Overplus, if any be, to the succeeding Managers; but if it should not be sufficient, the Remainder of the said Expence to be paid out of the common Stock.

AND WHEREAS there are many Lots of Marsh which must necessarily be inclosed within the said Bank, the Owners whereof are not known, or live out of the County or Province and cannot be applied to, or may refuse to join in the Expence of erecting the said Dam and Bank; therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That all Lots of Marsh included as aforesaid, and benefited thereby, whose Owner or Owners are not known or do not live within the County of *Gloucester,* and who shall not themselves, or some Person in their Behalf, pay all Taxes or Assessments laid on their respective Lots in Virtue of this Act, within six Months after he, she or they are assessed, it shall and may be lawful for the Managers, for the Time being, to lease out such Lot or Lots for a Number of Years sufficient to raise the Tax due or payable on each of them respectively; and the Person or Persons so taking them shall have, hold and enjoy as full and perfect an Interest in such Lot or Lots as if he, she or they held immediately under the

Owner or Owners, and shall pay all the Rates or Assessments to which said Lot or Lots may be subject during the Continuance of his, her or their Lease or Leases; but if the Owner or Owners of any or every of said Lots should appear, and incline to have their said Lots in his or their Own Possession, on paying such Sum or Sums of Money as two indifferent Men, chosen by the Parties, shall judge due to such Tenant or Tenants over and above all Costs of Improvement and Taxes paid in Virtue of this Act, Possession of such Lots shall be delivered up to such Owner or Owners.

PROVIDED ALWAYS, That before any Manager or Managers shall so lease out the same Lot or Lots, publick Notice shall be given in the *Pennsylvania Gazette,* for at least three Months next before the Time in which such Lease or Leases are intended to be made, specifying the Assessments on such Lot or Lots intended to be leased, the Place where the same lies, the Owner or Owners Names if known, and the Intentions of so leasing the Lands subject to such Assessments, if not paid.

AND WHEREAS it will be necessary to raise Money for the erecting said Dam and Bank, before each Owner's Proportion can be truly ascertained, by measuring and valuing the said Meadow and Marsh; therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That at their first Meeting after the Publication of this Act, the said Owners and Possessors shall order such a Sum or Sums of Money to be raised as may appear immediately necessary for the Purposes aforesaid; which said Sum or Sums the said Owners and Possessors may raise, by entering into voluntary Subscriptions; and the Managers shall keep an exact and particular Account of the Persons Names of whom, and the several Sums received, and the Time of receiving such Subscription Money; but if the said Owners and Possessors of the said Meadows and Marshes should decline raising it in that Way, or cannot raise the Whole, then it shall and may be lawful for the Managers to borrow the said Sum or Sums, in Whole or in Part, and give their own Bond or Bonds therefor in Behalf of the said Owners and Possessors, for all which Money Interest shall be paid by the Owners and Possessors from the Time it comes into the Managers Hands; which Monies with the Interest the Managers, for the Time being, shall discharge and pay within one Year after said Meadows and Marsh are measured and valued by an Assessment made on the said Owners and Possessors in the Proportion aforesaid; on Failure whereof the same may be recovered of the said Managers in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers, for the Time being, shall yearly and every Year account to the Owners and Possessors at their annual Meeting, by producing fair Accounts of all Monies by them received and expended in Virtue of this Act, as also of their Time and Trouble in discharging their Duty as Managers; and after deducting *One Shilling* and *Six-pence* in the *Pound* for erecting and completing the said Dam and Bank, and *One Shilling* afterwards for all Monies by them collected and expended, and such other Fees as the Majority of the Owners and Possessors then met may judge their Services Deserve, shall deliver the

Balance in their Hands, if any be, to their Successors; and if they or either of them shall refuse to account and pay the Balance as aforesaid, the succeeding Managers shall sue for and recover what appears to be in their Hands by Action of Debt, or otherwise, in any Court where the same is cognizable, 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 Meadow or Marsh (except such who hold under the Managers as aforesaid) 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 paid or Service done shall be allowed out of the Rent due, owing or payable from such Tenant or Tenants.

AND WHEREAS there are sundry Persons who alledge they shall be damaged by the said Dam and Bank being erected as aforesaid, which, if made appear, the said Owners and Possessors are willing to pay and make good; therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That at the first annual Meeting after the said Dam is made, and the Tide stopped from flowing up said Creek, the Persons alledging Damage as aforesaid, shall attend and choose two disinterested Persons, and the said Owners and Possessors two, against whom the opposite Side hath no reasonable Objection, and one other mutually between them; which five Men shall proceed to hear such Complainers in the Presence of the Managers, and such of the Owners and Possessors as choose to attend, and shall assess and fix the Damage which they may judge to be justly due to them, or any of them, by Reason of the said Dam and Bank being erected and made as aforesaid, and shall set forth each Man's Share in Writing signed by them, or any three of them, and shall make out two Copies thereof, one to be delivered to the Managers, and the other to the Complainers; which said Sum or Sums so assessed and fixed, shall be paid and discharged by the said Owners and Possessors with Interest from the Date of such Assessment or Award; for which Purpose the Managers shall order the Assessor to assess the said Sum or Sums immediately on the said Owners and Possessors in the Manner and Proportion aforesaid, which the said Managers shall collect and pay as soon as may be; and in case of Refusal or Failure for the Space of six Months, the Person or Persons to whom such Damage was assessed as aforesaid, may recover the same of the said Managers by Action of Debt, in any Court where the same may be cognizable, with Costs of Suit. PROVIDED ALWAYS, That if any of the Men chosen as aforesaid shall die or refuse to serve, a Meeting shall be called to choose others, and the Complainers notified of the Time and Place of such Meeting.

AND WHEREAS the said Meadows and Marsh belong to a large Number of Owners, divers of whom are not known, and others live at remote Distances, which renders it impracticable in calling a special Meeting to give them all Notice, whereby the Proceedings of such Meetings would be illegal, and the Affairs of the said Owners and Possessors may be thereby greatly

injured; for the preventing of which, BE IT FURTHER ENACTED *by the Authority aforesaid,* That, when at any Time hereafter it may be found necessary to call a Meeting of the said Owners and Possessors as before directed, it shall be sufficient to notify all the Owners and Possessors living in the County of *Gloucester,* any Thing to the contrary in this Act contained notwithstanding. PROVIDED ALWAYS, That the said Owners and Possessors, shall not at any of those special Meetings (except at the first Meeting appointed by this Act) order Money to be raised, unless a Majority in Value of all the said Owners and Possessors agree thereto; and provided also, that Notice be given in the *Gazette* aforesaid, for at least three Weeks next before such Meeting.

AND WHEREAS there is a large Body of Cedar Swamp on the Head of the said Creek, which, when laid dry, may be subject to take Fire; therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Time hereafter the said Cedar Swamp should take Fire, on Application to the Managers, or either of them, to let in the Tide, he or they so applied to shall immediately cause the Sluice Doors and Floodgates to be set open, and so to continue as long as it may be necessary; and on Refusal or Neglect so to do, he or they shall be liable to make good all Damages sustained by Reason of such Refusal or Neglect.

AND WHEREAS by Reason of the Largeness of the Body of Marsh that lies on the upper Side of said Creek, and the great Number of Lots into which it is divided, one or more Road or Roads will be necessary to accommodate the said Lots, which can be best laid out and with the least Damage before the Line Ditches are dug and Meadows improved; therefore, BE IT FURTHER ENACTED, That within six Months after the said Dam and Bank are made and completed, the Managers shall call the Surveyors of the Roads of the Townships of *Deptford, Greenwich* and *Woolwich,* or if either of them are interested or nearly related to any that are, then in the Room of such, any of the next adjoining Surveyors in the said County, who shall proceed to lay out one or more Road or Roads, in such Place or Places, and of such Width as to any four of them shall appear necessary, to be laid with as little Damage to the Owners of the Soil as may be; the Courses and Distances to be returned and recorded in the Clerk's Book, and when so laid, the said Surveyors shall assess the Damage each Owner or Possessor may sustain by Reason of the said Road or Roads passing through or over their Meadows or Marsh; which Damages shall be paid by the Persons benefited thereby, in Proportion to the Benefit they shall or may receive by the Use of such Road or Roads; which Proportion the said Surveyors shall also assess and set forth in each of the said Assessments in Writing under their Hands, or the Hands of any four of them, and deliver to the said Managers, who shall recover and pay the same to the Persons damaged as aforesaid; which Roads shall be made and maintained by the Persons benefited as aforesaid. PROVIDED ALWAYS, That the Land contained in said Roads shall at no Time be assessed or taxed for the Use of the said Owners and Possessors during the Continuance of such Road; and the Managers, for the Time

being, shall have the Oversight and Care of said Roads; and on Complaint at any Time of their being out of Repair, they, or either of them, shall warn in so many of the Persons aforesaid as may be necessary, and make said Repairs, always having Regard to proportion such Labour to the Use they severally make of the Road; and, on Neglect or Refusal to obey such Summons, the Offender shall be subject to the same Penalties as Persons refusing to labour on the publick Roads, to be recovered in the same Manner, and applied to the Repair of said Roads.

AND BE IT FURTHER ENACTED, That if the Managers now appointed or hereafter chosen as aforesaid, or either of them, shall refuse to serve in said Office, or neglect or refuse to do and perform any Duty enjoined him or them by this Act, relating to said Dam or Bank, he or they shall forfeit and pay the Sum of *Ten Pounds* for every such Offence: And if they or any other Person or Persons shall neglect or refuse to do and perform any other Matter, Duty or Thing so enjoined, he, she or they shall pay the Sum of *Five Pounds:* All which Fines shall be recovered in Manner aforesaid, by any of the said Owners and Possessors, and applied to the Use of the said Owners and Possessors, and shall be accounted for as other Money raised in Virtue of this Act.

Collins (1774), pp. 134-43.

An ACT *to enable the Owners and Possessors of Marshes, Meadows and Swamps, bounding on the Southwest Side of* Raccoon *Creek, between the Banks of* Constantine Wilkins *and* Conrad Shoemaker, *in the Township of* Woolwich, *and County of* Gloucester, *known by the Name of the* Thorough-fare-Island *Marshes, Meadows and Swamps, to stop out the Tide from overflowing the same, and for other Purposes therein mentioned.*

WHEREAS the Owners of the Marshes, Meadows and Swamps bounding on the Southwest Side of *Raccoon* Creek in the Township of *Woolwich,* in the County of *Gloucester,* between the Banks of *Conrad Shoemaker* and *Constantine Wilkins* and others, known by the Name of the *Thoroughfare Island,* by their humble Petition have set forth, that within the Limits

aforesaid the Marshes, Meadows and Swamps are rendered useless from the Tide overflowing the same, and therefore prayed that a Law may be passed, authorizing and enabling the Petitioners to erect and keep in good Repair Banks, Dams, Floodgates, Sluices, and other necessary Waterworks sufficient to keep the Tide from overflowing the Marshes, Meadows and Swamps aforesaid, within the Limits aforesaid: AND WHEREAS it appears that publick Notice of this Application hath been given; 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, Meadows and Swamps, to erect and make, keep up and repair, a Bank or Dam from the Bank now *Constantine Wilkins* up the several Courses of the said Creek to the Bank of *Conrad Shoemaker,* to stop out the Creek on each Side of the said *Thoroughfare-Island,* and to erect Floodgates, Sluices and all other necessary Waterworks, together with Races and Ditches sufficient to keep the Tides from overflowing the Marshes, Meadows, and Swamps aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Bank, Dam, Floodgates, Sluices and other Waterworks that may be found necessary to be made and erected for preventing the Tide from overflowing the Marshes, Meadows and Swamps inclosed within the said Bank and Dam, shall be erected, made, supported and maintained at the equal Expence of the Owners of the said Marshes, Meadows and Swamps, in Proportion to the Quantity of Meadows, Marshes and Swamps that each Owner now doth, or hereafter may hold within the said Bank and Dam.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers appointed by this Act, and the Manager or Managers that shall hereafter be chosen, shall have full Power to cut such necessary Ditches and Drains as may be sufficient for conducting the Water to, and venting the same from the Sluices to be erected by Virtue of this Act.

AND BE IT ENACTED *by the Authority aforesaid,* That the Owners and Possessors of the aforesaid Meadows, Marshes and Swamps, shall and may meet and assemble yearly and every Year, on the first *Tuesday* in *April,* at the House of *Constantine Wilkins,* or such other Place as the Majority of the Owners and Possessors of the said Meadows, Marshes and Swamps shall appoint; and then and there, by Plurality of Voices of them so met, choose three Managers (until which Time *Constantine Wilkins, Jacob Archard* and *Samuel Hewlings* are appointed Managers) being Owners or Possessors of said Marshes, Meadows or Swamps, to make and maintain the said Bank, Dams and Waterworks; which Managers, or those hereafter appointed, shall be likewise impowered for the making and maintaining of the same, to take such Quantities of Mud the most convenient and least detrimental to the Owner or Owners of the Soil, for the erecting, raising and maintaining the said Banks, Dams and other Waterworks, sufficient to keep the Tide from overflowing the same: And the said Managers, or any two of them, which are now or shall be hereafter appointed or chosen as aforesaid, shall assess the Sum or Sums that shall be necessary for the defraying the Charges of making,

upholding and maintaining the said Bank, Dams and other Waterworks (which they shall keep or cause to be kept in good Order and Repair) equally and proportionably according to the Number of Acres each Owner or Possessor doth or shall hold: And the said Managers, or either of them, shall demand, collect and receive all or any such Sum or Sums of Money as shall be from Time to Time assessed as aforesaid, producing a List of the Owners and Possessors Names, with the respective Sums of Money that each Person is to pay; and, upon Neglect or Refusal of any of the said Owners or Possessors to pay the same for the Space of twenty Days after such Demand made, the said Managers, or either of them, are hereby impowered and required to sue, in their own Names, every such Delinquent for the respective Sum or Sums so assessed, in any Court where the same may be cognizable, and give the same Assessment in Evidence, and the said Court is hereby impowered to give Judgment and award Execution for the same, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all Division Ditches shall be made nine Feet wide at the Top, and five Feet wide at the Bottom, and three Feet deep; which said Ditches, and the old Creek that runs round the *Thoroughfare-Island,* and also the main Creek from *Constantine Wilkins's* Bank to *Conrad Shoemaker's* Bank, shall be esteemed lawful Fences, and Damages shall be recovered for Trespasses over the same, in the Manner 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 or Possessors shall neglect or refuse to open such Ditches as aforesaid, or to keep them sufficiently open and clear, it shall and may be lawful for the 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 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, or either of them, at any Time when they shall find it necessary, to cause all the said Meadows, Marshes and Swamps that shall be contained within the said 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 *March* if thereunto required, and produced fair Accounts and Receipts for all Monies by them received and expended by Virtue of this Act, and shall deliver the Balance remaining in their Hands to the succeeding Managers, first deducting *One Shilling* and *Six-pence* 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 or pay the Balance as aforesaid, it shall and may be lawful for the succeeding Managers, and they are hereby directed and enjoined 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 Owner or Possessor of any of the said Meadows, Marshes or Swamps, 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 Meadows, or the Whole if necessary, for such Term or Time as that the Rent thereof may be sufficient to pay the 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 said County, it shall and may be lawful for any Owner or Possessor of the said Meadows, Marshes or Swamps, to give Notice to the other Owners and Possessors to meet on a Day and Place by him appointed, giving each of them ten Days Notice, to choose a Manager or Managers in the Stead 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 chosen on the first *Tuesday* in *March* as aforesaid.

AND WHEREAS such Meadows in dry Seasons often suffer, and it has been found to be of very great Advantage in such Seasons to let in the Tide and overflow the same, BE IT ENACTED *by the Authority aforesaid,* That it shall be lawful for the Managers, or either of them, appointed as aforesaid, on giving ten Days Notice to the Owners and Possessors of said Meadows, at such Times and Seasons when necessary, to open the Floodgates or Sluices, and overflow the same, and when so overflowed to draw off the Water as soon as it possibly can be done.

AND WHEREAS some Persons have already banked in their Meadows that will be greatly benefited hereby; BE IT THEREFORE ENACTED and declared to be the true Intent and Meaning of this Act, That the Meadows or Marshes of any such Person or Persons included within the Bounds aforesaid, which are now inclosed by Banks, shall not be assessed or contribute towards the Erecting the Bank, Dams and Waterworks by this Act to be made, but the same shall be only assessed and contribute to the Upholding and Maintenance of the said Bank, Dams and Waterworks, after the Erection of the same, in the Manner by this Act first directed.

AND WHEREAS, when the Banks, Dams and other Waterworks hereby directed are made, Part of the Banks of *Constantine Wilkins,* and Banks late *Lawrence Strang's,* now said to be the Property of *Samuel Hewlings,* will be rendered useless: AND WHEREAS the said Banks are included in a former Law, obliging the Owners to uphold and maintain the same; and as all the Meadows and Swamps above the Place where the said Bank joins, belonging to the said *Wilkins* and *Hewlings,* will be greatly benefited by the Erecting of the new Bank; and as it will in nowise be detrimental to the Owners and Possessors of such Meadows and Swamps to repeal that Part of the former Law; therefore, BE IT ENACTED, That after the new Banks, Dams and other Waterworks, are well and sufficiently finished, then that Part of the former Law, relative to the Bank from the Place where the new Bank joins said *Wilkins's,* thence to the fast Land of *Samuel Hewlings,* shall be repealed,

and is hereby made null and void to all Intents and Purposes; and that Part of the said *Constantine Wilkins's* Meadows and *Samuel Hewlings's* Meadows and Swamps shall come under the Notice and Direction of the Managers in the same Manner as the other Meadows that have been banked in as aforesaid, and to be under the same Regulation as to their Ditches as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That all the Owners or Possessors of said Marshes or Meadows that shall fall within forty Rods of the said Banks, which are to be made as aforesaid, shall in one Year after the Tide is sufficiently stopped out, hassock or tussock the same; and the Managers, or some of them, shall cause all the said Hassocks or Tussocks to be haled to the said Bank, and place them in the best Manner for the Benefit of the said Bank; the Expence of haling them to be paid proportionably by all the Owners and Possessors of the Marshes, Meadows or Swamps so taken in, in the same Manner as they are to contribute toward the Making and Erecting the said Banks, Dams and other Waterworks; and if any of the said Owners or Possessors shall neglect or refuse to hassock or tussock their respective Shares of Meadows or Marshes, then the said Managers, or either of them, shall enter and proceed in the same Manner as they are herein before directed, relative to the Ditches 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 enjoined him, her or them by this Act, every such Person shall forfeit the Sum of *Five Pounds,* to be recovered in Manner aforesaid, by any of the Owners or Possessors of the said Marshes, Meadows and Swamps, and applied towards the Supporting the Banks, Dams and Sluices aforesaid.

Collins (1774), pp. 143-48.

An ACT *to enable sundry Persons, Proprietors and Possessors of certain Lands and Meadows lying upon the* Walkill *in the County of* Sussex, *commonly called and known by the Name of the* Drowned Lands, *to drain the same, and for other Purposes therein mentioned.*

WHEREAS divers Persons, Proprietors and Possessors of certain Lands and Meadows lying upon the River *Walkill* in the County of *Sussex,*

commonly called and known by the Name of the *Drowned Lands,* have by their humble Petition set forth, That the said Lands are overflowed for a great Part of the Year, and thereby are not only rendered of little Benefit to the Proprietors, but by the Water being long stagnated thereon, the adjacent Country is rendered very unhealthy, and have prayed that they may be enabled, by a Law of this Colony, to remove all Obstructions in the said River, and cut such Channels for straightening the same, as the Managers herein appointed, or the major Part of them, their Successors, or the major Part of them, shall think convenient for the free Passage of the Waters of the said River and Branches, and more effectual draining of the said Lands, Meadows and Swamps, from the Division Line between this Colony and the Colony of *New-York,* up the same two Miles above the Junction of the said River and the Stream or River *Peppercotton,* and up the said *Peppercotton* to a Bridge called *Peppercotton* Bridge; and to open, enlarge and deepen the Outlet of the said River *Walkill:* AND WHEREAS the Petitioners have given due Notice of their Application to the Legislature, and no Objection hath appeared against 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 the Proprietors and Possessors of the Meadows, low Lands and Swamps, lying on both Sides of the said River *Walkill* and the Branches thereof, between the said Bridge called *Peppercotton* Bridge and the Division Line between this Colony and the Colony of *New-York,* to remove and take away the several Obstructions to the free Course and Passage of the Waters in the said River and the several Branches thereof, and the same to straighten as the Managers herein after mentioned, or their Successors, or the major Part of them, for the Time being, shall from Time to Time agree to direct and order.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, after the Publication of this Act, shall presume to fall any Tree or Trees or cast any Thing whatsoever into the said River or Branches thereof, between the Places aforesaid, that shall cause any Obstruction to the free Passage or Course of the Water, he or they shall forfeit the Sum of *Forty Shillings* for each Offence, to be recovered before any Justice of the Peace in this Colony by Action of Debt, with Costs of Suit, by any of the said Managers, to be applied for and towards clearing and straightening the said River and Branches thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Costs, Charges and Expence which the said Managers, or the Majority of them, for the Time being, shall judge necessary, or be at in clearing and removing the several Obstructions that now are or hereafter shall be in the said River and the several Branches thereof, and in straightening the same (the Fines and Forfeitures that may be recovered in Virtue of this Act being first applied towards the same) shall be equally assessed by the said Managers, or the major Part of them, for the Time being, upon the Proprietors and Possessors of the said Meadows, Swamps and low Lands

benefited by the clearing out and straightening of the said River or the Branches thereof, in Proportion to the Quantity of Meadow, Swamps or low Lands, each of the said Proprietors or Possessors now doth or hereafter may hold within the Limits aforesaid, and benefited by the clearing and straightening of the said River, or any of the Branches thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Owners and Possessors of the said Swamps, Meadows and low Lands, shall and may at all Times hereafter, on the first *Monday* in *June* yearly and every Year, meet and assemble together at the present Dwelling-house of *Joseph Crowell,* in the Township of *Wantage* in the County of *Sussex,* or such other Place as the Majority of the said Owners and Possessors, for the Time being, shall appoint; and then and there, by Plurality of Voices of those so met, elect and choose five Persons to be Managers for the ensuing Year, (until which Time *William Southworth,* Esquire, *Joseph Barton, Samuel Meeker, Ephraim Martin* and *Abia Brown,* all of the said County, are hereby appointed Managers) which said Managers, or the major Part of them, and those elected in their Stead, or the major Part 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 major Part of them, judged necessary for removing the said Obstructions, and clearing, straightening, deepening and widening the said River and Branches thereof within the Limits aforesaid, and also all the other necessary Expence relating thereto; and, in order to ascertain the just Quantity of Meadows, Swamps and low Lands, that each of the Owners or Possessors doth or hereafter shall hold, within the Limits aforesaid, it shall and may be lawful for the said managers, for the Time being, or the major Part of them, at any Time hereafter when they shall think it necessary, to cause all the said Meadows, Swamps and low Lands within the said Limits, and benefited by clearing the said River and Branches thereof, to be surveyed and measured, the Expence whereof shall be assessed and paid in the Proportion aforesaid. PROVIDED ALWAYS, That every Owner or Possessor shall have Liberty to work as much at the said Opening, Widening and Straightening the said River and Branches, as shall be his, her or their Proportion of the said Assessment for doing the same, so that it be done in such reasonable Time and Manner as the Managers shall direct and think expedient.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Owners and Possessors shall also, at their annual Meeting on the said first *Monday* in *June* yearly and every Year, elect and choose, by a Plurality of Voices of those met, a Collector (until which Time *Joseph Crowell* is hereby appointed Collector) to receive all such Sum and Sums of Money as shall be, from Time to Time, assessed as aforesaid, agreeably to the said Assessment to be to him delivered by the said Managers, or some of them; and that the said Collector shall give personal Notice to the said respective Owners or Possessors of the Sum assessed on each of them, or otherwise give publick Notice thereof by Advertisements, set up at five publick Places where it may be most likely for the said Owners or Possessors to have Notice thereof: 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 thirty Days after such Notice, then it shall and may be lawful for the said Managers, or the major Part of them for the time being, to let so much of the said Meadows, Swamps and low Lands, belonging to such Delinquent or Delinquents, for such a Term as that the Rent thereof will amount to a Sum sufficient to pay his, her or their Assessment or Assessments, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Collector for the Time being shall, within twenty Days after Demand made by the said Managers or the major Part of them, pay all such Sum or Sums of Money as he shall receive as aforesaid, to the said Managers or the major Part of them, or to their Order; and, upon Neglect or Refusal of the said Collector, it shall and may be lawful to and for the said Managers, or the major Part of them, to sue the said Collector, either while in the said Office or afterwards, in their own Names, for the respective Sum or Sums of Money, which the said Collector shall have received as aforesaid, and recover the same in any Court where the same may be cognizable, with Costs of Suit; and the Managers for the Time being, shall faithfully lay out and expend so much of the said Money as shall come to their Hands by Virtue of this Act, in such Manner as they, or the major Part of them, shall from Time to Time find necessary; and the said Managers and Collector shall give an Account on Oath or Affirmation yearly, at their said Meeting, of all the Money collected and expended as aforesaid, to the Owners or Possessors of the said Meadows, Swamps and low Lands; which said Managers appointed by this Act, shall procure a proper sizable Book, in which they shall make fair Entries of all their Proceedings, and state a fair Account of all Monies by them received or expended in Virtue of this Act; which Book, together with the Balance of the Monies in their Hands, they shall deliver to their Successors in Office on the Day of their Election; and in like Manner all future Managers shall, in the said Book, make Entries of their Proceedings, and state fair Accounts of the Monies by them received and expended; and shall deliver the said Book and Balance of Money in their Hands to their Successors in Office; which said Managers shall be allowed, out of the Money so assessed in Virtue of this Act, *Five Shillings* for every Day each of them shall necessarily attend in and about the several Matters enjoined them by this Act, and the said Collector *Six-pence* in the *Pound* for the Money by him collected as aforesaid.

AND BE IT 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 Justice of the Peace of this Colony, to be applied towards straightening and clearing the said River and Branches thereof, within the Limits aforesaid, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the

said Owners and Possessors shall neglect to meet on the Time aforesaid appointed for electing Managers and Collectors, in such Case the Managers and Collector, for the preceding Year, shall continue in their respective Offices, and have the same Powers as before until new ones are chosen; and shall be liable to the same Penalties, and perform the like Duties as aforesaid.

AND WHEREAS, by a Law of the Colony of *New-York,* certain Persons are appointed and authorized to raise Monies on such Persons as are Owners and Possessors of Lots or Parcels of Land in the Precinct of *Goshen,* which may be benefited by draining the said *Drowned Lands,* and pay the said Monies to certain other Persons who are authorized and directed to expend the same in draining the said Lands, at such Times and by such Ways and Means as they, or any three of them, shall think proper: AND WHEREAS the Outlet of the said River *Walkill* lieth in the said Colony of *New-York,* and it will be necessary to deepen and widen the same, the more effectually to drain the Waters off the Lands aforesaid; and it is just and reasonable that the Expence thereof should be borne by the Proprietors and Possessors of Lands, Meadows and Swamps in this Colony benefited thereby, in Proportion to the Quantity and Quality of such Lands, Meadows and Swamps, and to the Benefit each Proprietor and Possessor of such Lands, Meadows and Swamps shall receive thereby; BE IT THEREFORE FURTHER ENACTED *by the Authority aforesaid,* That the Managers herein before appointed and their Successors, and the Majority of them, shall and may, from Time to Time, and as often as shall be necessary, meet with the Trustees appointed, or hereafter to be appointed by Law, in the said Colony of *New-York,* and in Conjunction with them, or the major Part of them, direct the Outlet of the said River *Walkill* to be widened and deepened, so as to lower the Waters of the said River, and effectually drain the *Drowned Lands* aforesaid: And the said Managers are hereby impowered and directed to assess and raise upon the Proprietors and Possessors of the Lands, Meadows and Swamps thereby benefited in this Colony, such Part or Proportion of the Expence of widening and deepening the said Outlet, as the said Lands, Meadows and Swamps bear to the Quantity of Lands, Meadows and Swamps benefited thereby in the Colony of *New-York,* having Regard to Quantity, Quality and Benefit received in Manner and Form, and under the same Pains and Penalties as herein before for other Assessments is directed.

AND WHEREAS a considerable Part of the Lands that will be benefited hereby, remain as yet in common amongst the general Proprietors of *East-New-Jersey,* who will be subject to the Payment of the Expence of draining the same: AND WHEREAS it would be unjust that any particular Proprietor should have a Preference of locating more than his equal Proportion of the said Lands that may be benefited as aforesaid, BE IT THEREFORE ENACTED *by the Authority aforesaid,* That, from and after the Time that any Money shall be paid by the said general Proprietors, or that they shall be liable to pay as their Proportion of the Expence of draining the said Lands, or as a Part thereof, no Proprietor whatever shall locate any of the said Lands to his or her Use without the Consent and Order of the said

general Proprietors, at one of their stated Meetings; but the Whole shall remain to be divided amongst the said general Proprietors, according to the several Shares of Propriety each of them may be entitled to.

AND WHEREAS it is highly reasonable, That all Persons interested in the said Lands intended to be drained, should have a Voice in the Choice of the Managers and Collector, and many of them live so remote as to make it very inconvenient for them to give their Personal Attendance at the Time and Place appointed for the Choice of such Managers and Collector; BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for every Person or Persons entitled to any of the said Lands, either as Tenants in Common or otherways, to depute any Person (being a Freeholder) they may think proper, to represent them as fully at the said annual Meeting as if he or they were personally present. PROVIDED ALWAYS, That nothing in this Act contained shall be construed to charge any Part of the said Assessment on the Estate of any Tenant, but that he or she, after Payment of the same may Charge the Amount thereof to his or her respective Landlord.

Collins (1774), pp. 148-54.

An ACT *to relieve* Sarah Ely, Isaac De Cow *and* David Brearley, *junior, with respect to the Loss of two Title Deeds by Fire.*

WHEREAS *Sarah Ely, Isaac De Cow* and *David Brearley,* junior, by their Petition have set forth, That one *John Mullin,* late of *Amwell* in the County of *Hunterdon,* within this Province, in his Life-Time, was lawfully seized in Fee Simple, of and in three several Tracts of Land situate in *Amwell* aforesaid, two of which said Tracts were conveyed to the said *John Mullin* by one *William Dawlis* by a Deed made the sixteenth Day of *April,* in the Year of our Lord One Thousand Seven Hundred and Forty-two; the first of which said Tracts of Land and Premises is bounded and described in the following Manner, *videlicet;* BEGINNING at a Stone by the Side of the Road, and runs from thence South Twenty-two Degrees West Nineteen Chains and Fifty Links to a small *Hickory* Bush; thence near the Meadow Side, South Seventy-three Degrees East Seven Chains and Thirty-one Links to a *Blackoak* Saplin; then Northeast Eight Chains and Thirty Links to a Heap of Stones; thence

South Forty Degrees East Six Chains and Twenty-five Links to a Stake; thence South Sixty-five Degrees West Three Chains and Seventy-five Links to a Stake; thence South Fifty-seven Degrees West Ten Chains and Fifty Links to a Post; thence South Sixty-two Degrees West two Chains to a dead *Whiteoak* Tree; thence North Eighty-two Degrees West One Chain and Seventy-five Links to a Bush; then South Six Degrees West Twenty-three Chains to a Post; thence West Seven Chains and Fifty Links; thence North Sixty-nine Chains and Twenty-five Links South Seventy-nine Degrees East Eight Chains and Eighty Links; then bounded by the several Courses of *Tunis Quick's* Lot to the Place of Beginning, containing Forty-eight Acres, be it more or less. The other Tract, in the said Deed contained, is bounded as follows; BEGINNING at a Post in the King's Road leading to *Trenton;* thence down the same South Ten Degrees East Twenty Chains, to the Corner of *Tunis Quick's* Land; thence Northwest Seventy-nine Degrees, Fourteen Chains and Seventy-five Links, to a Post; thence North Sixteen Chains; thence South Eighty-nine Degrees East Twelve Chains to the Beginning, containing Eighteen Acres. The other of the said Tracts of Land was conveyed to the said *John Mullin* by *Samuel Tredwell* and *Gloriana* his Wife (late *Gloriana Thomas*) and *Edward Stevenson* and *Margaret* his Wife (late *Margaret Thomas*) by a Deed made the sixth Day of *June,* in the Year of our Lord One Thousand Seven Hundred and Thirty-seven; which said last mentioned Tract of Land and Premises is bounded and described in the following Manner, *videlicet,* BEGINNING at a *Whiteoak* Stump, Corner to *Woolever's* Land, and runs from thence North Sixty-two Degrees East Thirty-seven Chains; thence Southeast Twelve Chains, to a *Blackoak* Tree; thence South Fifteen Chains to a *Hickory;* thence East Twenty Chains to a *Whiteoak;* thence South Forty-seven Degrees East Thirty-five Chains to a *Hickory* Tree; thence South Thirty-two Degrees East Twelve Chains to a *Gum* Tree blown down; thence West Northwest Sixty Chains and Fifty Links to a *Hickory;* thence South Twenty-two Degrees West Seventeen Chains to a Post standing by the King's Road; thence Northwest Forty-four Degrees, Thirty-seven Chains and Fifty Links to a Stone; thence North Thirty Degrees West Eleven Chains to the Beginning, containing One Hundred and Ninety-six Acres, be the same more or less: And that the said *John Mullin* so being seized, by his Last Will and Testament in Writing, bearing Date the sixth Day of *July,* in the Year of our Lord One Thousand Seven Hundred and Forty-seven, did will and devise the above-mentioned several Tracts of Land and Premises to his Son *William Mullin;* and that the said *William Mullin,* so being seized of the several Tracts of Land and Premises aforesaid, by his Last Will and Testament in Writing, bearing Date the eighteenth Day of *December,* in the Year of our Lord One Thousand Seven Hundred and Sixty-five, did will and devise the same to his Executor *Samuel Tucker,* Esquire, to be by him sold for the Uses and Purposes in the said Will mentioned; and that the said *Samuel Tucker,* Esquire, pursuant to the Power and Directions of the said Will, by his Deed of Bargain and Sale, made the eighth Day of *February,* in the Year of our Lord One Thousand Seven Hundred and Sixty-eight, did grant and convey

the abovesaid several Tracts of Land and Premises to *Sarah Ely, Isaac De Cow* and *David Brearley,* junior, the above Petitioners; and that they the said *Sarah Ely, Isaac De Cow* and *David Brearley,* junior, have conveyed away Part of each of the above described Tracts of Land by Deeds with Covenants of Warranty; and that on the Night of the Twenty-sixth Day of *February,* in the Year of our Lord One Thousand Seven Hundred and Seventy-one, the two several Deeds of Conveyance above-mentioned, to be made to the said *John Mullin,* were in the House of *David Brearley,* junior, one of the Petitioners, by Accident destroyed with Fire, not having been recorded: AND WHEREAS it appears by sundry Affidavits that the Boundaries, Courses and Distances herein before-mentioned, are those which were mentioned and contained in the said Deeds herein before recited to be destroyed; and that it is just and reasonable that all the Estate which was vested in the said *William Dawlis, Samuel Tredwell* and his said Wife, and *Edward Stevenson* and his said Wife, in the Premises, should be vested in the Heirs or Assigns of the said *John Mullin,* the Loss of the said two Deeds notwithstanding;

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Title to the above particularly described Tracts of Land and Premises shall for-ever hereafter be and remain as good and effectual in the Law, as though the said Deeds (made to the said *John Mullin* above recited to be burnt and destroyed) were now in being.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That, from and after the Publication of this Act, it shall and may be lawful for the Heirs or Assigns of the said *John Mullin* to give this Act in Evidence, in all Courts of Law or Equity within this Province, which shall be as good and effectual to all Intents, Constructions and Purposes, as the said Original Deeds, recited to be burned and destroyed, would be, were they in Being and produced in Evidence.

Collins (1774), pp. 154-57.

An ACT *to suspend the Prosecution of the County Collector of* Cape-May *for a limited Time.*

WHEREAS it appears by the Acknowledgment of *Daniel Hand,* Collector of the County of *Cape-May,* That the Taxes of said County by Law, payable into the Treasury on the twenty-first Day of *November* One Thousand Seven Hundred and Seventy-three, amounting to the Sum of *Two Hundred*

and *Sixty-seven Pounds Two Shillings,* to wit, *Two Hundred* and *Eight Pounds Thirteen Shillings* on Account of the Sinking Fund, and *Fifty-eight Pounds Nine Shillings* on Account of Support of Government, were paid into his the said Collector's Hands, and that he delivered the same to one *Jonathan Whilldin* to carry up to the Treasury, who alledged that he was robbed thereof on the publick Highway: AND WHEREAS the said *Daniel Hand* alledges, that he is not able to replace the Money, without the Hazard of ruining himself, except he hath Time allowed for Payment; in Compassion therefore to his Circumstances, and to give Time and Opportunity for his Indemnification by a further Discovery relating to the said Robbery, if any such Indemnification should happen therefrom;

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 one or more of the Judges or Justices of the said County of *Cape-May* shall summon in the usual Way the Board of Justices and Freeholders of said County, to meet as soon as may be after the Publication of this Act, and when so met, they shall take such Security for the said Sum of *Two Hundred and Sixty-seven Pounds Two Shillings* as they shall deem sufficient; and a Bond conditioned that the said *Daniel Hand,* his Heirs, Executors or Administrators, shall pay to the Treasurer of the Western Division of this Colony without Interest, in equal Moieties, the said Sum of *Two Hundred and Sixty-seven Pounds Two Shillings,* one Moiety on or before the twenty-first Day of *November* One Thousand Seven Hundred and Seventy-four, and the other Moiety on or before the twenty-first Day of *November* One Thousand Seven Hundred and Seventy-five.

AND BE IT ENACTED *by the Authority aforesaid,* That the Sum of *Two Hundred and Eight Pounds Thirteen Shillings,* Part of the said Money, when so received by the said Treasurer, shall be exchanged into Bills of Credit of this Colony, if not paid in such, and sunk by the Justices and Freeholders of *Burlington* as the Quota of *Cape-May* for the Year One Thousand Seven Hundred and Seventy-three; and the Remainder, being the Sum of *Fifty-eight Pounds Nine Shillings,* when so received, shall be applied as the Quota of *Cape-May,* to the Taxes for Support of Government for the said Year One Thousand Seven Hundred and Seventy-three.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for, and the Treasurer of the Western Division is hereby directed to delay prosecuting for the said Money, until the said twenty-first Day of *November* One Thousand Seven Hundred and Seventy-five, any Law, Usage or Custom to the contrary in anywise notwithstanding.

PROVIDED ALWAYS, That nothing in this Act contained shall be construed to hinder the Board of Justices and Freeholders of *Cape-May* from calling the said *Daniel Hand* to account for said Money according to Law, until he gives them Security as aforesaid; nor after giving the Security, if they shall at any Time have Reason to think the said Money in any Danger of being lost.

Collins (1774), pp. 157-58.

An ACT *for the Relief of* Abner Hetfield, *an Insolvent Debtor.*

WHEREAS *Abner Hetfield* of the County of *Essex,* Merchant, by his Petition hath set forth, That about six Years ago, by repeated Misfortunes and Losses in Trade, he found himself incapable of satisfying all his Creditors; that thereupon, in order to do equal Justice to each of them, as far as lay in his Power, he called them together to take a View of his Affairs, and by and with their Approbation and Advice he did, by an Indenture bearing Date the first Day of *December* in the Year of our Lord One Thousand Seven Hundred and Sixty-seven, in Consideration of his several Debts due to his said Creditors, and in further Consideration of *Five Shillings,* give, grant, bargain, sell, release, assign and convey to *John Smith* and *John Broom,* (two of his principal Creditors appointed by the rest) their Heirs, Executors, Administrators and Assigns for-ever, all and singular his Estate both Real and Personal, in Trust, to and for the Use and Benefit of his Creditors, which accordingly was delivered to the said *John Smith* and *John Broom* for the Purposes aforesaid. AND WHEREAS *Cornelius Hetfield,* the Father of the said *Abner,* did also, in order to aid and assist the said *Abner* in the Payment of the Whole of his said Debts, give up to him the Sum of *Eight Hundred Pounds* due from him the said *Abner;* and did also give the further Sum of *Eight Hundred Pounds* in Cash to the said *John Broom* and *John Smith* for the Use of the said Creditors. AND WHEREAS a large Majority of the Creditors of the said *Abner* have entered into an Agreement with the said *Cornelius Hetfield,* that they would consent to the Discharge of the said *Abner* from all his Debts, by an Act of the Legislature of this Province, upon his, the said *Cornelius Hetfield,* paying to them the further Sum of *Four Hundred and Fifty Pounds* on Account of the said *Abner,* which said Sum the said *Cornelius Hetfield* hath paid. AND WHEREAS the Creditors of the said *Abner Hetfield,* (except those who are either Executors or Agents, and a few others whose Debts are small) making up a large Majority of the principal Creditors, in Consequence of said Payments, have, by their Petition, setting forth several of the above Facts, humbly prayed that an Act of Legislature of this Colony may be passed in Favour of the said *Abner Hetfield,* discharging him from all Actions or Demands by or from any of his Creditors. AND ALSO WHEREAS the several Payments aforesaid have been highly beneficial to the Creditors of the said *Abner Hetfield,* and it being reasonable that the said Agreement should be carried into Execution;

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 *Abner Hetfield* shall be, and he is hereby for-ever discharged of and from all Debts and Demands whatsoever contracted by him before the first Day of *September* in the Year of our Lord One Thousand Seven Hundred and Seventy-two; and that, in case of any Action or Suit sued or prosecuted against the said

Abner Hetfield, for or on Account of any Debts or Demands contracted by him before the first Day of *September* in the Year of our Lord One Thousand Seven Hundred and Seventy-two aforesaid, that then it shall and may be lawful for the said *Abner* to plead the General Issue, and give this Act in Evidence in Discharge of the same, any Law, Usage or Custom to the contrary in anywise notwithstanding.

PROVIDED ALWAYS, That nothing herein contained shall be of any Force or Effect, until His Majesty's Royal Assent is had thereto.

Collins (1774), pp. 158-60.

Twenty-second Assembly, Third Session

11 Jan.-13 Feb. 1775

Perth Amboy

An ACT *for the Support of Government of His Majesty's Colony of* New-Jersey, *to commence the First Day of* October *One Thousand Seven Hundred and Seventy-four, and to end the First Day of* October *One Thousand Seven Hundred and Seventy-five, 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 First Day of *October* 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 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 cheerfully 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 any unapplied Money now in the Treasury, or that may come therein by Payment of any Sum or Sums now outstanding and due to this Colony, or otherwise, as herein after is provided; *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 First Day of *October* last.

To *David Ogden,* Esquire, one of the Justices of the Supreme Court of this Colony, at the Rate of *One Hundred and Fifty Pounds per Annum,* Money aforesaid.

To *Richard Stockton,* Esquire, one of the Justices of the Supreme Court of this Colony, at the Rate of *One Hundred and Fifty Pounds per Annum,* Money aforesaid.

To *Cortland Skinner,* Esquire, Attorney-General of this Colony, at the Rate of *Forty Pounds per Annum,* Money aforesaid.

To *Samuel Smith* and *John Smyth,* 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 Dr. *Benjamin Franklin,* Agent of this Colony, at the Rate of *One Hundred Pounds per Annum,* Money aforesaid.

To the Clerk of the Circuits for the Time being, residing in this Colony, at the Rate of *Twenty Pounds per Annum,* Money aforesaid.

To the Doorkeeper of the Council of this Colony, at the Rate of *Ten Pounds per Annum,* Money aforesaid.

ALL which several Sums above-mentioned shall be paid to the several

Officers before-mentioned for their respective Salaries for and during 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,* Esquire, 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 First Day of *October* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-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,* Esquire, or to the said other Officers, or to his or their several Executors, Administrators and Assigns, or to their Orders, out of the Money 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,* Esquire, 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 Justice or Justices of the Supreme Court of this Colony, *Ten Pounds* for each Time, during the Continuance of this Act, that they 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; which said Sum of *Ten Pounds* shall be equally divided between the Justices who

shall attend the said Courts. PROVIDED, That not any Thing shall be paid to either of the Justices aforesaid for holding any of the above-said 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. PROVIDED ALSO, That Twenty Days Notice be given of the Day of holding such Courts of *Nisi Prius* and Courts of Oyer and Terminer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Treasurers, or either of them, shall pay the Sum of *Eight 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, *Videlicet;*

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 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 of any Sitting, during the Continuance of this Act, fair in the Journals, and copying the Laws and Minutes for the Printer. And to the said *Jonathan Deare* the Sum of *Twelve Pounds* for Pen, Ink and Paper, and hiring Clerks to forward the Business of this Session.

To *Charles Pettit,* Esquire, Deputy-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 ragged and torn Bills of Credit of this Colony.

To *Isaac Collins,* 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 *Hendrick Fisher, Stephen Crane, James Kinsey* and *Thomas Polgreen Hewlings,* Esquires, or any two of them, shall agree to be paid for the said Service.

To the Sergeant at Arms, for the time being, who shall attend the Council, the Sum of *Three Shillings per Diem;* and to the Sergeant at Arms,

who shall attend the House of Representatives, the Sum of *Three Shillings per Diem.*

To the Doorkeeper 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 several 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 *Eight 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, John Mehelm, John Hinchman, James Kinsey, Thomas Polgreen Hewlings* and *Richard Lawrence,* Esquires, or any three of them, expressing the Number of Days such Member 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.

AND, that the Monies hereby given and granted may be duly paid, and the Contingent Charges of Government provided for, BE IT ENACTED *by the Authority aforesaid,* That on or before the Twenty-first Day of *December,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-five, the Sum of *Three Thousand Five Hundred Pounds,* Proclamation Money of this Colony, shall be assessed and levied on the Inhabitants of this Colony, their Goods and Chattels, Lands and Tenements, and paid into the Treasury of this Colony, in the same Manner, Form and Proportion, and under the same Fines and Penalties, and with the same Fees and Rewards, as is directed, required and enjoined by an Act, entitled, *An* Act *to settle the Quotas of the several Counties of this Colony for the levying Taxes.*

AND BE IT ENACTED by the Authority aforesaid, That the several Counties of this Colony shall be assessed, and pay the said *Three Thousand Five Hundred Pounds,* in the following Proportions, *to wit,*

By the County of *Bergen,* the Sum of *Two Hundred and Thirty-two Pounds Eleven Shillings.*

By the County of *Essex,* the Sum of *Two Hundred and Sixty Pounds One Shilling.*

By the County of *Middlesex,* the Sum of *Three Hundred* and *Five Pounds Six Shillings.*

By the County of *Monmouth,* the Sum of *Three Hundred* and *Seventy-four Pounds Four Shillings.*

By the County of *Somerset,* the Sum of *Three Hundred* and *Sixteen Pounds Nine Shillings.*

By the County of *Morris,* the Sum of *Two Hundred* and *Fifty-three Pounds Four Shillings.*

By the County of *Sussex,* the Sum of *Two Hundred* and *Seven Pounds Thirteen Shillings.*

By the County of *Hunterdon,* the Sum of *Four Hundred* and *Seventy-seven Pounds Seven Shillings.*

By the County of *Burlington,* the Sum of *Three Hundred* and *Seventy-five Pounds One Shilling.*

By the County of *Gloucester,* the Sum of *Two Hundred* and *Sixty-seven Pounds One Shilling.*

By the County of *Salem,* the Sum of *Two Hundred* and *Thirty-seven Pounds Seventeen Shillings.*

By the County of *Cumberland,* the Sum of *One Hundred* and *Thirty-four Pounds Seventeen Shillings.*

By the County of *Cape-May,* the Sum of *Fifty-eight Pounds Nine Shillings.*

AND WHEREAS the said Sum of *Three Thousand Five Hundred Pounds* cannot be levied, nor will the outstanding Debts due to this Colony be probably paid in, in Time to defray the Exigencies of Government: AND WHEREAS a Sum of Money in Gold, Silver, and the Current Money of the neighbouring Colonies, sufficient for the Purposes of this Act, now is in the Treasury of this Colony; therefore,

BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Treasurers of this Colony, and they are hereby authorized to apply such Part of the Monies aforesaid, now in the Treasury, as shall be necessary for the Payment of the several Sums herein and hereby given and granted, and to defray the Incidental Charges of Government.

AND, for the replacing the said Money in the Treasury, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Treasurers, and they are hereby directed and required, out of the Monies so directed to be levied and assessed as aforesaid, or out of any Money outstanding on Bonds and Mortgages, as the same shall be by them or either of them received, to replace all such Monies now in the Treasury as aforesaid, as shall be applied in Payment of the several Sums in and by this Act given and granted as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the said

Treasurers, or either of them, do pay to the several Persons hereafter named the several Sums following, *to wit,*

To *John Carty,* the Sum of *Twenty-one Pounds Five Shillings,* in full of his Account for Services done by Order of the Governor.

To *John Hoskins,* the Sum of *Seven Pounds Six Shillings and Three-pence Half-penny,* in full for the Balance of his Account for the Rent of a Room for the Assembly to sit in at the last Session at *Burlington.*

To *John Smyth,* Esquire, the Sum of *Thirty-one Pounds Ten Shillings and Seven-pence,* in full of his Account in providing an Iron Chest for the Use of the Treasury, Chairs and Fire-Wood for the Use of both Houses.

To *Charles Pettit,* Esquire, the Sum of *Twenty-two Pounds Nineteen Shillings and Four-pence Half-penny,* in full of his Account for Services performed since the last Session; and the further Sum of *Twelve Pounds* for extraordinary Services.

To *James Kinsey,* Esquire, the Sum of *One Pound Eight Shillings and Four-pence,* in full for Postage of sundry Publick Letters.

To *Henry Wilmot,* Esquire, late Agent of this Colony, or to his Order, the Sum of *Sixty-eight Pounds Five Shillings and Five-pence Half-penny,* in full of the Balance due to him from this Colony.

Passed 11 Feb. 1775.
Collins (1775) 22:3, pp. 3-10.

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

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; or in his Absence the said Summons or a Copy thereof shall be left at his House in the Presence of some white Person of the Family above the Age of Fourteen Years, 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 loosing 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, on the Day of Appearance mentioned in the Summons, and, if on Warrant, upon the Defendants Appearance before the Justice, 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, *videlicet;*

YOU shall well and truly try this Matter in Difference between AB *Plaintiff, and* CD *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 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 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 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 loosing 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 or she shall be entitled to the same Privileges as any Freeholder is entitled to, by Virtue of this Law.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any of the Parties to any Cause determined by Virtue of this Act shall think him, her 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 Costs 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 where there shall be a Jury as aforesaid, he shall set down the said 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 *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 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 Land 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 Securities, 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, or either of them, shall not, in the Vacation, 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* shall be drawn up in Writing, and subscribed by some Attorney at Law of this Colony, and being presented to either of the Justices of the said Supreme Court, shall be by him deemed a probable Cause of Objection to such Judgment; nor shall any such Writ or Writs of *Certiorari,* after such Allowance be proceeded upon, unless upon the Return thereof the said Writ, with the said Reasons annexed, shall be in open Court offered to the Consideration of the said Supreme Court, and the Reasons aforesaid approved of by the Court.

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 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.

CONSTABLES.

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 Causes 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 *Subpoena* 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, by any Person who shall prosecute the same to Effect, to be applied the one Half thereof to the Use of the Prosecutor, and the other Half to the Overseer of the Poor for the Use of the Poor of the City, Township or Precinct wherein the Fact shall be committed.

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

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That an Act, entitled, *An* Act *to erect and establish Courts in the several Counties in this Colony for the Trial of small Causes,* shall be and is hereby repealed and made void to all Intents and Purposes.

Passed 11 Feb. 1775
Collins (1775) 22:3, pp. 10-17.

An ACT *for the Preservation of Oysters in the Colony of* New-Jersey.

WHEREAS the Preservation of Oysters in this Colony deserves the Attention of the Legislature:

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 *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 Shellfish, rake upon any Oyster Banks or Beds 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 on Oath or Affirmation, 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; which Person or Persons so offending, being brought before such Mayor, Recorder, Alderman, or Justice of the Peace, and duly convicted of the said Offence, shall forfeit and pay the Sum of *Forty Shillings,* as aforesaid.

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 entirely 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 or 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 for the Use of the Poor of the City or Township in which the Fact was committed.

AND BE IT FURTHER ENACTED, That if any Person or Persons whatsoever shall presume to offer any Oysters for Sale between the first Day of *May* and the first Day of *September* aforesaid, such Person or Persons shall forfeit the whole Quantity of such Oysters in his or their Possession; and the Overseer of the Poor of the District, where such Offence shall have been committed, is hereby authorized and directed to take the same, and distribute them among the Poor of the said District.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall continue in Force for the Term of five Years, 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, entitled, *An* Act *for the better preserving of Oysters in the Colony of* New-Jersey, shall be, and the same is hereby repealed.

Passed 11 Feb. 1775
Collins (1775) 22:3, pp. 18-19.

An ACT *for raising the Sum of* One Hundred and Twenty-two Pounds Fourteen Shillings and Three-pence, *Proclamation Money, on the Inhabitants of the Counties of* Middlesex *and* Somerset, *for repaying the Managers of the Landing Bridge the Money they have advanced for completing the said Bridge.*

WHEREAS, in Consequence of a Petition from a large Number of the Inhabitants of the Counties of *Middlesex* and *Somerset,* presented to the Legislature at the last Session at *Burlington,* Leave was given to bring in a Bill at this Session for the Purpose aforesaid, provided Notice thereof was given in *Hugh Gaine's* News-Paper, and no reasonable Objections should be made thereto; and it appearing that said Notice hath been given, and no Objection appearing,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Sum of *One Hundred and Twenty-two Pounds Fourteen Shillings and Three-pence* shall be raised; one Moiety

on the Inhabitants of the County of *Middlesex,* and the other Moiety on the Inhabitants of the County of *Somerset;* to be assessed and collected by the same Officers, at the same Time, and in the same Proportion, Manner and Form, and the said Officers shall be entitled to the same Fees and Rewards for their Trouble, and subjected to the same Fines and Penalties, as is prescribed and directed by the Act for raising of the Provincial Taxes.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Sum of *One Hundred and Twenty-two Pounds Fourteen Shillings and Three-pence,* Money aforesaid, shall be paid by the several Town and Precinct Collectors of the Counties of *Middlesex* and *Somerset,* according to their respective Quotas, to *John Duykinck* and *Charles Sudam,* or either of them, in full of their Accounts of Disbursements for building and completing the aforesaid Bridge over *Raritan* River at the Landing; any Law to the contrary notwithstanding.

Passed 11 Feb. 1775
Collins (1775) 22:3, p. 20.

An ACT *for raising the Sum of* Three Hundred and Fifty-seven Pounds Fourteen Shillings and Eleven-pence, *Proclamation Money, on the Inhabitants of the County of* Somerset, *for repaying certain Persons therein named the Money they have advanced in rebuilding* Queen's Bridge.

WHEREAS a very great Number of the Inhabitants and Freeholders of the County of *Somerset* have, by their humble Petition, set forth, That *Peter Perine, Jeremiah Field* and *Jonathan Smith,* the Managers for rebuilding *Queen's Bridge,* have expended the Sum of *Three Hundred and Twenty-eight Pounds Four Shillings and Two-pence,* Proclamation Money, over and above the Money that they have received for completing said Bridge; and that the said Bridge is useful and necessary, and therefore prayed, that the Monies so expended should be levied on the Inhabitants of the said County: AND WHEREAS by the Petition presented by the said Managers, setting forth, That they have taken up the said Money upon Loan, and will be considerable Loosers unless they have the Interest allowed them; and it appearing just and reasonable that the Monies so advanced by them, with the Interest for the same,

amounting in the Whole to the Sum of *Three Hundred and Fifty-seven Pounds Fourteen Shillings and Eleven-pence,* should be repaid them, pursuant to the Petition first recited;

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Sum of *Three Hundred and Fifty-seven Pounds Fourteen Shillings and Eleven-pence,* Proclamation Money, being the Principal and Interest of the Money so advanced, shall be raised on the Inhabitants of the County of *Somerset,* and assessed and collected at the same Time, and by the same Officers, in the same Proportion, Manner and Form, as the Provincial Taxes are raised and collected for this present Year; and the said Officers so assessing and collecting the same, shall be entitled to the same Fees and Rewards for their Trouble, and subject to the same Fines and Forfeitures for neglect of Duty, as by the Act for raising the Provincial Taxes is directed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Sum of *Three Hundred and Fifty-seven Pounds Fourteen Shillings and Eleven-pence* shall be paid by the respective Town and Precinct Collectors, according to their respective Quotas, by the twenty-first Day of *December* next, to *Peter Perine,* Esquire, *Jeremiah Field* and *Jonathan Smith,* or either of them, in full of their Accounts of Disbursements for rebuilding *Queen's Bridge,* any Law, Usage or Custom to the contrary notwithstanding.

Passed 11 Feb. 1775
Collins (1775) 22:3, pp. 21-22.

An ACT *to assess the Township of* Amwell, *in order to reimburse* Joseph Moore *for repairing a Bridge in said Township.*

WHEREAS *Joseph Moore* of Amwell, in the County of *Hunterdon,* hath, by his humble Petition set forth, That by Order of one Justice and the two chosen Freeholders of the aforesaid Township to repair a Bridge in said Township, that required Handicraft Work, over a Creek that empties itself into the South Branch of *Raritan* River, on the Highway between the Mills now belonging to *John Grigg* and the Mills of *Thomas Atkeson,* being much used by the Publick, that, after he had repaired the same, he applied to the Board of Justices and Freeholders of said County, and laid his Account

before them, who refused to pay the same, whereby he is in Danger of loosing the Money by him expended, besides his Costs and Trouble in endeavouring to recover the same: AND WHEREAS it appears that the Petitioner has given Six Weeks Notice, in the *Pennsylvania Gazette,* of Leave given to bring in a Bill agreeably to an Order of the last Session held in *Burlington;* and the Prayer of the Petitioner appearing reasonable, and no Objections being offered,

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 Assessor and Collector of the Township of *Amwell,* in the County of *Hunterdon,* and they are hereby authorized and directed respectively to assess on and collect from the Inhabitants of the said Township the Sum of *Thirty Pounds Fourteen Shillings,* Proclamation Money, on or before the Twenty-first Day of *December* next, in the same Manner and Form as the Provincial Taxes are assessed and collected, and under the same Pains and Penalties, and for the same Fees and Rewards, as for assessing and collecting the Provincial Taxes in every Respect whatsoever; and that the said Collector shall pay the same to the said *Joseph Moore,* his Heirs, Executors or Administrators, and take his or their Receipts for the same, which shall be allowed by the Justices and Freeholders.

Passed 11 Feb. 1775
Collins (1775) 22:3, pp. 22-23.

An ACT *to enable the Owners and Possessors of the Meadows and Swamps lying on* Ramboe's *Run, in the Township of* Deptford, *in the County of* Gloucester, *to keep up and maintain the Banks, Dam and other Waterworks, necessary to prevent the Tide from overflowing the same, and to keep the Watercourses open and clear.*

WHEREAS the Owners and Possessors of the Meadows and Swamps lying on *Ramboe's* Run, in the Township of *Deptford,* in the County of *Gloucester,* have, by their humble Petition, prayed the following Law to enable them to uphold, repair and maintain the Bank, Dam, and other Waterworks, heretofore erected, to prevent the Tide from overflowing the same; 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 and Swamps to meet at the now Dwelling-House of *John Wilkins,* junior, or at any other House hereafter to be appointed by the Majority of the Owners and Possessors, on the first *Tuesday* in *March* yearly and every Year, and then, by Plurality of Voices of the Persons so met, to choose two Managers, interested in said Meadow, for the ensuing Year (until which Time *Savil Wilson* and *John Wilkins,* junior, are appointed Managers) which Managers, now appointed or hereafter chosen as aforesaid, shall at all Times keep the said Dam and Sluice in good Repair; the Cost and Expence whereof shall be paid by the said Owners and Possessors in Proportion to the Quantity of Meadow they severally hold; to be assessed by the said Managers on the Owners and Possessors in Proportion aforesaid: And if they, or any of them, shall neglect or refuse to pay the Sum or Sums of Money so assessed for ten Days after demanded, it shall and may be lawful for the Managers, or either of them, to 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, That *John Wilkins,* junior, *Thomas Wilson, Savil Wilson, Biddle Reeves, Arthur Reeves,* and *Isaac Andrews,* shall keep up, repair and maintain, their Shares of the Tide Bank at all Times so as effectually to prevent the Tide from overflowing the said Meadows, in the following Proportion, *viz. John Wilkins,* junior, shall repair and maintain the said Bank from the fast Land near a Landing belonging to the same *John Wilkins,* junior, to the Line of *Biddle Reeves;* that *Thomas Wilson* shall repair and maintain the Bank from the same Line to the End of Twenty-four Rods; that *Savil Wilson* shall repair and maintain the next Thirty-four Rods, excepting two Rods of the Dam across the Run aforesaid, which shall be maintained at the general Expence of all the Owners; *Biddle Reeves* shall maintain Sixteen Rods of the said Bank; and the Remainder of the said Bank, to *James Whital's* fast Land, shall be repaired and maintained by *Arthur Reeves,* excepting five Rods adjoining the said fast Land, which shall be equally divided between and repaired and maintained by *Isaac Andrews* and *Savil Wilson.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Owners, their Heirs and Assigns, their Servants or Labourers, may at any Time enter upon the said Bank to repair and maintain their Share or Proportion of the same, mow the Weeds, or perform any other Service for the Support thereof; and that *Isaac Andrews, Biddle Reeves, Savil Wilson* and *Thomas Wilson,* shall, at their own Expence, dig and keep the main Ditch or Watercourse, from *Isaac Andrews's* lower Line down to the Sluice, open and clear twelve Feet wide below *Thomas Wilson's* Bridge, and ten Feet wide above the said Bridge, and of a Depth sufficient to drain the Water from off the said *Isaac Andrews's* Meadow or Swamp, in Proportion to the Meadow or Swamp which they severally hold, that is or may be benefited by said Dam and Bank; which Proportion of Meadow or Swamp shall be ascertained and fixed by two indifferent Men, chosen by the Managers, as soon as may be after this

Act takes Place; and that all necessary Line Ditches shall be made, kept open and cleared at the Expence of the Parties adjoining said Line Ditches.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any of the said Owners or Possessors shall neglect or refuse to keep up and maintain their several Parts of the Bank before-mentioned in good and sufficient Repair, or to keep open the Watercourse in Manner aforesaid, of which the Managers shall be Judges, after Notice in Writing given to the Party delinquent by any of the Parties injured, the said Manager or Managers shall immediately after the End of one Month from the Time of such Notice, or sooner if necessary, proceed to repair the said Bank, or open the said Watercourse, so as effectually to answer the Purposes by this Act intended, and shall demand the Cost and Expence, with reasonable Allowance for their Time and Trouble, of the Party or Parties whose Duty it was to have done the said Work; and on Neglect or Refusal to discharge the same within ten Days after such Demand, it shall and may be lawful for said Managers, or either of them, to recover it in Manner aforesaid.

PROVIDED ALWAYS, That the Mud or Earth for repairing the said Dam and Bank shall at all Times be taken from the Outside thereof, except in Cases where it may be necessary to do otherwise, for the Amendment of Breaches when the Tide may be so high as to prevent the same from being done; in which Case it may be taken from the Inside of the said Bank, in some Place the most convenient and least detrimental to the Owner of the Soil.

AND BE IT FURTHER ENACTED, That when a Majority of the Owners and Possessors at any of their annual Meetings, on the first *Tuesday* in *March,* shall judge it necessary, they may order the Managers to straighten the Watercourse from the Sluice to the River, and wharf the same Watercourse to prevent it from filling up; the Cost and Expence whereof shall be assessed and recovered by the Managers in Manner aforesaid; and the said *John Wilkins,* junior, and his Successors in Interest, shall have the Liberty to cut a Drain from his Line to the said Sluice six Feet wide, and not exceeding twenty-five Feet Distance from the Middle of the said Bank, and to keep the same open and clear, at his own Expence.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if at any Time the Owners and Possessors aforesaid shall neglect to choose Managers as aforesaid, that the Managers for the preceding Year shall continue in Office until others are elected; and that the Managers shall keep fair Accounts of all Money received and expended by Virtue of this Act, and lay the same before the Owners and Possessors at their annual Meeting, on the first *Tuesday* in *March* yearly, to be by them inspected and settled, and shall pay the Balance in their Hands, if any, to their Successors in Office.

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 *Five Pounds,* to be recovered by the Managers for the Time

being, in Manner aforesaid, and applied to the Repairs of the Dam and Sluice.

Passed 11 Feb. 1775
Collins (1775) 22:3, pp. 23-26.

An ACT *to confirm and establish a Road laid out by Virtue of an Act, entitled, 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 by an Act of this Colony passed in the sixth Year of His Majesty's Reign, entitled, *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,* the Commissioners therein named did lay out a certain Road from *Bergen* Point up *Newark* Bay towards and to *Paulus-Hook:* AND WHEREAS the said Road has been deemed subject to Alteration by Virtue of the Powers given to the Surveyors of the Highways by an Act passed in the fourteenth Year of His Majesty's Reign, entitled, *An* Act *for regulating Roads and Bridges,* whereby great Uneasiness hath arisen among the Inhabitants, and the said Road hath in Part been shut up, and another laid out not so convenient 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 the Road laid out by the Commissioners, in the said Act named, from *Bergen* Point up *Newark* Bay unto the Place where the same intersects the Road commonly called the *Old Road,* shall be, remain and continue a publick Road forever; to be made, repaired and amended by the Owner or Owners of the Ferry at *Bergen* Point, not subject to any Alteration by any Commissioners by Virtue of any Law of this Colony.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Owner or Owners of the said Ferry shall not be compelled to work on the Road called the *Old Road;* any Law to the contrary notwithstanding.

Passed 11 Feb. 1775
Collins (1775) 22:3, p. 26.

A supplementary ACT *to an Act, entitled,* An *Act* for the Relief of Insolvent Debtors.

WHEREAS Numbers of Poor and Insolvent Debtors appear now to be in Confinement in the several Gaols of the Colony, who are willing to deliver up all their Effects to their Creditors, and yet cannot have the Advantage of an Act passed in the twelfth Year of the Reign of His present Majesty, entitled, *An* Act *for the Relief of Insolvent Debtors,* because the Creditors of those Persons so confined, or two Thirds in Value of his, her or their Creditors, refuse to join with such Debtors in a Petition to the Court for that Purpose: AND WHEREAS it appears that Injury may arise to the Publick from the Confinement of their Persons, and no Advantage to their Creditors;

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That all and every Person or Persons who was or were in actual Prison, in any common Gaol of any County, City or Borough within this Colony, on the first Day of *January,* in the Year of our Lord One Thousand Seven Hundred and Seventy-five, shall be entitled to all the Benefit and Advantages of the before recited Act, as fully, to all Intents and Purposes whatsoever, as if his, her or their Creditors, or two Thirds in Value of his, her or their Creditors had petitioned or joined with such Debtor or Debtors in a Petition to the Court for the Benefit of the said Act, any Thing in the before recited Act to the contrary notwithstanding.

PROVIDED ALWAYS, AND IT IS HEREBY FURTHER ENACTED, That before any Debtor shall be discharged by Virtue of this Act, he or she shall conform him or herself to all other the Directions, and be subject to all the Penalties of the Act aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That no Person or Persons who have or may secrete any of their Goods or Chattels from any Sheriff, Constable or Creditor, and for which such Sheriff or Constable shall be liable, shall have or be entitled unto any Advantage or Benefit of the said recited Act, until such Goods or Chattels, or the just Value thereof, shall be restored to such Sheriff, Constable or Creditor, or the Creditor or Creditors, at whose Suit or Suits such Goods and Chattels were taken, shall, under his, her or their Hands and Seals, release to such Sheriff or Constable all Cause of Action therefor.

Passed 13 Feb. 1775
Collins (1775) 22:3, pp. 27-28.

Twenty-second Assembly, Fourth Session

First Sitting

15-20 May 1775

Burlington

No acts passed.

Twenty-second Assembly, Fourth Session

Second Sitting

15 Nov.-6 Dec. 1775

Burlington

All acts passed 6 Dec. 1775.

An ACT *for the Support of Government of His Majesty's Colony of* New-Jersey, *to commence the first Day of* October *One Thousand Seven Hundred and Seventy-five, and to end the first Day of* October *One Thousand Seven Hundred and Seventy-six; and to discharge the publick Debts and contingent Charges thereof.*

WHEREAS the Act for supporting of Government of His Majesty's Colony of *New-Jersey* expired on the first Day of *October* 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 by the Authority of the same,* That, for paying of 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 cheerfully 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 any unapplied Money now in the Treasury, or that may come therein by Payment of any Sum or Sums now outstanding and due to this Colony or otherwise, as herein after is provided, *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 first Day of *October* last.

To *David Ogden,* Esquire, one of the Justices of the Supreme Court of this Colony, at the Rate of *One Hundred and Fifty Pounds per Annum,* Money aforesaid.

To *Richard Stockton,* Esquire, one of the Justices of the Supreme Court of this Colony, at the Rate of *One Hundred and Fifty Pounds per Annum,* Money aforesaid.

To *Cortland Skinner,* Esquire, Attorney-General of this Colony, at the Rate of *Forty Pounds per Annum,* Money aforesaid.

To *Joseph Smith* and *John Smyth,* 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 *Dennis Debert,* Agent of this Colony, at the Rate of *One Hundred Pounds per Annum,* Money aforesaid.

To the Clerk of the Circuits, for the Time being, residing in this Colony, at the Rate of *Twenty Pounds per Annum,* Money aforesaid.

To the Doorkeeper of the Council of this Colony, at the Rate of *Ten Pounds per Annum,* Money aforesaid.

ALL which several Sums above-mentioned shall be paid to the several

Officers before-mentioned for their respective Salaries for and during 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,* Esquire, 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 first Day of *October* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-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,* Esquire, or to the said other Officers, or to his or their several Executors, Administrators and Assigns, or to their Orders, out of the Money 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,* Esquire, 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 Justice or Justices of the Supreme Court of this Colony, *Ten Pounds* for each Time, during the Continuance of this Act, that they or either of them shall, after the Publication of this Act, hold the Court of *Nisi Prius* and 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; which said Sum of *Ten Pounds* shall be equally divided between the Justices who shall attend the said Courts. 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 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. PROVIDED ALSO, That twenty Days Notice be given of the Day of holding such Courts of *Nisi Prius* and Courts of Oyer and Terminer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Treasurers, or either of them, shall pay the Sum of *Eight 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, *Videlicet,*

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 of any Sitting, during the Continuance of this Act, fair in the Journals, and copying the Laws and Minutes for the Printer. And to the said *Richard Smith* the Sum of *Ten Pounds* for Pen, Ink and Paper, and hiring Clerks to forward the Business of this Session; and for a Journal, for the Use of the General Assembly, *Thirty-three Shillings.*

To *Charles Pettit,* Esquire, Deputy-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; and to the said *Charles Pettit,* for extraordinary Services, the Sum of *Twenty Pounds.*

To each of the Treasurers of this Colony *Six-pence per Pound,* for exchanging ragged and torn Bills of Credit of this Colony.

To *Isaac Collins,* 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 *Hendrick Fisher, Stephen Crane, James Kinsey,* and *Thomas Polgreen Hewlings,* Esquires, or any two of them, shall agree to be paid for the said Services.

To the Sergeant at Arms, for the Time being, who shall attend the

Council, the Sum of *Three Shillings per Diem;* and to the Sergeant at Arms, who shall attend the House of Representatives, the Sum of *Three Shillings per Diem.*

To the Doorkeeper 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 several 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 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 *Eight 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, John Mehelm, John Hinchman, James Kinsey, Thomas Polgreen Hewlings,* and *Richard Lawrence,* Esquires, or any three of them, expressing the Number of Days such Member 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.

AND WHEREAS a Sum of Money in Gold, Silver, and the current Money of the neighbouring Colonies, sufficient for the Purposes of this Act, now is in the Treasury of this Colony; therefore, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Treasurers of this Colony, and they are hereby authorized to apply such Part of the Monies aforesaid, now in the Treasury, as shall be necessary for the Payment of the several Sums herein and hereby given and granted, and to defray the incidental Charges of Government.

AND, for the replacing the said Money in the Treasury, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Treasurers, and they are hereby directed and required, out of the Interest Money arising and to be paid into the Treasury of this Colony, by Virtue of the Act, entitled, *An* Act *for striking* One Hundred Thousand Pounds *in Bills of Credit, and directing the Mode for sinking the same,* or out of any

Money outstanding on Bonds and Mortgages, as the same shall be by them, or either of them received, to replace all such Monies now in the Treasury as aforesaid, as shall be applied in Payment of the several Sums in and by this Act given and granted as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, do pay to the several Persons hereafter named the several Sums following, *to wit,*

To *James Kinsey* and *Thomas Polgreen Hewlings,* Esquires, such Sums of Money as shall be necessary for Fire and Candle for the Use of the Council and Assembly, and for the Rent of the Assembly Room, at *Twenty Shillings* per Week.

To *Samuel Allinson,* Esquire, such Sums of Money for his collecting, revising and publishing the new Edition of the Laws of this Colony, upon the Delivery of the Books, as *James Kinsey, Thomas Polgreen Hewlings, Henry Paxson, Anthony Sykes, John Hinchman, Robert Friend Price, Samuel Tucker* and *John Mehelm,* Esquires, or any five of them, shall agree to be paid for the same.

To *Charles Pettit,* Esquire, the Sum of *Thirty Pounds Thirteen Shillings,* for summoning the General Assembly in *May* last and this Session, and for transporting the Chest to and from *Amboy,* and preparing the Council Chamber.

Collins (1775) 22:4, pp. 3-7.

A supplementary ACT *to the Act, entitled, An* Act *for striking* One Hundred Thousand Pounds *in Bills of Credit, and directing the Mode for sinking the same.*

WHEREAS in and by the Act, entitled, *An* Act *for striking* One Hundred Thousand Pounds *in Bills of Credit, and directing the Mode for sinking the same,* it was and stands 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 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 Courthouses within each respective County of this Province, for them the said Justices and chosen Freeholders to meet together at the Courthouse 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 County as in and by the same Act is therein after directed." AND WHEREAS the Judges of the County of *Monmouth* have omitted to proceed to the Choice of the Commissioners pursuant to the Act aforesaid: AND WHEREAS also the said Commissioners in and by the said Act to be chosen, are directed to give Security for the faithful Execution of their Duty, and no Provision is made for the Renewal of such Security in case any of the said Security or Securities should be likely to prove deficient; for the 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 first Judge of the Inferior Court of Common Pleas of the County of *Monmouth,* or in case of his Absence or Disability, then the next in Commission, within sixty Days next after the Publication of this Act, to issue his Precept to one of the Constables in the said County, commanding him to give Notice to every Justice of the Peace in the said County, and also to every one of the chosen Freeholders in the said County, who are or shall be chosen for this Year, by Virtue of the Act of Assembly for choosing of Freeholders, for them the said Justices and chosen Freeholders to meet together at the said Courthouse 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, proceed to the Choice of the Commissioners of the Loan-Office for the County aforesaid, pursuant to the Directions of the Act aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That as often as any three Justices of the Peace of any County of this Colony, together with a Majority of all the Freeholders chosen in such County, shall think it necessary to call upon any of the Commissioners chosen by Virtue of the Act afore-recited, or by Virtue of this Act, to give any further or better Security for the faithful Execution of their Trust, that then, and in that Case, every Commissioner so chosen as aforesaid, neglecting for the Space of one Month, or refusing so to do, shall be removed from his said Trust; and the Justices and Freeholders shall proceed to choose others in their Stead in Manner as directed by the said recited Act; which said Commissioner or Commissioners so chosen 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 any Commissioner of the Loan-Office may or ought to do and receive by Virtue of the said recited Act.

Collins (1775) 22:4, pp. 7-9.

An ACT *for the speedy Recovery of Debts from* Six Pounds *to* Ten Pounds.

WHEREAS the Act for recovering small Debts in the Inferior Courts of Common Pleas in this Colony has been found, by Experience, very Beneficial: AND WHEREAS the said Act expires, by its own Limitation, with this Session of General Assembly; 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, all Actions of Debt and other Demands for and under the real Value of *Ten Pounds,* and above *Six Pounds,* Money according to the Proclamation of the late Queen *Anne,* shall be sued for and prosecuted before the Judges and Justices of the Inferior Court of Common Pleas and General Quarter-Sessions of the Peace of the Counties, Cities or Towns-corporate of this Colony, at the Time of holding the Courts of Common Pleas and General Quarter-Sessions of the Peace of the Counties, City or Town-corporate, in the Manner following, and not otherwise, *that is to say,* For the Recovery of any such Debt or other Demand as aforesaid, it shall and may be lawful for any Justice of the Peace of any of the Counties, Cities or Towns-corporate in this Colony, on Application to either of them, 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 before the Judges and Justices of the said County, City or Town-corporate, at the next Court of Common Pleas and General Quarter-Sessions of the Peace to be held at the Courthouse in and for the said County, City or Town-corporate, to answer the Plaintiff's Demand: At which Day it shall and may be lawful for the said Judges and Justices, and they are hereby authorized and directed, to proceed and hear and examine the Allegations and Evidences of the Plaintiff and Defendant in a summary Way, and without any further written Proceedings, and give Judgment thereon, in such Manner, by Nonsuit or otherwise, as to them shall appear agreeable to Equity and Justice, and award Execution thereupon, directed to the Constable or Constables of the Township wherein the Party resides, with such Costs as are herein after allowed.

AND BE IT ENACTED *by the Authority aforesaid,* That the Process against Freeholders shall be by Summons only, and a Copy thereof served on the Defendant, or left at his House or Place of Abode, in the Presence of one or more of his Family, or Neighbours, who shall be informed of the Contents thereof, at least ten Days before the Day of Return therein mentioned; and that the Process against Persons not Freeholders shall be by Warrant in the Nature of a *Capias,* or Summons, at the Election of the Plaintiff or Plaintiffs, which shall be served on the Defendant at least ten Days before the Day of Return therein mentioned: And on each and every such Summons or

Warrant shall be endorsed the Debt due or Sum demanded with Costs: And in case the Defendant shall think proper to pay such Debt or Demand, with the Costs so endorsed as aforesaid, that then, and in such Case, it shall be lawful for the Constable to receive the same, and his Receipt shall be a full Discharge to such Defendant from such Debt or Demand, and all or any future Costs; and in case the Defendant or Defendants do not appear on the Return of such Process, or either of them, and the same appearing to the said Court duly served upon the Defendant or Defendants in Manner aforementioned, by the Oath or Affirmation of the Constable serving the same, if necessary, and no sufficient Reason appearing why the Defendant or Defendants do not appear on the Return of such Summons or Warrant, the said Justices shall proceed to hear and determine such Action or Actions in the Defendant's Absence, give Judgment and award Execution thereupon, in the same Manner as if the Defendant had been personally present: But if any reasonable Matter shall be offered to the Court why the Defendant or Defendants did not appear on such Process as aforesaid, and the same be proved to the Satisfacton of the Court, then the said Court shall and may, in their Discretion, defer the Hearing of such Cause or Causes.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Plaintiff or Plaintiffs so applying, or any other Person or Persons for him, her or them, shall, upon Oath or Affirmation, declare that he, she or they sincerely believe that if such Process is by Summons only against such Freeholder, he, she or they will be in Danger of losing the Debt thereby; or that he, she or they do really believe that such Freeholders will depart the County, City or Town-corporate, or otherwise abscond before the Day of Return, then the said Justice shall issue his Warrant in such Manner as if the Defendant had not been a Freeholder; and upon Service of such Warrant, or any other directed and authorized by this Act, the Constable serving the same shall and may, and he is hereby authorized to take one sufficient Person being a Freeholder as Bail, in the Sum of *Fifteen Pounds,* that the Defendant shall be and appear at the Return of the Process, and abide the Judgment of the said Court; for which an Endorsement on such Process, signed by such Person so becoming Bail, shall be sufficient: And in case the Defendant shall not appear on the Day of such Return, and no sufficient Reasons shall be assigned as aforesaid, that then, and in such Case, it shall and may be lawful for, and the said Court is hereby authorized and directed to enter Judgment against such Bail, and to award Execution for the Plaintiff's just Demand against the Defendant or Bail, at the Election of the Plaintiff, with Costs, but the Surrender of the Defendant entered on the Minutes of the Court, shall be a sufficient Discharge to such Bail.

PROVIDED ALWAYS, AND IT IS HEREBY ENACTED, That any or either of the said Justices shall and may, and they are hereby authorized to issue a Warrant as aforesaid against any Person or Persons being Non-Residents, or likely to depart or abscond as aforesaid: And the Service of such Warrant at any Time before, or at the Sitting of such Court, shall be sufficient to enable the Party to recover his or her Debt or Demand as before

is directed, any Thing herein to the contrary notwithstanding.

AND, in case any or either of the Parties shall be desirous to have his Cause tried by a Jury; to prevent any Delay, BE IT ENACTED, That at every Court in the several Counties and Cities of this Colony, the Sheriff of the City or County shall, and he is hereby directed, without any *Venire* issuing for that Purpose, to return and have ready twelve Persons, being Freeholders, who shall be by the Court empannelled forthwith to try the Cause or Causes aforesaid: And in case just Cause of Exception shall be taken to any or either of the Jurors so empannelled, or a sufficient Number shall not appear, then, and in such Case, the Court shall and may, in their Discretion, set such Fines on such absenting Jurymen as they shall think reasonable, and shall direct, and the Sheriff is hereby required to complete the Pannel of the Jury aforesaid from the Freeholders present and attending the said Court, who are hereby required to serve on such Jury, under the like Penalties as Jurors absenting themselves or neglecting to attend as aforesaid.

AND, that litigious Persons may not delay Payment of just Debts by unnecessary and expensive Removals of Causes, BE IT ENACTED, That in no Case herein before-mentioned a *Certiorari* or other Writ for Removal of Causes shall be allowed, unless the Party demanding such Writ shall first assign his Reasons, and file the same in the Office from whence such Writ shall issue, and shall enter into Recognizance, with one good Security, in the Sum of *Twenty Pounds,* with Condition that he will not delay but prosecute a Determination of the Reasons by him assigned upon the Return of such Writ: And the Justices of the Supreme Court are hereby required and directed to allow no such Writ or Writs until such Reasons are filed and Recognizance entered into as aforesaid: And in case the Party bringing such Writ shall neglect or delay a Determination of the Reasons assigned at the Term to which such Writs are made returnable, that then, and in such Case, such Writ shall be abated: And if the Party bringing such Writ of Removal as aforesaid, shall be unwilling or unable forthwith to pay the Costs occasioned by such Removal with the Debt and Costs recovered in the Court from whence such Cause was removed, that then, and in such Case, the Justices of the Supreme Court shall, without further Process or Proceedings, enter Judgment on the Recognizance aforesaid, and immediately award Execution against the Security therein mentioned, as well for the Costs of such Removal, as for the Debt and Costs recovered in the Court from whence such Cause was removed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in case any Constable shall neglect the Service of any Summons or Warrant, or neglect to take good and sufficient Bail as aforesaid, or do any Matter or Thing whereby the Plaintiff shall lose his Debt, or suffer any Damage, he shall be liable to pay to the Plaintiff or Plaintiffs his or their Debt so lost or Damages suffered, with Costs of Suit, to be sued for and recovered as herein before is directed. And it shall and may be lawful for any of the Constables of this Colony, and they are hereby authorized and empowered to convey the Body of any Defendant who cannot or will not procure Bail in any Suit

directed by this Act to the common Gaol of the County: And the Sheriffs of the several Counties in this Colony, or their lawful Deputy or Gaoler, are hereby required the Body of such Defendant or Defendants there to receive, and safely keep until the Return of the Process on which such Defendant was arrested, and the Judgment of the Court is thereon had, or such Defendant or Defendants shall give sufficient Bail pursuant to the Directions of this Act.

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

JUSTICE FEES.

A Summons, *Six-pence.*
Warrant, *One Shilling.*
Summons for Evidences, *Six-pence.*

SHERIFF.

For every Cause tried by a Jury, *Three Shillings.*

CONSTABLE FEES.

Serving every Warrant or Summons, and Copy thereof, *Two Shillings and Six-pence.*
Taking Bail, *One Shilling.*
Every Execution, *Two Shillings and Six-pence.*

COURTS FEES.

In each Action, *One Shilling and Six-pence.*
Allowing *Certiorari* or other Writ of Removal, *Three Shillings.*

CLERK's FEES.

Entering Action, *Six-pence.*
Filing Process, *Six-pence.*
Entering Defendant's Appearance, *Six-pence.*
Calling and Swearing Jury, *One Shilling and Six-pence.*
Entering every Verdict, *Six-pence.*
Judgment, *Six-pence.*
Every Order or Rule of Courts, *Six-pence.*
Every Nonsuit, *Six-pence.*
Every Evidence sworn or affirmed, *Six-pence.*
Every Execution, *Three Shillings.*
Filing Execution and entering, *One Shilling.*

CRYER.

In each Cause, *Eight-pence.*
Calling and swearing every Evidence, *Three-pence.*
Calling and swearing Jury, *Eight-pence.*

EVIDENCES.

Two Shillings per Day.

JURIES FEES.

One Shilling per Man for all Causes tried.

PROVIDED ALWAYS, That no Fee 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, unless the Court shall certify that such Evidences (more than two) were necessary.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act, and every Clause and Article herein contained, shall continue and be in Force for the Term of seven Years, and from thence until the End of the next Session of the General Assembly, and no longer.

Collins (1775) 22:4, pp. 9-13.

An ACT *to provide a more effectual Remedy against excessive Costs in the Recovery of Debts above* Ten Pounds, *and for other Purposes therein mentioned.*

WHEREAS the Mode of recovering Debts hertofore used in the Courts of Record in this Colony has been found, by Experience, to be grievous, in many Instances, to His Majesty's Subjects, by Reason of the Unnecessary and excessive Costs attending the same; for Remedy whereof 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, it shall and may be lawful for any Person, in order to recover any Debt or other Demand in any Court of Common Law in this Colony, for any Sum above *Ten Pounds* Proclamation Money, to obtain from the proper Officers either a Summons or *Capias,* at the Plaintiff's Election; and, if such

Process be a Summons, it shall be served on the Defendant, if he is to be found, and if not, a Copy thereof shall be left at his House or usual Place of Abode, at least one Week before the Return thereof; for the issuing of which Summons the Clerk of the Court, or the Plaintiff's Attorney, who shall issue the same, shall be entitled to receive the Sum of *Two Shillings and Six-pence,* including the entering of the Action; and the Sheriff shall be entitled to receive the Sum of *Six Shillings,* including Mileage, and *Nine-pence* for the Copy of the Summons, where necessary.

AND BE IT FURTHER ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That no Judgment Roll shall be made up in any Action to be brought in any of the Inferior Courts of Common Pleas within this Colony, excepting where Lands are to be taken in Execution; in which Case only it shall and may be lawful for the Plaintiff to draw up his Judgment in the Manner which has been usually practised.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Sheriff or Coroner shall voluntarily or negligently omit to confine any Defendant in Gaol, after two Months from the Return of the *Capias ad satisfaciendum,* unless by Consent of the Plaintiff or his Attorney, or, where the Execution shall be by *Fieri Facias,* shall neglect to file a just and true Inventory of the Goods and Chattels, Lands and Tenements, so taken in Execution, unless such Sheriff or Coroner shall return that he hath levied to the Value of the Debt and Costs, or shall, without such Consent as aforesaid, voluntarily or negligently omit rendering the Money arising from the Sale of the Estate and Effects of the Defendant in the Term next after the Return of the Execution, he shall be amerced in the Value of the Debt and Cost; which said Amerciament shall and may be recovered by Action of Debt, as other Debts of Record.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Court, in which any Action shall be brought, shall and may consolidate or join together several Actions between the same Parties, when the Nature of the Actions will permit. And if any Attorney or Practitioner of the Law shall commence or prosecute divers Actions for one and the same Demand, or where it shall appear that the Plaintiff or Plaintiffs in such Suits might receive full Satisfaction by one Suit only, then, and in such Case, one Bill of Cost only shall be taxed; and such Attorney or Practitioner of the Law shall lose the Costs of such unnecessary Suit or Suits, or become liable to pay to the Defendant his Costs in defending the same, to be awarded by the Court on Motion.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in all Actions on the Case that shall be hereafter brought in any Court of Record in this Colony, wherein the Defendant shall not have filed a Plea, the Court to which the Process is returnable shall, at the Term next after the said Return, assess the Damages and give final Judgment, unless the Defendant shall appear in Person, or by some Attorney, and request that a Writ of Inquiry shall issue; in which Case the Court shall order a Writ of Inquiry to

issue, returnable to the next Term, and thereupon give Judgment and award Execution; for which Service, in assessing the Damages as aforesaid, the Court shall receive the Sum of *Six Shillings*.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That, from and after the Publication of this Act, no Warrants of Attorney, for confessing of Judgment, shall be included in the Body of any Bond, Bill or Writing; and that every Warrant of Attorney so included in any Bond, Bill or other Writing, hereafter to be given and executed for the Payment of Money, shall be utterly void and of none Effect.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That Poundage, payable to the Sheriff upon an Execution, shall only be charged on the Sum actually made by the Sale for the Use of the Plaintiff; and that the Sheriff, Coroner or other Officer, empowered to serve such Writs of Execution, shall in no Case receive the Fees payable to them thereon, unless such Officer shall first have the Bill thereof taxed by one of the Judges of the Court where such Writ shall have issued, and also have filed a Copy of the said taxed Bill with the Clerk of the said Court; and that any Person, thinking himself aggrieved by the Taxation of a Bill of Costs, in any Case whatever, shall and may, within six Months after such Taxation, apply to any Judge of the Court in which the Action was prosecuted, or to any of the Justices of the Supreme Court, and have the same retaxed, and the Sum deducted shall recover, with the Costs of retaxing, in any Court where the same is cognizable, with Costs of Suit.

AND WHEREAS it often happens that Persons who have been indicted and convicted for criminal Offences, are unable to satisfy for their Fine and Fees, whereby the remain long confined in Gaol, and become a Burden upon the Community; therefore, BE IT ENACTED *by the Authority aforesaid,* That, from and after the Publication of this Act, when any Person shall be committed and convicted for any criminal Matter, and unable to discharge the Fine and Fees for which he, she or they are confined, any otherwise than by servitude, it shall and may be lawful for any two Justices of the Court of General Quarter-Sessions of the Peace of any City, Borough or County where such Criminal is confined, to sell and assign the Person so confined, to any Person or Persons who will pay and discharge the Fine and Fees which he, she or they may be confined, for so long Time, and in such Manner as the said Justices shall think reasonable and just, not exceeding five Years.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall be and continue in Force for seven Years, and from thence to the End of the next Session of General Assembly, and no longer.

Collins (1775) 22:4, pp. 13-15.

An ACT *to authorize the Board of Justices and Freeholders of the several Counties in the Colony of* New-Jersey, *to defray the Expence of taking Lists of the Inhabitants.*

WHEREAS sundry Petitions have been presented from divers Persons who have numbered the People in several Counties in this Colony, praying an adequate Compensation for such Services;

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Board of Justices and Freeholders in each and every of the Counties in the Colony shall be, and they are hereby authorized and directed to pay all necessary Charges of all such Assessors or other Persons who have taken Lists of the Number of the Inhabitants in any City, Borough, Township or Precinct in this Colony, in such Proportion as they shall judge the Services so performed do merit, and raise the same by Tax on the respective Counties.

Collins (1775) 22:4, p. 15.

An ACT *to prevent* Rams *from running at Large at certain Seasons of the Year.*

WHEREAS it hath been found, by long Experience, that the suffering of Rams to go at Large at certain Seasons of the Year is of very mischievous Consequence, and tends not only to injure the Breed of Sheep, but also to the Introduction of Quarrels, Disputes and Lawsuits among Neigbours; for the preventing whereof 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 twentieth Day of *August* until the twentieth Day of *December* in every Year, no Ram shall be permitted to go at Large off the Enclosure of his Owner, but shall, during that Period, be confined and kept within some enclosed Pasture Field or Ground, secured by a Fence so close and high as not to admit Sheep to pass the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Ram shall break through the Fence or Enclosure of his Owner, or shall be found trespassing within the Enclosure of any other Inhabitant of this

Colony, or running at Large between the said twentieth Day of *August* and the twentieth Day of *December,* it shall and may be lawful for any Person or Persons who shall find such Ram running at Large, or within his or their Enclosure, to take the said Ram and castrate him; for which Service the Owner of such Ram shall pay the Person or Persons performing the same the Sum of *Three Shillings;* or, if such Person or Persons shall choose to impound the said Ram, it shall and may be lawful for him or them so to do; for which Service the Owner shall pay the Sum of *Three Shillings* over and above the Damage which may be sustained: And, upon Notice being given to the Owner, if he shall not pay such reasonable Damages for the Trespass as shall be agreed upon between the Parties, the said Parties shall each choose one discreet neighbouring Farmer; or if the Owner refuses, the other Party may choose the two, who shall assess the Damages sustained by such Trespass; and the Owner of the said Ram shall pay the said Sum so assessed in Damages to the Person who has suffered the same, with the reasonable Costs of assessing: All which Sums of Money shall and may be recovered by Action of Debt in any Court where the same may be cognizable, within six Months next after the Time of the Service done or Injury committed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall be and continue in Force for three Years, and from thence to the End of the next Session of General Assembly, and no longer.

Collins (1775) 22:4, p. 16.

An ACT *to empower* Isaac Haines *to erect a Dam, Mills and other Waterworks on the southermost Branch of* Ancocas *Creek, in the Township of* Evesham, *in the County of* Burlington.

WHEREAS *Isaac Haines,* owning Lands on the southermost Branch of *Ancocas* Creek, in the Township of *Evesham,* in the County of *Burlington,* hath proposed, and by his humble Petition prayed Leave to erect a Dam, Grist-Mill and other Waterworks, on the said southermost Branch of *Ancocas* from and upon his own Land: AND WHEREAS sundry Inhabitants, Proprietors of the Lands adjacent to the Land of the said *Isaac Haines,* and whose Property may be affected by the erecting of the Dam and Waterworks aforesaid, have certified their Consent to the Prayer of the said Petition;

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by Authority of the same,* That it shall and may be lawful to and for the said *Isaac Haines,* his Heirs and Assigns, to make and erect the said Dam sufficiently wide and strong for the Purposes aforesaid, at the Place proposed; and to erect and build such Grist-Mills and other Waterworks as he, his Heirs or Assigns, may think beneficial and convenient, any Law to the contrary notwithstanding.

AND WHEREAS the said Petitioner hath proposed and agreed to place in the Dam, so to be erected, and keep in good Repair, Floodgates sufficiently wide to give a reasonable Passage for the Transportation of Lumber or Produce through the same, which the Pond raised by the said Dam will the better effect, BE IT THEREFORE ENACTED *by the Authority aforesaid,* That the said *Isaac Haines,* his Heirs or Assigns, shall place in the said Dam, and during the Continuance thereof keep in Repair, one good Pair of Floodgates, sufficiently wide and large to give a reasonable and convenient Passage for the Transportation of Lumber or other Produce through the same, down the said southermost Branch of *Ancocas* Creek, at proper Seasons, for that Purpose.

Collins (1775) 22:4, p. 17.

An ACT *to enable the Owners and Possessors of Meadows and Tide-Marsh, lying on both Sides of the South Branch of* Pensawkin *Creek, in the Counties of* Burlington *and* Gloucester, *to erect and maintain a Bank, Dam and other Waterworks across the said Creek, in order to prevent the Tide from overflowing the same.*

WHEREAS several of the Inhabitants of the Township of *Chester,* in the County of *Burlington,* and several of the Inhabitants of the Township of *Waterford,* in the County of *Gloucester,* by their humble Petition have set forth, that they are Owners of a considerable Quantity of Tide-Marsh, lying and being on both Sides of the South Branch of *Pensawkin* Creek, and the Creek being exceeding crooked, and the Marsh on each Side, in most Places, very narrow, which renders it almost useless, for want of banking out the Tide from overflowing the same, and therefore prayed that a Law may be passed, authorizing and enabling the Petitioners to erect a Dam across the said

Creek, from the fast Land of *Thomas Burrough* to the fast Land of *Samuel Rudderow;* 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 for the Owners of the said Meadows and Marsh to erect and keep up in good Repair, or cause to be erected and kept up, a sufficient Bank, Dam and other Waterworks over the said Creek, necessary for keeping out the Tide, from the fast Land of *Thomas Burrough* to the fast Land of *Samuel Rudderow.*

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

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers appointed by this Act, and the Manager and Managers that shall hereafter be chosen, shall have full Power to cut such necessary Ditches and Drains as may be sufficient at all Times for conducting the Waters to, and venting the same from the Sluices to be erected by Virtue of this Act.

AND, to the End that the said Bank, Dam and other Waterworks may be immediately erected and done, and at all Times hereafter be well and sufficiently maintained and kept in Repair, BE IT ENACTED *by the Authority aforesaid,* That all the Owners, Possessors of the aforesaid Meadows, Marsh and Swamp, shall and may at all Times, after the ensuing Year, meet and assemble yearly on the first *Monday* in *March,* at the Dwelling-House of *Samuel Burrough,* junior, or at any other Place where a Majority of the Owners, for the Time being, shall appoint, and there choose, by Plurality of Voices of those so met, one or two of the Owners of the said Meadows to be a Manager or Managers the ensuing Year, until which Time *Joseph Osler* and *Samuel Burrough,* junior, are hereby appointed Managers; which Managers, during the said Year, shall have full Power to assess the Owners, 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 the Bank, Dam and other Waterworks as aforesaid, during the said Year; and if any of the Owners shall neglect or refuse to pay such Sum and Sums of Money as shall or may, from Time to Time, be assessed on him or them, for the Space of thirty Days next after the same shall be demanded, it shall and may be lawful for the said Managers, or either of them, their, or either of their Successors in Office, to sue all and every such Person and Persons, in his or their Names, for the respective Sum or Sums of Money so assesed, by 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 empowered to give Judgment, and grant Execution for the same, with Costs of Suit: And further, it shall and may be lawful for the said Manager or Managers, and his and their

Successors, at all Times hereafter, 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 erecting and repairing the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Owners or Possessors shall, at any Time hereafter, neglect to meet on the first *Monday* in *March* to choose Managers as aforesaid, the Manager or Managers, 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 others in their Room; and if the said Manager or Managers shall die or remove out of the said County, that then it shall and may be lawful for any one of the Owners or 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 instead of him or them so dead or removed, who shall be vested with the same Power and Authority as if he or they had been chosen on the first *Monday* in *March.*

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

AND, in order to ascertain the just Quantity of Meadow that each Owner doth hold within the said Bank, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Manager or Managers, his or their Successors, at any Time hereafter, when they shall think proper, to cause all the enclosed Meadow, benefited by the said Dam, to be measured, the Expence whereof to be paid in Proportion as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the natural Watercourse of the said Creek shall, at all Times, be kept open and clear by the said Managers and their Successors, that the Water may have a sufficient Fall from off the Meadows; and all Mud, Grass or other Rubbish, that may be thrown or dragged thereout, shall be equally divided, as near as may be, to each Side of the said Creek.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any of the Owners or Possessors of said Meadow and Swamp shall not reside within the province of *New-Jersey,* or have any Person to represent them to pay the Sum or Sums of Money assessed as aforesaid, that then it shall and may be lawful for the Manager or Managers, for the Time being, to rent out Part of the said Meadows or Swamp belonging to the said Owner or

Possessor, 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, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Managers now appointed, or hereafter to be chosen by Virtue of this Act, or either of them, shall neglect or refuse to perform the several Duties herein enjoined, then the said Manager or Managers, so neglecting or refusing, shall forfeit the Sum of *Six Pounds* Proclamation Money for each Neglect or Refusal, to be recovered by Action of Debt as aforesaid, by any of the Owners of the said Meadows, or by the succeeding Manager or Managers, with Costs of Suit, to be applied towards supporting the said Bank, Dam and Water-works.

AND WHEREAS there are sundry Persons who alledge they will be damaged by the said Dam and Bank being erected as aforesaid, which, if made appear at the Time hereafter mentioned, the said Owners and Possessors are willing to pay and make good, therefore, BE IT ENACTED *by the Authority aforesaid,* That at the second annual Meeting after the said Dam is made, and Tide stopped from flowing up the said Creek, the Persons injured thereby shall and may request the Attendance of *Joseph Stokes,* Esquire, *John Wallace,* and *Samuel Shute,* or any two of them, on the Premises to view the same, or in case of their Death or Disability, of such Person or Persons as shall be appointed by the Court of General Quarter-Sessions of the Peace of the County of *Burlington,* who shall proceed to hear such Complainers in the Presence of the Managers and such of the Owners and Possessors as choose to attend; and shall have, and they are hereby invested with full Power to assess and fix the Damage which they, or any two of them, shall or may award and judge to be justly due to such Complainers, or any of them, by Reason of the said Dam and Bank being erected and made as aforesaid; which Sum and Sums of Money, so assessed and fixed, the said Managers shall pay to the said Complainers on Demand; and, on Neglect or Refusal so to do, it shall and may be lawful for the Persons to whom Damages shall be adjudged as aforesaid, or either of them, to bring his or their Action of Debt for the same in any Court where the same may be cognizable, and give the said Award in Evidence, and thereupon the said Court shall give Judgment and award Execution, with Costs of Suit: All which Damages, so paid as aforesaid, shall be allowed in the settling of the said Managers Accounts.

Collins (1775) 22:4, pp. 17-20.

Addenda

EDITORIAL NOTE

Subsequent to the publication of the first three volumes of this series, manuscript copies of several colonial laws were discovered, the texts for which had not previously been available. Only the titles of these acts, known from the original session laws, were printed in the first three volumes. With the printing of transcriptions of these recently discovered manuscripts in the following appendix, the *Laws of the Royal Colony of New Jersey, 1703-1775* now includes complete texts for all but the following two laws: "An Act for naturalizing Ludwick Hadn, Jacob Utrz . . . and Matthias Sharpentin" (1744); and "An Act for regulating the Practice of Law, and other purposes therein-mentioned" (1765). The appendix also reprints "An Act for the Currency of Bills of Credit" (1717) and parts of "An Act for the Support of the Government" (1717), because only partial transcriptions of these were available when they were originally printed in the first volume of this series.

In transcribing the texts of the following laws, a more literal policy has been adopted than the one used in the first three volumes. Instead of producing the texts "with the typographical characteristics of the printer of the laws for that year," as stated in the first volume's editorial note, all original punctuation, spelling, capitalization and paragraphing are preserved, with the following exceptions:

1. A period is placed at the end of every sentence and at the end of all titles. In a very few cases commas and semicolons are added in square brackets in order to improve readibility. Meaningless punctuation is eliminated.
2. Each clause is made into a separate paragraph to improve readability.
3. In the case of abbreviated words, superscripts are lowered to the level of the rest of the text; missing letters are supplied in square brackets only when necessary to improve clarity. For example, "Esq^{r}" is left as "Esqr," but "Acco^{t}" is changed to "Acco[un]t."
4. When capitalization is unclear, modern usage is followed.
5. The interpolation [*sic*] is used only in case of highly unusual spellings, and when the spelling might otherwise be viewed by readers as a typographical error.
6. Minor addenda of one or two words made above the line are incorporated into the text without comment. Longer insertions are footnoted.

The following rules will apply for cases involving special letter size and shape:

1. To conform with the pattern of the printed laws, all titles will be printed bold.
2. Words written in bold or in extra large letters in the manuscript will be printed in large and small capitals.
3. Long dashes will be rendered as em-dashes, except when they accompany a period, in which case they will be eliminated as redundant.

4. The figure "ff" will be printed "F."
5. Ampersands are preserved.
6. Thorns are transcribed as "th's."
7. Obvious slips of the pen are corrected and then footnoted.

Damaged, unclear or obliterated text will be treated as follows:

1. Where letters or words seem to have been left out accidentally, they are supplied in square brackets.
2. Where obliterated text can be supplied by inference, it is enclosed in angle brackets, with or without a question mark depending on the editor's confidence in the insertion.
3. Where no exact text can be inferred, obliterated sections are represented by a blank space of appropriate size enclosed in square brackets.

Sixth Assembly, First Session

6 Dec. 1710 - 10 Feb. 1710/11

Burlington

An Act for Enabling the Owners of the Meadows & Marishes adjoyning to and on boath sides of the Creek that Surrounds the Island of Burlington & stop out the Tide from overflowing them.

WHEREAS there are Considerable Quantities of Meadows and Marishes in the Towne of Burlington Adjoyneing to and on boath Sides of the Creek that Surrounds the Island which at present are overflowed by the Tides and many of them So Low that renders them of much less vallue then [*sic*] otherwise they would be to the owners, and most of the said owners foreseeing that by an Easie charge the Tide may be Stoped—by which A great advantage will acrew to the Towne of Burlington in generall and to the owners in perticular which at present they cannot doe without the Consent of all those Concerned the Majority of which Humbly prays that by an Act of Generall Assembly they may be Enabled to make two Dams to Stop out the tide from overflowing the Said Meadows and Marishes.

BE it therefore Enacted by the Governor Councill and General Assembly and by the authority of the Same that it Shall and may be Lawfull for all or the Major part of the owners of the said Marishes and Meadows All such haveing previous notice that lives within twenty miles of said towne of Burlington to Assemble and meet togeather at the said Towne of Burlington at such time as they Shall appoint and the Majority of those So Assembled to Contract and agree and to enter into covenants with such person or persons for such sume and sumes of money for the makeing of two Dams with Sluces or Fludgates as Shall be Necessary for preventing the Tides overflowing the said Meadows and Marishes one of the Dams to be made at that bridge Commonly called Yorksheir [*sic*] bridge and the other Dam to be made between the fast land of Robert Wheler Esqr on the one side and the Land of Mr Chakun Wardell on the other side.

AND BE IT ENACTED by the authority aforesaid that the owners of the said Meadows and Marishes then met and Assembled or the Majority of them shall Elect and Chuse A Receiver or Collector who shall be authorised to Collect and Receive from the respective owners of the said Meadows and Marishes their severall proportions of the sums that shall be expended upon makeing the said two Dams.

AND BE IT ENACTED by the authority aforesaid that if the owners of the said Meadows and Marishes cannot agree upon the Respective proportions each of them ought to pay for making the aforesaid Dams that it Shall and may be Lawfull for the Majority of the Owners of the said Meadows or Marishes to chuse two men who shall take an oath or attestation if Quakers before any Justice of the peace In the County of Burlington who are hereby authorised to Administer the same, and such persons so elected and Qualified Shall according to the best of their knowledge and understanding equally Asses the said sums according to the Number of Ackers

drained thereby Expended or to be Expended upon makeing the said Dams upon each Respective owner of the said Meadows Or Marishes according to the proportion they owne and shall make a true and perfect List of all the owners of the said Meadows and Marishes with the severall sums each of them ought to pay Signed under their hands and Shall deliver the Same to the Receiver or Collector aforesaid.

AND be it Enacted by the authority aforesaid that the said Receiver or Collector shall Signifie to each owner of the said Meadows or Marishes what they are to pay and upon neglect delay or refusall of any of them that it shall and may be Lawfull to and for the said Receiver Or Collector to sue all and every person or persons Assessed as aforesaid in his own name for the respective Sums they were so Assessed In an Action of Debt in any Court of Record within this province and give the Assessment Signed by the persons elected as aforesaid in Evidence shall Receive full Costs against every owner of the Meadows or Marishes aforesaid that neglected delayed or Refused to pay their Respective Aessesments.

And be it enacted by the authority aforesaid that the said Receiver or Collector shall Issue and pay all such sums of money as he shall Receive by order and direction of the Majority of the owners of the Meadows and Marishes aforesaid and not otherways.

Passed 10 Feb. 1710/11.
PRO-Ms.

Sixth Assembly, Third Session

7 Dec. 1713 - 17 Mar. 1713/14

Burlington

An Act to Naturalise Peter Bard Native of france.

Whereas Peter Bard native of the Kingdome of France being of the Protestant Religion has transported himselfe and family with diverse goods and Me[r]chandises into this her Majestys Collony and Plantation of Nova Cesarea or New Jersey in America and duely considering the Happy Constitution of this province being Governed as neare as may agreeably to the Laws of England and the said Peter Bard being desirous to be made A pertaker of those advantages and privilidges which the Naturall borne Subjects thereof doe enjoy has prayed Leave to bring in A bill to be past this house for that end and whereas the increase of people is a means of advanceing the wealth and strength of any Government and the encouragement herby given to the said Peter Bard may induce others to transport themselves and estates into this Collony

Be it therefore enacted by the Governor Councill and Generall Assembly and it is hereby enacted by the authority of the same that the said Peter Bard be and is hereby and for all times hereafter Shall be deemed adjudged and taken to be her Majestys Naturall borne Subject of this province to all intents Constructions and purposes whatsoever as fully and amply as if he had been or was borne within this province of New Jersey and that the said Peter Bard may and is hereby enabled to take Receive enjoy and be intituled to all the privilidges and advantages of A Naturall born subject as fully to all intents Constructions and purposes whatsoever as any of her Majestys Naturall born Subjects of this Colony can doe or ought to enjoy within the same by virtue of their being her Majestys Naturall born subjects.

Passed 11 Mar. 1713/14.
PRO-Ms.

An Act to enable the Executors of Miles Forster late of Perth Amboy in the County of Middlesex in the Province of New Jersey Merchant deceased to sell Lands for the Payment of Debts and Legacies according to the Last will and testament of the said deceased.

WHEREAS the said Miles Forster at the time of his decease was seized in and Possessed of divers Lands tenements and hereditaments in fee Simple on this Province and it appeareing to be his mind Will and intent both in his life time and at the time of his decease that those Lands Tenements and hereditaments should be sold and disposed of for the payment of his Just Debts and the Remainder Go to his Childreen the Legaties named in his said last will and Testament but by reason of the unskilfulness of the Clerk who writt the same the Executors of the said Miles Forster are not fully impowred to sell the Land and Tenements according to the true intent and Meaneing of the Testator by which they are uncapable of performing the will of the said Miles Forster deceased nor can they make Titles to such Lands as [he] had Verbaly bargained for for the payment of his debts in his life time but had not executed deeds for the same wherefore at the humble Request of Doctor John Johnston and William Bradford Executors of the said Miles Forsters Last Will and Testament,

Be it Enacted by the Governor Councill and Generall Assembly and it Is hereby Enacted by the authority of the same that the Lands Tenements and Hereditaments of the said Miles Forster in this Province which he stood seized & possessed of in fee simple in his life time and at the time of his decease are and shall be Liable <for?> the payment of the debts of the said Miles Forster and that in order thereunto the said Docter John Johnston and William Bradford or the survivor of either of them are hereby impowred and authorised to sell and dispose of the same to the best Advantage and to Signe seale and deliver deeds and Conveyances thereof unto any person or persons whatsoever which Deeds and Conveyances made and Executed shall be and are by Vertue of this Act a good Vallid and Suffitient Title in the Law to All intents Constructions and Purposes whatsoever as fully and amply as if the said Miles Forster had executed Deeds and Conveyances for the same in his life time and the purchasers thereof are and shall be hereby severaly and Respectively Invested in and entituled to an estate of freehold in fee simple of and in all and every or any of the said Lands Tenements and Hereditaments purchased by them by virtue of this Act from the said Doctor John Johnston and William Bradford or the Survivor of Either of them to all intents and purposses whatsoever In as full and ample manner as if the same lands or any of them had been sold and disposed of by the said Miles Forster in his lifetime According to the best and most exact perfect and due forme by the Rules of the law Required to be done unto them or any of them.

And be it further Enacted by the authority aforesaid that the moneys ariseing by the Sale of the Lands Tenements and Hereditaments aforesaid shall be Accompted and esteemed to be Assetts of the said Miles Forster in the hands of the Executors of the said Miles Forster or of the Survivor of either of them and as such shall be aplyed by them or the Survivor of either of them to the payment of the Debts of the said Miles Forster and the overplus to the said Childreen Legaties named in the before mentioned will And the said Doctor John Johnston and William Bradford or the Survivor of Either of them shall be Accomptable for their disposition thereof in like manner as Executors are Legally oblidged to doe any thing herein Contained to the Contrary thereof in any wise Notwithstanding.

Passed 15 Mar. 1713/14.
PRO-Ms.

An Act to enable Sarah Edwards Sole Executrix and late widdow of Robert Edwards deceased by and with the Consent of William Cutler her Present husband to make A good and lawfull Conveyance of a tract of land sold by the said Robert Edwards in his life time to One Tunis Titus by Articles of Agreement and to receive the Remainder of the Money due for the land according to the Last will and Testament of the said Robert Edwards Deceased.

WHEREAS the Said Robert Edwards in his life time by Articles of Agreement under his hand & Seale beareing date the twenty seaventh day of September anno Domini one thousand seven hundred and ten did bargain and Sell all that his Plantation in the township of Mansfeild [*sic*] and County of Burlington Containeing about one hundred and fourty ackers of land unto Tunis Titus for the sum of one hundred fourty eight pounds to be paid at two Severall Payments And whereas the said Robert Edwards did Receive in his life time the Sum of fourty pounds being the first payment of the price agreed on for the said plantation but before the time appointed for the second date of payment the said Robert Edwards made his Last will and Testament and died and whereas it plainely appears by the witnesses to the said Last will and Testament Subscribeing that it was the will mind and intent and

desire of the said Robert Edwards that his said wife Sarah his sole Executrix now wife of the said William Cutler should have been by his said last will and testament fully authorized and impowred to make the aforesaid Conveyance and to Receive the Remainder of the said money <towards> paying the Legacies in his said Last will Contained but through the unskilfulness and <inaccuracy> of the Clerk who did write the said Will the said Sarah Is not Suffitiently impowred to make and execute the said Conveyance for Remydy whereof

Be it enacted by the Governor Councill and Generall Assembly and it Is hereby Enacted by the authority of the Same that the said Sarah shall and may by and with the Consent of William Cutler her present husband Signe Seale and deliver Good and Sufficient deed & deeds Conveyance & Conveyances in the law unto the Said Tunis Titus his heirs and Assigns in fee simple of in and to the abovementioned plantation tract of land and premisses with the apurtenances upon the said Tunis Titus his paying the above remaining part of the money Contracted and agreed upon for the Said Plantation tract of Land and Premisses abovementioned that is to say fourty eight pounds thereof unto the Said Sarah Executrix aforesaid and William Cutler her husband which said fourty eight pounds when Received shall be deemed Esteemed and Accounted for as Effects in their hands for and towards the payment of Debts and the Remaining Sixty pounds unto Robert Wheler Esqr. for the payment of the Legacies aforementioned which said Sixty pounds the Said Robert Wheler on Receipt thereof Is to give bond for to pay the principall and all the Growing interest at eight per Cent to the Childreen aforesaid that Is to say their Legacies as each Child Shall Come to the age of twenty one Yeares as Is exprest in the said Will which said bond or bonds Shall be Lodged with the said Sarah Executrix aforesaid and the aforesaid deed or deeds Conveyance and Conveyances made and Executed as aforesaid Shall be and are hereby declared to be as good Vallid and Suffitient in the law to all intents Constructions and purposes whatsoever as if the Same were or had been Executed by the Said Robert Edwards in his life time any Law or custome to the Contrary Notwithstanding.

Passed 15 Mar. 1713/14.
PRO-Ms.

An Act For enabling the Owners of the Meadows Adjoyneing to the Lands of Sarah Mickle John Dole John Kaighan Tobias Griscom and others adjacent to Dellaware River in the towneship of Newton and County of Gloucester to Stop the tide from overflowing them.

BE IT ENACTED by the Governor Councill and Generall Assembly & it is hereby Enacted by the Authority of the Same that there shall be A banck made maintained and from time to time and att all times hereafter upheld and Repaired cross the Said meadows from the fast land of the Said Sarah Mickle or Daniell Mickle to the fast land of the Said Tobias Griscom with dams and Floodgates suffitient to Stop the tide out of the Said Meadows and Marshes and sluces to Vent the land Floods[,] by the owners or possessors of the Said marshes or Meadows proportionable to the quantity of Marsh Meaddow or Swamp drained or benifited thereby that each Respective owner or possessor hath or may hereafter have within the said Bank.

And be it Enacted by the authority aforesaid that the owners or possessors of the aforesaid Meadows and Marshes Shall Meet and Assemble Yearely on the Last Tuesday in March at the Now dwelling house of the said John Kaighan or at Such other time and Place as they Shall Appoint and there shall Choose two managers to make and maintain the Said workes and also Shall Appoint two Assessors who shall Assess such sum and sums of money as shall be Necessary for defraying the Charges of makeing maintaining and upholding the Said Dams bank floodgates & sluces equally upon each Respective owner or possessor proportionably according to his her or their Respective quantity of meadow Marsh or Swamp benifitted thereby and also the Said owners or possessors shall at their Said meeting Choose and appoint a Collector to Collect and Receive all such sum and sums of money as is or Shall be Assessed as aforesaid which said Assessors and Collector Shall be qualified by takeing an oath or afirmation before a Justice of the peace for the faithfulle discharge of their office which Assessors Shall deliver A List of the Names of the owners or possessors with the sum and sums of money that each of them respectively is to pay Signed by them to the Collector.

And be it Enacted by the authority aforesaid that the said Collector Shall Signifie to each of the said owners or possessors the Sum that he or she is to pay, And upon Refusall Neglect or delay to pay the same it shall and may be Lawfull to and for the said Collector in his owne name to Sue such owner owners or possessor so refuseing or neglecting to pay his or their Assessment as aforesaid for such sum and sums as he she or they were assessed att in an action of Debt if fourty shillings or under before any one Justice of the Peace if above fourty shillings in the inferior Court of Common Pleas and Give the Assessment signed by the said Assessors in evidence & shall Recover the sum so assessed with full Costs of Suit.

And be it enacted by the authority aforesaid that if any owners or possessors of the Said Marsh or Meadows shall hereafter happen to live Remote so that they Cannot be obleidged to pay their proportion as aforesaid that in such Case it shall & may be Lawfull for the said Collector for the time being to make Sale of so much Grass or seize and make Sale of any other Produce of such proportion of the Said Marsh or Meadow as will pay the sum they are Assessed at as aforesaid with all Reasonable Charges that may accrew thereby.

And be it enacted by the authority aforesaid that the said Collector shall Issue and pay all such sum and sums of money as he shall Collect and Receive as aforesaid by order under the hand of one or boath of the Managers chosen as aforesaid and not otherwise and the said managers and Collector shall Accompt Yearely for all money collected and expended as aforesaid with the said owners or possessors of the said Marshes & Meadows at their meeting to choose managers Assessors and Collector as aforesaid.

And be it enacted by the authority aforesaid that if any of the owners or possessors of the said Meadows and Marshes shall Neglect or Refuse to Meet and Choose managers Assessors and Collector at the time and place aforesaid he she or they shall Nevertheless be Concluded by the Majority of those that shall Meet and Choose as aforesaid and shall pay his her or their proportion of the said Charges and be under the same Restrictions & Regulations as if they had Meet and Chose as aforesaid which said managers shall be Allowed for their trouble twelve pence per pound and the Collector nine pence p[er] pound & the Assessors six pence per pound for all money Assessed Collected & expended as aforesaid.

Passed 15 Mar. 1713/14.
PRO-Ms.

An Act For Enabling the Owners of the Meadows & Marshes Belonging to the Town of Salem to keep out the Tides from overflowing the same.

WHEREAS The owners of the meadows & marshes belonging to the town of Salem have signifyed by their petition that the keeping the Tide out of A Creek branching from the main Creek of Salem & the making A bank from Salem Landing to Windom sufficient to stop out the Tide From overflowing the meadows & marshes with in the said Banke would be of great

Benefit to the owners thereof And have praey that an Act may be Past to Enable them to keep out the same As aforesaid

THEREFORE BE IT ENACTED by the Governor Council & Generall Assembly & it is Enacted by the Authority of the same that there shall be A bank made maintained and From time to Time at all Times hereafter Upheld and Repaired from the most Convenient place at Salem Landing or fast land near Salem Landing to the fast land at Windom to keep the Tide out of the said Creek Branching from Salem Creek with Dams and Fludgates sufficient To keep the Tide out of the said meadows and marshes & sluices to Vent the Land[,] By the owners or posessors of the said meadows & marshes belonging to the towne of Salem Proportionable to the Quantity of meadow marsh or swamp Drained or benefited thereby that each Respective owner or posessor hath or may hereafter have within the said Banke.

AND BE IT ENACTED by the Authority aforesaid that the owners or posessors of the aforesaid meadow and marshes belonging to the Town of Salem shall meete and assemble yearly on the first tuesday In Aprill at the Court house in Salem Towne or at such other time And place as they shall Appoynt and there shall Chuse two managers to make and maintaine the said Worke and also to appoynt Two Asessors who shall Asess upon Each Respective owner or posessor In proportion to his her or their Respective Quantity of meadow March or swamp all such sume and sums of money as shall be necessary for defraying the Charges of making maintaining and Upholding the said Dams Banks fludgates or sluces AND also the said owners or posessors shall at their said meeting Chuse and Appoynt a Collector to Collect and Receive all such sume and sums of money As is or shall be Asessed as aforesaid which said asessors and Collector shall be Qualified by Taking an oath of [*sic*] Afirmation before a Justice of the peace for the faithfull Discharge of Their office which Asessors shall Deliver a list of the names of the said owners with the Sum and Sums of money that each of them Respectively is to pay signed by them to The Collector.

AND BE IT ENACTED by the authority Aforesaid that the said Collector shall signify to Each of The said owners or Posessors The Sum that he or shee is to pay And upon Refusall Neglect or Delay to pay the same It shall and may be Lawfull to and for the said Collector In his own Name to sue such owner owners or posessors so refusing or Neglecting to pay his Asessment as Aforesaid for such Sum or Sums as he she or they were Asessed at in an Action of Debt if fourty shillings or Under before any one Justice of The Law If Above forty shillings In the Infeariour Court of Common pleas and give the Asessment signed by the Said Asessor In Evidence and shall Recover the Sum so Asessed with full Cost of Suit.

AND BE IT ENACTED by the Authority Aforesaid That if any of the owners or posessors of the said Marsh or meadow belonging to said town shall or do happen to Live Remote so that they Cannot be obligued to pay their proportion as aforesaid that in such Case such Person or persons shall Nevertheless pay their Respective proportion of the Charge of making maintaining and supporting the said Bank and Stoping out the Tide in manner

Aforesaid according to his her or their Respective shares of meadow marsh or swamp at such time as he she or they shall Enjoy the profitt thereof which said money shall be paid to such of the owners as have Expended the same on the said Bank and stoping out The Tide as aforesaid and in Case of Refusing or Neglecting to pay their Respective shares as aforesaid with all Reasonable Charge that may arise thereby that it shall and may be Lawfull for the Collector for the time Being to sue such owner or owners so Refusing or Neglecting to pay his or their asessments as aforesaid for such Sum or Sums as he shee or they were Asessed In an Action of Debt In Any of the Inferiour Courts of Common Pleas within This <province and?> give the Asessment signed by the said Asessors In Evidence and shall Recover the same With all Cost of Suit.[1]

AND BE IT ENACTED by the Authority Aforesaid that the said Collector shall issue and Pay all such Sume and Sums of money he shall Collect and Receive as aforesaid by order Under the hand of one or Both of The Managers Chosen as Aforesaid and not otherwise and the said managers and Collector shall Accoumpt yearly for all money Collected and Expended as aforesaid with the saide owners or posessors of the said meadows and Marshes at their meeting to Chuse managers Asessors and Collector as aforesaid.

AND BE IT ENACTED by the Authority Aforesaid That if Any of the owners or posessors of the said meaddows and marshes shall Neglect or Refuse to meet and Chuse managers asessors and Collectors at the time and place Aforesaid he shee or thay so Neglecting or Refusing shall Nevertheless be Concluded [*sic*] in the Majority of those that shall meete and Chuse as aforesaid and shall pay his her or their proportion of the said Charge and be Under the same Restrictions and Regulations as if thay had mett and Choose as Aforesaid which said managers shall be allowed for their Trouble Twelve pence per pound and the Collector Nine pence per pound and the asessors six pence per pound for all money asessed Collected and Expended as aforesaid.

PROVIDED allways and it is hereby Enacted by The Authority Aforesaid that There be A Suficient Road allowed and maintained from Salem to Windom Upon or with in the Bank to be Raised according as it was Appoynted by the Grantor of said meadow or marshes.

Passed 15 Mar. 1713/14.

NjSaHi-Ms.; PRO-Ms. The NjSaHi-Ms. copy was treated as the primary text for the purposes of transcription.

1. This paragraph does not appear in the PRO-Ms. copy.

An Act to naturalise Stephen Chalmash and Peter Poinier Natives of France.

WHEREAS Stephen Chalmas and Peter Poinier Natives of the Kingdome of france being of the Protestant Religion have transported themselves and Effects into this her Majestys Collony and Plantation of Nova Cesarea or New Jersey in America and duly Considering the happy Constitution of this Province being Governed as neare as may be Agreably to the Laws of England and the said Stephen Chalmas and Peter Poinier being desirous to be made partakers of those advantages and Priviledges which the Naturall borne subjects thereof do enjoy Has [*sic*] prayed leave to bring in a bill to be past for that end AND whereas the Increase of People is a means of Advanceing the wealth and Strength of any Government and the Incouragement hereby Given to the said Stephen Chalmas and Peter Poinier may induce others to transport themselves and estates into this Colony

Be it therefore Enacted by the Governor Councill and Generall Assembly and by the authority of the same that the said Stephen Chalmas and Peter Poinier be and are hereby and for all times hereafter shall be deemed Adjudged and taken to be her Majestys Naturall borne Subjects of this Province to all intents Contructions and Purposses whatsoever as fully and Amply as if they had been or were borne within this Province of New Jersey and that the said Stephen Chalmas and Peter Poinier may take Receive Enjoy and be intituled to all the Priviledges and Advantages of naturall borne subjects <as fully to all intents Constructions & purposses[1]> whatsoever as any of her Majestys Naturall borne subjects of this Colony Can doe or ought to enjoy by virtue of their being her Majestys naturall Borne subjects of this Province.

Passed 17 Mar. 1713/14.
PRO-Ms.

1. The phrase within angle brackets appears as an interlineation in the manuscript.

An Act to enable Thomas Lambert one of the Principall Creditors of John Easton late of Notingham in the County of Burlington Deceased and Administrator of the Goods Rights & Credits of the Said Deceased to Sell and Dispose of the Estate or Estates of Inheritance within the County of Burlington and the County of Salem In the Province of Nova Ceasaria for and towards the payment of his Just Debts.

WHEREAS it hath been made appearre that John Easton Late of Notingham in the County of Burlington in the Province of Nova Caesaria in his Lifetime did Contract very Considerable Debts due to Severall persons as well by Trade and Commerce in buying & Purchaseing of Goods and Chattels as in buying and Purchaseing of Lands and Estates of Inheritance and thereafter removed himself out of this Province and Died Intestate And whereas the Said John Easton at the time of his decease Stood Lawfully Seized and possessed of and in one Certain Tract of Land within the County of Salem In the Western Division of the Said Province Containing three hundred and fifty Acres purchased by him from William Biles being part of one Moiety and half part of one full Equall hundredth part or whole Propriety of the Western Divison of the Said Province by the said William Biles before purchased of William Hade who before that had purchased the Said one full Equall hundredth part or whole propriety from James Wass of London Chyrurgeon [surgeon] as by Indenture of Lease and Release thereof bearing date the Eight and Ninth days of October One Thousand Seven Hundred and four Sealed with the Seale of the said William Biles and other former Conveyances may more at Large appeare which Said three hundred and fifty Acres was on the Seventeenth day of November one Thousand Seven hundred and Eight Surveyed for the Said John Easton by Richard Bull Deputy Surveyor and Entred by Thomas Gardiner Surveyor General [in] ledger [A page][1] Sixty Nine allowance being made for highways and is Bounded Easterly by James Wasses Land Southerly by Amos Stretches Land North westerly by John Hugg's Land and North Easterly by John Budds Land As by Sd. Survey thereof may more fully appeare As also of and in one other Certain Tract of Land within the Township of Nottingham in the County of Burlington in the Western Division of the Said Province Containing one hundred Acres of Land purchased by him from Thomas Lambert Surveyed and Laid out in Manner following that is to Say beginning at a Spanish Oak tree Standing near Delaware River thence Stretching North East Eighty degrees about one hundred and four Chains by the Land of the Said Thomas Lambert to a Small hickry Marked then North west about ten Chains thirty three Links to a Small hickry <by?> a Corner of Land Late William Preaks then bounded by the Same Land

to the aforesd. River first Mentioned by South about Eighty Chains to a Corner then South East four degrees two Chains and forty five Links to a Corner then South west Eighty Six degrees about Twenty two Chains to a Spanish Oak Tree Near the Said River Delaware then bounded by the same the Severall Courses thereof downwards to the place where it first began as by an Indenture or Instrument of Conveyance thereof Sealed with the Seal of the Said Thomas Lambert bearing date the Seventh day of Aprill one Thousand Seven hundred and Eleven may more fully appeare there being no heir Appearing of the Said John Easton in this Province and it being very doubtfull that the Debts of the Said John Easton may <Surmount> the Value of the Said Lands or Estates of Inheritance to the End <therefore?> that a just and Equitable Right may be done to all the Creditors of the aforesd John Easton or their Respective Executors or Administrators

BE it therefore Enacted by the Governour Councill & General Assembly and by the Authority of the same that from and after the Publication of this Act it shall and may be Lawfull to and for the Said Thomas Lambert his Executors or Administrators or any of them at any time or times and in any part or place whatsoever within the Province of Nova Caesaria by Deed or Deeds of Bargain and Sale Feoffement or Feoffments Lease and Release or Leases Releases under his their or <any?> of their hands and Seale or by any manner of ways whatsoever to Sell and Dispose of the <two Several Certain?> Tracts of Lands with the Hereditaments and Appurtenances thereunto Belonging and appertaining to any person or persons whatsoever being her Majestys Leige Subjects In Fee Simple forever In <Gross?> or in parts and parcells as to them or any of them <Shall Seem most?> Reasonable for the best Advantage and Profitt and the Consideration money ariseing and Growing by Such Sale or Sales to have take <sue for?> recover and Receive and Good and Sufficient receipts, Acquintances, Releases and Discharges for <the same?> money to make Seale and Deliver as need shall be thereof or they be Reasonably Required and [ ] Such Deed or Deeds or other Instruments in writting made Sealed and <used?> in and about the Sale and Disposition of the aforesaid Severall Certain Tracts of Land or any part or parts of them or Either of them Shall <forever?> thereafter be good and Effectuall In the Law to all Intents and purposes to the person or persons who Shall be purchasers of the Same or of any part thereof not only against the Said Thomas Lambert and his Executors and Administrators and Every of them but also against all other the heirs Executors and Administrators of the Said John Easton and Every of them forever any Law Usage or Custom to the Contrary thereof in any ways Notwithstanding.

Provided always and it is hereby Enacted by the Authority aforesaid that for the better and more Just & Equitable Satisfaction of the Creditors of the Said John Easton or their Executors or Administrators that the Said Thomas Lambert his Executors and Administrators within Ten days from and After Publication of this Act do Affix or cause to be Affixed in the most

Publick places of the County of Burlington and Salem Publick Advertisements to require all the Creditors whomsoever of the Said John Easton or their Executors or Administrators to bring or Send their Just and Exact Claims and Demands from the Said John Easton his heirs Executors or Administrators in writing unto the Said Thomas Lambert his Executors or Administrators at the <Usual?> place of his or their habitation by the Terme and Space of Six months from and after the time of the affixing of the Said Advertisements and that the Said Thomas Lambert his Executors or Adminstrators having first deducted out of the Said Consideration Money the Contingent Charges of the Said Sales and the Consideration Money ariseing from Such Sales Shall be deemed and Accompted for as Affects of the Said Deceased John Easton in the hands of the aforesd Thomas Lambert administrator as aforesaid or his heirs Executors and administrators as the Law directs.

Passed 17 Mar. 1713/14.
PRO-Ms.

1. This reference was obtained from the index to surveys of the West Jersey Proprietors.

An Act to enable certain Trustees to sell and dispose of A small Estate of Inheritance in the County of Burlington

WHEREAS Percivall Toll Late of Burlington in the Province of Nova Cesaria or New Jersey in and by his Last will and Testament beareing date the twenty sixth day of October one thousand six hundred ninety one in writeing in his life time did Give Device and bequeath unto Francis <Davenport?> William Watson Thomas Gilberthorp George Hutchinson Thomas Gardiner and John <Day?> after the decease of his wife all that his house and his part of the Bake house in Burlington and his land on Burlington Island his land in the towne bounds and that part of the meadow <then?> lately bought of the widdow Myers with the apurtenances thereunto belonging in trust to be employed to the onely use of the people Called Quakers within the said County of Burlington & in case of the decease of the said trustees or any of them willing the said Quakers to nominate and Appoint others in their stead with like power to hold and use the said house

part of the Bakehouse and aforesaid land with the apurtenances to the sole use aforesaid after the decease of his Said wife as they shall See meet which Said estate after the decease of the [said] Percevall Toll and his said wife hath been accordingly held and imployed by the Said trustees but whereas it Is now Represented by the present trustees of the said Estate of inheirtance [*sic*] that the said houses are fallen into such decay that to Repaire Refitt and Support them would be of Greater charge then profitt to the end therefore that the said estate may be applyed to A Charitable use

Be it enacted by the Governor Councill and Generall Assembly and by the authority of the same that from and after the Publication of this Act it shall and may be Lawfull to and for John Day Samuell Bunting Peter Fretwell Thomas Rapier Edward Rorkhill and Samuell Smith the present trustees of the said estate of inheritance or the Greater number of them to sell and dispose of All the said estate of inheritance togeather or in parts as to them shall seem most for the benefitt of the poore of the people aforesaid And to doe act make Seale and execute all Necessary and Convenient Indentures of Bargain and Sale Feofment Lease and Release or any other Conveyances Or writeings for the same or any part thereof whatsoever in fee simple for ever to any person or persons whatsoever with full power for them the said trustees or any of them upon the premisses aforesaid or any part thereof to enter and Livery of Seizeing [*sic*] and possession of the whole or any part as Need shall be to make to the person or persons purchaseing the same or any part thereof as if the same weare their owne Proper estate without any Such <meet?> as aforesaid they the said trustees by makeing Such Sale or Sales as aforesaid of the said estate of inheritance or any part thereof and their Executors and Administrators shall be Accomptable unto the persons appointed by the people aforesaid to take Care of the poore of the said people for the money or other Considerations Comeing by such sale or sales as aforesaid which said money or other Considerations Ariseing from such sale shall be applyed by the said persons to the onely use of the poore of the people aforesaid.

And be it enacted by the authority aforesaid that such bargain & sale of the said estate of inheritance or of any part or Parts thereof made by the said Trustees or the greater Number of them in manner aforesaid by Vertue of this act shall be as good and Efectuall in the Law to all intents Constructions and purposses to the person or persons who shall hereafter purchase the same and to his and their Respective heirs and Assigns for ever as if the same had been made and done by the said Percevall Toll in his lifetime any Law Custome or usage or any defect or omission in the said Last will and Testament of the said Percevall Toll to the Contrary hereof in any wise Notwithstanding.

Passed 17 Mar. 1713/14.
PRO-Ms.

An Act for confirmation of a Pattent or Charter granted by His Excellency Robert Hunter Esqr. Captain Generall and Governour in Chief in and over the Province of New Jersey and New York and all the Territories and Tracts of Land depending thereon in America and Vice Admirall of the same For the Incorporation of the Town of Bergen in the Eastern Division of the Province of Nova Caesaria or New Jersey.

WHEREAS the Town of Bergen in the County of Bergen in the Eastern Division of this Her Majestys Province of Nova Caesaria or New Jersey is an Antient Town the Freeholders and Inhabitants whereof have possessed held occupied and enjoyed divers Lands Tenements and Hereditaments and used and exercised divers priviledges and Jurisdictions within the same

AND WHEREAS the said Freeholders and Inhabitants in order to remedy several great Inconveniences they have suffered by reason of severall Defects in the Charter Grant or Pattent they had formerly obtained from Philip Carterett Esqr. heretofore Governour of the Province of Nova Caesaria or New Jersey under the Right Honourable John Lord Berkley Barron of Stratton and Sr. George Carterett Knight and Barronett then absolute Proprietors of the said Province Have upon their humble Petition to His Excellency Robert Hunter Esqr. Captain Generall and Governour in Chief of the Province of New Jersey &c. obtained a Charter of Incorporation under the Great Seale of this Her Majestys Province of New Jersey bearing date the Fourteenth Day of January in the Twelfth Year of the Reign of Our Sovereigne Lady ANNE by the Grace of God of Great Brittain France and Ireland Queen Defender of the Faith &c. in the words following vizt. ANNE by the Grace of God of Great Brittain France and Ireland Queen Defender of the Faith &c. To all to whom these presents shall come or may in any wise concern Greeting WHEREAS our loveing subjects Andreas Vanbuskirk, Barnett Christian, Enoch Freeland, Rut Vanhoorne, Hendrick Culper, Wander Devericks, and John Devericks Freeholders Inhabitants of the Town of Bergen in the County of Bergen in our Province of New Jersey on behalf of themselves and the rest of the Freeholders of the said Town by their humble Petition to our Trusty and Wellbeloved Robert Hunter Esqr. our Captain Generall and Governour in Chiefe of our Province of New Jersey have sett forth that their Ancestors and Predecessors Freeholders of the said Town have possessed held and enjoyed divers Lands Tenements and Hereditaments and used and exercised divers Priviledges and Immunitys by Virtue of a Grant Charter or Pattent sealed with the Seale of the Province of New Jersey and Signed by Philip Carterett Esqr. late Governour of the said Province and his Councill under the Right Honourable John Lord Berkley Barron of Stratton and Sr. George Carterett Knight and Barronet then

absolute Lords Proprietors of the Province bearing date the Twenty Second Day of September Anno Domini One Thousand Six Hundred Sixty and Eight which said Lands were butted and bounded as follows (vizt.) Begining at the North End of the said Town from a place called Mordeins Meadow lyeing upon the West side of Hudsons River from thence to run upon a North West Line by a three raile fence that is now standing to a place called Espatin and from thence runs to a little Creek surrounding North North West till it comes to Hikinsack River containing in breadth from the Top of the Hill one Mile and a half or one hundred and twenty chains from thence it runs along the said Hakinsack River upon a South South West Line till it comes to the point or Neck of Land that is over against Straton Island and Shooter Island in Auther-Cull Bay containing in length about Twelve Miles from thence running Eastward along the river called Kill Van Cull that parts Staten Island and the main to a point or Neck of Land called Constables Hook and from thence to run up Northward all along the Bay into Hudsons River till it comes to Mordains Meadow aforesaid So that the whole Tract of upland and meadow properly belonging to the said Town of Bergen is bounded on the North end by a Tract of Land which did belong to Captain Nicholas Varlett and W. Samuell Edsall on the East side by Hudsons River on the South end by the Kill Van Cull that parts Staten Island and the Main and on the West side by Auther-Cull Bay and Hakinsack River the whole containing Eleven Thousand Five Hundred and Twenty Acres English Measure

AND WHEREAS divers of the said Lands remain in Common and Undivided for the Generall Good and benefitt of the Freeholders and Inhabitants of said Towne on which said Lands the Neighbouring Towns and Setters do committ great Waste and Spoil in cutting down and carrying away great quantitys of their Timber who cannot be releived [*sic*] in the premisses in the ordinary course of Law or Equity through some defects in the Grant of Incorporation aforesaid which to prevent for the future they have prayed our Charter or Pattent of Incorporation Which request wee being willing to grant KNOW YEE that of our speciall grace certain knowledge and meer motion wee have given granted ratified and confirmed and do by these presents for Us our heirs and successors for ever Give Grant Ratifie and Confirm unto Andreas Vanbuskirk, Barnett Christian, Enoch Freeland, Rutt Vanhoorne, Hendrick Culper, Wander Devericks, John Devericks In Trust to and for themselves and the rest of the Freeholders Inhabitants of the said Town and their Successors for ever within the Limits and Bounds aforesaid the free Liberty and Priviledge of being a Township and they and their Successors for ever hereafter are and shall be by Virtue hereof a Community or Township or Body Corporate and Politick in Deed and in Name by the Name of the Trustees of the Freeholders Inhabitants of the Township of Bergen and that they and their Successors for ever hereafter shall and may have a Perpetuall Succession of the number of Seven of the Principall Freeholders and Inhabitants of the said Township of Bergen who shall be the Trustees of the Freeholders Inhabitants of the Township of Bergen

(THAT IS TO SAY) that upon the Death or other avoidance of any one or more of the said Trustees It shall and may be lawfull for the Freeholders of the said Township for the time being Being thereunto summoned or warned by the Constable or Constables of the said Town for the time being by order of the Surviving Trustees of the said Township of Bergen or the Major Part of them to assemble and meet together at such time and place within the said Township as the said Surviving Trustees for the time being or the Major Part of them from time to time as need shall be shall think fitt to Nominate and Appoint and there by Majority of Votes of the said Freeholders to Elect and Chuse so many of the Principall Freeholders of the said Township resideing within the Bounds of the said Township as may make the number of the said Trustees to be Seven which Trustees so chosen and Elected as aforesaid Together with the Surviving Trustees for the time being shall be Trustees of the said Township to all Intents and Purposes as much as if they had been perticularly Nominated and Expressed in this our said Grant.

AND wee do further Give and Grant unto the said Trustees of the Freeholders Inhabitants of the Town of Bergen and their Successors for ever that it shall and may be lawfull to and for the said Trustees and their Successors for ever by the Name of the Trustees of the Freeholders Inhabitants of the Township of Bergen in any of our Courts within our said Province of New Jersey to Sue and be Sued answer and be answered unto implead and be impleaded defend and be defended.

AND we do further Give and Grant unto the Said Trustees of the Freeholders and Inhabitants of the Township of Bergen and their Successors for ever hereafter Full Power and Lawfull Authority as often as there shall be occasion at their discretion or the discretion of the Major Part of them to summon and call together the Freeholders of the said Township and for the said Freeholders and their Successors so summoned and called together to assemble and meet together at such certain Days and at such Place as the said Trustees for the time being or the Major Part of them shall appoint to make and enter in a Book for that purpose to be kept all such prudentiall Rules and Orders for the Improvement Preservation and Defence of their said Commons as they or the Major Part of them shall agree upon as also to appoint a Clerk and Register for the doing thereof and to Contribute and Levy amongst themselves such sum or sums of money as are absolutely necessary for the doing thereof from time to time as need shall be and not otherwise

AND further we do for Us our Heirs and Successors Give and Grant unto the said Trustees of the Freeholders Inhabitants of the Township of Bergen and their Successors for ever that they and their Successors by the Name aforesaid be for ever hereafter one Body Corporate and Politick able and capable in the Law to purchase have take receive and enjoy to them and their Successors for the use of the Freeholders Inhabitants of the Township of Bergen Lands Messuages Tenements Rents Priviledges and other Hereditaments whatsoever of what so ever nature kind and quality they be

in Fee and Perpetuity as also to give grant bargaine sell lett sett and dispose of any of the Lands belonging or appertaining to the said Community and as yet unappropriated either for one two or three Lives for Term of Years or in Fee and also that the said Corporation shall and may for ever hereafter have and use a Common Seale for the Buisiness of them and their Successors with full power to alter break and new make the same at their discretion.

AND we do further Give and Grant to the said Trustees of the Freeholders Inhabitants of the Township of Bergen and their Successors for ever that it shall and may be lawfull for the Freeholders Inhabitants of the said Town annually and once in every year to Assemble and meet together on the First Tuesday of May annually to chuse two Constables one Overseer of the Poor and two Overseers of the Highways by the Majority of the Votes of the said Freeholders Inhabitants of the said Towne of Bergen which said Constables and Overseers so chosen as aforesaid shall serve in the respective Offices in the said Town untill the next Annuall Election if they so long shall live or pay the sum of two pounds each person then refuseing to serve for the use of the Poor of the said Town and that in case of the Death or Refusal of any of the said Officers as often as the same shall happen out of the usuall Aniversary time of Election that it shall and may be lawfull for the Freeholders Inhabitants at any other time or place to assemble and meet Together to choose others in their room and place and that it shall and may be lawfull for any Justice of the Peace within the said Township to administer an Oath to the said Officers of the said Towne for the true and faithfull discharge of their respective Offices TO HAVE HOLD AND ENJOY all and singular the said Priviledges Rights Libertys and Immunities aforesaid unto the said Andreas Vanbuskirk, Barnett Christian, Enoch Freeland, Rut Van-hoorne, Hendrick Culper, Wander Devericks, John Devericks Freeholders Inhabitants of the Township of Bergen and their Successors for ever YEILDING [*sic*] rendering and paying unto us our heirs and Successors or to our or their Collector and Receiver Generall of our said Province for the time being yearly and every year on the Feast Day of the Annunciation of the Blessed Virgin Mary as an Acknowledgement of the said Priviledges the annuall Rent of Five Shillings in lieu and stead of all other Rents Services Dues Duties and Demands whatsoever for the same.

AND WHEREAS the said Freeholders and Inhabitants have by their Petition desired that the said Grant Charter or Pattent may be further assured and confirmed to them by an Act of Generall Assembly of this Province

BE IT THEREFORE ENACTED and it is hereby Enacted by the Governour Councill and Generall Assembly and by the Authority of the same that the said Andreas Vanbuskirk, Barnett Christian, Enoch Freeland, Rut Vanhoorne, Hendrick Culper, Wander Devericks, John Devericks, Trustees of the Freeholders Inhabitants of the Township of Bergen named in the aforesaid recited Pattent, and they which shall be hereafter chosen in the manner as by the said recited Pattent is directed and their Successors for ever be and are hereby declared and Constituted by force and virtue of the

said Pattent and Charter and this present Act one Body Corporate and Politick in Deed Fact and Name by the Name of the Trustees of the Freeholders Inhabitants of the Township of Bergen[,] and them by the Name of the Trustees of the Freeholders Inhabitants of the Township of Bergen one Body Corporate in Deed Fact and Name are hereby really and fully Created Ordained Made Constituted and Confirmed and that by the Name of the Trustees of the Freeholders Inhabitants of the Township of Bergen may have Perpetuall Succession in the way and manner as in the said Pattent is directed shall be able and capable in the Law for the Maintenance and Recovery of their Estates Rights and Priviledges whatsoever to sue and be sued plead and be impleaded answer and be answered unto defend and be defended in all Suits Quarrels and Controversies Causes Actions matters and things whatsoever in all and every Court and Courts whatsoever within the said Province of New Jersey Together with all the Rights Priviledges and Advantages in the said recited Pattent or Charter mentioned as fully and amply to all Intents Constructions and Purposes as if the same were again particularly recited any Law Custom or Usage to the contrary notwithstanding.

Passed 17 Mar. 1713/14.
Allinson, p. 35; Bradford (1717), p. 59; PRO-Ms.
While the PRO-Ms. copy gives 16 July 1713 as the date of passage, Allinson, Bradford and the Assembly minutes all list the date as 17 Mar. 1713/14. (See "Votes of the Assembly, 1710-1719," p. 255.)

An Act for Enabling the owners of the Meadows and Marshes adjoyneing to and on boath Sides [of] Maneton Creek to Stop out the tide from overfloweing them.

WHEREAS the Stoping the tide out of the Meadows and Marshes lying upon and Adjoyning to Maneton Creek in the County of Salem would be a great Benefitt not onely to the owners thereof in perticuler but also to the Country in Generall

Be it therefore enacted by the Governor Councill and Generall Assembly and It Is hereby Enacted by the authority of the Same that there shall be a Bank made Cross the said Maneton Creek and Meadow and Marshes Adjoyneing from the fast land of Bartholomew Wyett to the fast land of John

Hughs with dams and flood Gates Suffitient to stop the tide out of the said meadows and marshes and sluces to Vent the land Floods[,] by the owners of the said Marshes and Meadows proportionably according to the quantity of Meadow and Marsh that each respective Owner hath or may have within the said banck.

And be it Enacted by the authority aforesaid that every person or persons whatsoever who hath shall or may have any Marsh or Meadow lying within the Said Banck Shall make maintain and uphold and Repaire the said bank Dam Flood Gates and Sluces from time to time and at all times hereafter proportionably according to his her or their Respective quantity of Marsh and Meadow dreined or to be dreined thereby.

And be it Enacted by the authority aforesaid that the owners of the aforesaid Meadows and marshes Shall Meet and Assemble yearely on the Last Tuesday in March at the now dwelling house of Bartholomew Wyatt or where elce they shall appoint and Chuse two managers to Carie on make maintain and uphold the Said worke and shall also Chuse and Appoint two Assessors to assess such sum & sums of money as shall be Necessary for defraying the Charges of making upholding and maintaining the said Banck Dam sluces and Floodgates Equally & proportionably according to the number of the Acres of marsh and meadow each owner doth hold and shall also Chuse a Collector or Receiver to Collect and Receive all such sum or sums of money as shall be Necessary for defraying the Charges of makeing upholding and maintaining the said Banke Dam Sluces and Floodgates Equally & proportionably According to the number of the ackers of the Marsh and Meadow each owner doth hold and Shall also chuse a Collector or Receiver to Collect and Receive all such sum or sums of money that shall be Assest as aforesaid which Assessors and Collector shall be Qualified by takeing an oath or afirmation before a Justice of the peace of the County for the faithfull discharge of their office which assessors shall Deliver A List of the Names of the Said owners with the Respective sum and sums of money that each Respective person is to pay Signed by them to the Said Collector which Said Collector shall be Accomptable Yearely to the Succeeding Collector for such sum or sums of money as shall be due or Remain in his hands.

And be it Enacted by the authority aforesaid that the said Collector Shall Signifie to each owner of the Said marshes and meadows the sum that he is to pay and upon Neglect Delay or Refusal of any of them that it shall and may be Lawfull to and for the said Collector to sue all and every Person or Persons Assessed as aforesaid in his own name for the Respective sum or sums they were Assessed at in an Action of Debt if fourty shillings or under before any one Justice of the peace If above fourty shillings in the Inferior Court of Common Pleas and Give the Assessment Signed by the said Assessors in Evidence and shall Recover the sum assessed with full Cost against every owner of the said Meadows or Marshes aforesaid that Neglected Delayed or Refused to pay their Respective Assessments.

And be it enacted by the authority aforesaid that The said Receiver or Collector shall Issue and pay all such sum and sums of money as he shall

Receive as aforesaid by order under the hands of one of the managers Chose as aforesaid and not otherways and the said Collector and managers are to account yearely for all money Collected and expended as aforesaid with the owners of the Marshes aforesaid at their meeting to Chuse Assessors A Collector and Managers as aforesaid which said Managers shall be Allowed for their trouble nine pence p[er] pound and the Collector Six pence per pound and the Assessors Six pence per pound for all money Assessed Collected and expended as aforesaid.

And be it enacted by the authority aforesaid that if any of the owners of the said marshes shall Neglect or Refuse to meet and Chuse at the time and place aforesaid assessors Collector and managers as aforesaid they shall Nevertheless be Concluded by the Majority of those that shall meet and Chuse as aforesaid and shall pay their proportions of the Charge and be under the same Restrictions and Regulations as if they had mett and chose as aforesaid.

Passed 16 Mar. 1713/14.
PRO-Ms.

Seventh Assembly, First Session

First Sitting

21 May-1 June 1716

Perth Amboy

An Act to Enforce the Payment of all Publick Taxes in to the Treasurer or Treasurers of this Colony.

WHEREAS by an Act of General Assembly of this Province Entituled an Act for Collecting the arrearages of Taxes since the year of our Lord 1708 made and passed in the year of Our Lord 1713 the several arrearages of Taxes in the said Act mentioned have not hitherto been Collected and paid according to the true intent and meaning of the said Act, and Whereas in and by another Act at the same time made and passed, Entituled, an Act for the Support of her Majestys Government of Nova Ceasarea or New Jersey for two years, there are also several sums of money in Arrear and remaining yet unpaid; for the speedy Collecting and paying all which Taxes and Arrearages of all such Public Taxes,

Be it Enacted by his Excellency the Governour, Council and General Assembly, and it is hereby Enacted by the Authority of the same that all and every the several and Respective Collectors of all the said Taxes and Arrearages of Taxes of all and every the several and respective Countys within this Province of New Jersey shall on or before the fifteenth day of July next deliver true and perfect lists of the defaulters within their respective Countys to any Justice of the Peace of said County, who is hereby Required immediately to make out and deliver warrants to the several and respective Constables of each Town, District, and Precinct in the County, to make distress upon the Goods and Chattels of the said Defaulters and the said Goods and Chattels, together with all other Goods and Chattels formerly Destrained which may happen to remain in any of the said Constables hands unsold, forthwith to Expose to publick sale, and if not then sold, the same Goods and Chattels to sell which way they please, and where they please, so that they have the money and pay the said Taxes and arrearages of Taxes to the said Respective Collectors on or before the first day of august next; and after all charges accrewing thereon being paid, to return the Over plus (if any be) to the owner or owners there of; and if the said Goods and Chattels so Distrained and sold as aforesaid shall fall short of paying the said Taxes or arrearages and Charges, the said Constable shall and is hereby Authorized and impowered to distrain again; and sell the same as aforesaid until the said Taxes or arrearages with the Charges shall be paid, and if no Effects can be found where upon to make Distress then, and in that case, the said Constable or Constables are hereby Authorized, Impowered and Commanded to take the bodies of the said Defaulter or Defaulters into Custody without any further Warrant, and him or them so taken to Convey and Deliver to the Sheriff of the County where the Tax was due, who is also hereby Authorized, Impowered and Commanded to receive the bodies of the said Defaulter or Defaulters in to his Custody without any further or other Warrant and him or them safely to keep in close Goal until payment be made of their Tax or Taxes aforesaid unto the Collector of that County

as aforesaid, with the charges accrewing thereupon.

AND be it further Enacted by the Authority Aforesaid that every Constable of any Town District or Precinct within this Province who shall neglect or delay doing their Duty required by this Act shall forfeit for every Default the sum of Ten pounds Proclamation Money with double cost of suit to be sued for and recovered by the Collector of each County by Action of debt in his Majestys Name in any Court of Common Pleas within any County of this Province to be applyed to the support of Government and the said Collectors are hereby Directed and Commanded to prosecute all such Constables as shall neglect or refuse as aforesaid and pay the money when Received in to the Treasury of this Province to be applyed as aforesaid.

AND be it further Enacted by the Authority aforesaid That all and every the several and Respective Collectors of all and every the several and respective Taxes and Arrearages of Taxes of all and every the several Countys within this Province shall and are hereby Required and Commanded on or before the twentieth day of August next to make up their and each of their several and respective accounts with the Treasurer and Receiver General of this Province, for the time being, and the Duplicates of said Taxes and Lists of the Defaulters of said Taxes to him to deliver and the Ballance which shall be found remaining in their or any of their hands, upon such made up accounts to pay to the Treasurer and Receiver General of this Province, for the time being, such Taxes as are by the Acts of General Assembly for raising the said Taxes Appointed to him to be paid, and to the Treasurer of the Eastern Division for the five Thousand pound Tax and to the Treasurer of the Western Division for the Said five thousand pound Tax for such parts and proportions of said Taxes, as are by Law directed and appointed to them Severally to be paid.

AND be it further Enacted by the Authority aforesaid that every of the Collectors of the Countys within this Province who shall refuse Neglect or delay the duty by him or them in and by this Act mentioned and required shall forfeit the sum of one hundred pounds Proclamation money with double costs of Suit for such his Contemp and Neglect to be applyed towards the support of his Majestys Government of this Province, and the said Treasurer and Receiver General is hereby required Directed and Commanded to sue and prosecute in his Majestys name in any Court of Common Law or Equity within this Province every such Collector and Collectors who shall make default in his duty by this Act of him or them required, for the said one hundred pounds penalty, together with such sum or sums of money as shall be in the hands of the said Defaulter, and all such suits as shall be by the said Treasurer and Receiver General sued and prosecuted, shall be tryed the first Court after such suit commenced, without any further delay for or by any reason of any matter, Cause or thing whatsoever, any Law Custom or Useage to the contrary notwithstanding.

And whereas several persons Deceased were indebted to several Taxes at the time of their decease, and the former Laws not Obliging their Executors and Adminstrators to pay the same

Be it Enacted by the Authority aforesaid, that upon the Neglect or Refusal of the Executors and Administrators of such Deceased persons to pay in the several and Respective Taxes that the Deceased person or persons were assessed out of the Estate of such Deceased person, to the Collector or Collectors of such Countys where they were Taxed, it shall and may be Lawfull for the Collector or Collectors of such Countys, and the said Collector and Collectors are hereby Required [and] Commanded to return the Names of Such Executors and Administrators to the next Justice of the Peace and the said Justice of the Peace is hereby Directed and Commanded to Issue out his Warrant against such Executors and Adminstrators imediately to the Constable or Constables of the Town, Division or District where such Executors and Administrators do then reside to make distress and sale as aforesaid on the Goods and Chattels of any such Executors or Administrators as shall neglect or refuse as aforesaid, and the said Justices, Collectors and Constables are hereby laid under the same penalties for Neglect or Refuseal of their Duty Required by this Clause as is before mentioned in this Act for their so neglecting and Refuseing, and if it shall happen that the arrears of Taxes intended to be paid unto the Treasurer or Treasurers pursuant to this Act, shall by neglect or default of the Treasurers remain unpaid contrary to the true intent and meaning of this Act, then and in such Case the Treasurer or Treasurers shall be accountable for such money in arrear and unpaid, as if the Same had been actually paid in to his hands.

AND be it further Enacted by the Authority aforesaid that Whereas it may happen that several Constables of the several Countys of this Province, may be Dead and have in their hands at the time of their death several distresses, that then and in Such Case, upon the neglect and refusal of the Executors or Administrators of such Deceased Constable or Constables to pay into the Collector or Collectors of the County where such Distresses were made the money or Goods that were in his or their hands at the time of his or their Decease, the said Collector is hereby required and Commanded under the penalties aforesaid to prosecute such Executors and Administrators as is by this Act directed for the prosecution of Constables that neglect or refuse to do their Duties according to this Act; and the said Executors and Adminstrators are hereby made liable to all the penalties that such Constables are liable to by this Act for their neglect or Refusal as afore Said.

Passed 1 June 1716.
PRO-Ms.

Seventh Assembly, First Session

Second Sitting

27 Nov. 1716 - 26 Jan. 1716/17

Crosswicks

An act for the Currency of Bills of Credit for Eleven thousand six hundred and seventy five ounces of plate in the Province of new Jersey.

WHEREAS the act of Assembly Entituled an act for Support of her Majesties Government &c Expired by its own Limitation The three and Twentieth day of september one Thousand seven Hundred and fifteen and since that Time No Provision being made for the support of the Government by which means the officers of the Government are in Arrear Near seventeen Months and also by Reason of the Taxes not being Come In there is about seventeen Hundred Ninty four pounds and fifteen shillings In Bills of Credit not yet come in And the Time of their Currency Between Man and Man being Expired by Which means the Credit of the Province Is Impaired and the Necessities of His Majesties Government Requiring a more Speedy supply than Can Come In by the Taxes and Duties Given and Granted to His Majesty his Heirs and Successors by two Acts passed this Present Session of Assembly the one Entituled An Act for supporting the Government of His Majesties Province of Nova Caesaria or New Jersey &c. the other Entituled An Act for Laying an Excise on all strong Liquors Retailed With in this Colony

BE IT THEREFORE ENACTED by the Governour Council and General Assembly and it is Hereby Enacted By the Authority of the same that Bills of Credit to the value of Eleven Thousand six Hundred and seventy five ounces of Plate be forthwith Printed that is to Say five Hundred and fifty Bills of five ounces of plate Each five Hundred Bills of three ounces fifteen penny Weight of plate Each Eleven Hundred and seventy Bills of two ounces ten Penny Weight of plate Each, five Hundred Bills of two ounces of plate Each one Thousand Bills of one ounce five Penny Weight of Plate Each, five Hundred Bills of one ounce of Plate Each one Thousand bills of Twelve peny Weight and Twelve Grains of plate Each, one Thousand Bills of Ten penny Weight of plate Each And one Thousand Bills of five penny weight of plate Each, Making In the whole seven Thousand two Hundred And Twenty Bills of Credit on which Bills shall be Impressed on the Right side of the said Bills towards the bottom of Every of said Bills the Arms of Great Britain and the said Bills shall be in form following Viz.

THIS INDENTED Bill of _____ ounces of Plate due from the Province of New Jersey to the Possessor thereof shall be In value Equal to money and Shall be accepted accordingly by the Treasurer of this Collony for the Time being In all Publick payments and for any fond [fund] at any time in the Treasury Dated in New Jersey the four and Twentieth Day of January 1716, by order of the Governour Council and General Assembly

WHICH Bills shall be Signed Numbred and Indented on the Top by David Lyell John Kinsey John Kay And John Harrison Esqrs or any three of them and the same Bills of Credit so to be made and Issued by virtue

of This act shall be & Continue Currrent untill the first day of December in the year of our Lord 1718 Between Man and Man but shall be Received by the Treasurer untill the first Day of April then Next following and no Longer and shall be Received and paid for the same Value & be Equal to the Current Coyn passing in this Collony At Eight Shillings per ounce for Goods or any other things bought and Sold by all persons Whatsoever Residing in And Passing through this Colony according to the Said Rates and the Tender of the said bills of Credit for payment or Discharging of any debt or Debts Bargain Sale of Land or other things Bills Bonds Mortgages specialties and Contracts whatsoever Shall be as Effectual in the Law to all Intents and purposes as if the silver Coyn passing in this Colony had been offered and Tendred for the Discharge of the same or any Part thereof.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any person or persons Creditor or Creditors obligee or obligees and 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 the Tender of all or any of their Debts dues and Demands whatsoever or any part of them 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 or any part of them according to their Values and Rates he she or they so Refusing to accept the Said Bills of Credit in Discharge as aforesaid shall Loose the Said Debt or Debts sum or sums of money or such part of the same so Refused and they and Every of them they and Every of their Heirs Executors or Administrators shall forever be Barrd. from Bringing his her or Their action or actions for the Recovery of the Said Debt or Debts sum or sums of money so Refused as aforsaid and the Defendants may Read this Act in Bar 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 Collony shall at any time During the Currency of the said bills of Credit offer to sell or Expose to sale any Goods or Chattles 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 Coyn Gold Plat Dollars or other specie whatsoever and not in the said Bills of Credit whereby the said Bills of Credit may be Impaired then and In such Case the person so Exposing to sale and Refusing as aforesaid shall if the Goods and Chattles Exposed to sale be Under the value of five pounds forfeit the sum of forty shillings for Each ofence to be Recovered by action of Debt before Any one Justice of the peace upon the oath or Afirmation if Quakers of any Credible witness and if the value of the Goods or Chattles Lands or Tenements be above five Pounds and under fifty pounds the Exposer to sale shall forfeit the sum of five pounds And if the Goods or Chattles Lands or Tenements be above the Value of fifty poundes and under one Hundred pounds The Exposer to sale shall forfeit the sum of ten Pounds And if the value of the Goods, Lands or Tenements be Above one Hundred pounds the Exposer to sale shall forfeit the sum of fifty pounds

to be Recovered by Action of debt In any Court of Record within This Colony with Cost of suit the first forfeiture to be to the use of any person That shall sue for the same, the other three forfeitures the one Half thereof to the use of such person as shall sue and prosecute the same to Effect the other Half to the use of his majesty his heirs and successors to be applyed Towards the support of the Government of this province any Law Custom or usage to the Contrary in any wise Not with standing.

AND BE IT FURTHER ENACTED BY THE AUTHORITY aforesaid that the Persons appointed for the signing of the said Bills of Credit shall take an oath or Affirmation if Quakers befor any Justice of This Province for the True signing and Delivering of all the said Bills of Credit and No more than what is mentioned In this act to the Treasurer of this Colony According to the true Intent and meaning of this Act.

AND BE IT further Enacted by the Authority aforesaid that the Quantity of plate that Each bill shall Be Current for and the value of the same shall be Printed on the Top of Each Bill so made Current.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Person or persons Whatsoever shall Presume to Counterfeit any of the said Bills He she or They being Convicted Thereof shall Incur the pains and Penalties of fellony Without the Benefit of Clergy & shall suffer accordingly.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case the said David Lyell John Kinsey John Kay and John Harrison Esqrs or any of them shall Happen to dye or Refuse to Act or Remove Beyond the sea Before the services Hereby Required of him or them be performed and accomplished that then and In Such case the Governour for the Time being With the advice and Consent of his Majesties Council shall Nominate and appoint another person or Persons to Execute all & Every the powers Hereby Given to the aforesaid David Lyell John Kinsey John Kay and John Harrison which Persons so appointed by the Governour shall Continue in The Like Manner to Execute the same and Receive the same Reward for their services herein in the same Proportion as is Hereafter Directed in this act to be paid to the said David Lyell John Kinsey John Kay and John Harrison Esqrs.

AND BE IT FURTHER ENACTED by the Authority aforesaid that David Lyell John Kinsey, John Kay and John Harrison Hereby appointed to sign the said Bills of Credit made Current by this Act shall for such their Service Have paid unto Each of them or Each of their Executors Administrators or assignes by the Treasurer of this Province In Bills of Credit made Current by this Act the sum of Twenty ounces of plate as a Reward for Their Trouble In signing Numbring and Indenting the Bills aforesaid and the Treasurer of this province is Hereby Directed to pay the same Accordingly any thing in this Act to the Contrary in any Wise Not with standing.

AND BE IT FURTHER ENACTED by the Authority aforesaid that so Soon as the said signers shall Have Signed Numbred and Indented the said Bills of Credit they shall deliver the same to the Treasurer And Receiver General of this Province.

AND BE IT FURTHER ENACTED by the Authority aforesaid that so soon

as the said Treasurer Shall Receive the Said Bills of Credit from the said signers[1] He shall Deliver out and Exchainge the same for the old Bills of Credit formerly made Current In this province to such person or persons as shall Bring The said old Bills of Credit to be Exchanged and that Without any fee Reward or Discount and also the Said Treasurer of this province shall from Time to Time pay the Said Bills of Credit to such person and persons In such manner as He Shall from time to Time be directed by Warrant or Warrants to be past In Councill Under the Hand and seal of the Governour or Commander in Chief of this province for the Time Being by And With the Advice and Consent of the said Council which aforesaid old Bills of Credit Received by the Said Treasurer With a Receipt from the Person He Receives them from for the said New Bills he Delivers In Exchange and the aforesaid Warrants Endorsed by the persons to whome they are made Payable shall be sufficient Vouchers and Discharges to the said Treasurer for so Much.

AND BE IT further Enacted that the Treasurer of this province shall Likewise pay in said Bills of Credit Hereby made Current to all and Every the members of the Assembly of this province five shillings per Day in Proclamation money for so many days they have served upon a Certificate to be Produced to him by Each and Every of the said members signd. by the speaker of said Assembly for the Time being Expressing the Number of Days That Each member has Attended the service of the General Assembly since the Twenty Ninth day of march Last Past and the Receipt of Each of the Said members Endorsed on the Certificate shall be a sufficient Discharge to said Treasurer for So much and a Certificate for the speakers service in the Assembly shall be signed by Any two Members of the House which Certificate so signed and the speakers Receipt Endorsed on the same shall Like wise be to the said Treasurer A sufficient Discharge for so Much.

AND THAT the said Bills may be Well and Truly sunk as the fonds [funds] arising by the aforesaid act Entituled An Act for the support of the Government of His Majesties Province of Nova Caesaria or New Jersey past This Present session of Assembly and by one other Act Entituled an Act for Laying an Excise on all strong Liquors Retailed In this Colony are paid unto the Treasurer of this Colony for the Time Being

BE IT ENACTED BY the Authority aforesaid that the said Treasurer shall Receive the said Duty of Excise and The said Taxes Raised for the support of the Government in the said Bills of Credit made Current by this Act and In No other specie whatsoever, And the said Bills of Credit so Received by the said Treasurer He shall Keep in his Hands and Render an Account thereof to the Governour Council and General Assembly when thereunto Required.

Passed 25 Jan. 1716/17.
PRO-Ms.

1. Appears as "signees" in the manuscript.

An Act for the Support of the Government of his Majesties Province of New Jersey in America for three years.[1]

AND BE IT FURTHER ENACTED by the Authority Aforesaid, That Whereas Eighteen Months of the said three years, to Commence from the day and year Aforesaid, will Expire on the Twenty third day March next Ensueing, That there shall be rated, Asessed and Leavyed upon the Persons, Estates, Goods and Chattels After-mentioned, the Sum of one Thousand seaven Hundred and fiftie four pounds one shilling and Eight pence, money Aforesaid, for the first Eighteen Months, and the same In Proportion for the second Eighteen Months, being for the Sallaries, Incidents and services for the said Times, (viz).

Every Single man, who works for hire, and is not A bound Servant, shall pay for the said first Eighteen Months, for and towards the Support of the Government, six shillings money aforesaid.

The Ferry At Weehauk In the County of Bergen shall pay for the said first 18 Months one Pound Ten shillings.

The Ferry At Perth-Amboy, shall Pay three pounds, for said first Eighteen Months.

The Ferry Above Delaware Falls, shall pay twenty shillings for said first 18 Months.

The Ferry near the Falls of Delaware, shall pay for said first 18 Months, fifteen shillings.

The Ferry below Burlington, At the Ferry Point, shall Pay for said first 18 Months two pounds.

The Ferry from Burlington to Bristol, shall pay for the said first 18 Months, fifteen shillings.

The Ferry At Rancocas Creek, Aliter [alias], Northampton River, shall pay for the said first 18 Months (Each side) fifteen shillings.

The Ferry from William Coopers to Philadelphia, shall pay for the said first 18 Months, Fifteen shillings.

The Ferry from Gloucester to Philadelphia, shall pay for the said first 18 Months fourty five shillings.

The Ferry at Inians's, over Rariton River, shall pay for the said first 18 Months, one Pound Ten shillings.

Every Wherry that carries Passengers or Goods for hire, shall pay for the said first 18 Months, one Pound Ten shillings.

Every Flatt, that carries Goods or Passengers for hire, shall pay for the said first 18 Months Ten shillings.

Every Wood-Boat that carries six board and upwards, shall pay for the first 18 Months one Pound Ten shillings.

Every Wood-Boat that carries under six to four board, shall pay for the first 18 Months, one Pound.

Every Wood-Boat that carries under four board, shall pay for the first 18 Months Nine shillings.

The Saw Mill of

BERGEN AND ESSEX

David Akerman, shall pay for the first 18 Months, Ten shillings.
Robert Hays and Company shall pay for the first 18 Months, ten Shillings.
Eleazer Lampson and Company shall pay for the first 18 Months twenty shillings.
Benjamen Price shall pay for the first 18 Months twenty five shillings.
John Blanchard shall pay for the first 18 Months twenty five shillings.
William Looker shall pay for the first 18 Months, ten shillings.
John Lee and Company shall pay for the first 18 Months twenty five shillings.
Jonathen Miller shall pay for the first 18 Months, twenty five shillings.
Samuel Oliver and Company shall pay for the first 18 Months, twenty five shillings.
Henry Ralph shall pay for the first 18 Months, twenty five shillings.
John Herryman and Company, shall pay for the first 18 Months, ten shillings.
Exekiel Blumfield and Company shall pay for the first 18 Months, twenty five shillings.

MIDDLESEX

Courtland and Company, shall pay for the first 18 Months, twenty five shillings.
William Bun and Company shall pay for the first 18 Months, ten shillings.
Richard Cutter shall pay for the first 18 Months, ten shillings.
Thomas Leonard and Company shall pay for the first 18 Months, thirty five shillings.
Samuel Leonard shall pay for the first 18 Months, fifteen shillings.

MONMOUTH

Lewis Morris, Esqr shall pay for the first 18 Months, twenty five shillings.
Samuel Dennis Junr. shall pay for the first 18 Months, fifteen shillings.
John Bond and Company shall pay for the first 18 Months, thirty five shillings.
Richard Kirby and Company shall pay for the first 18 Months ten shillings.

BURLINGTON

Richard Ayres, shall pay for the first 18 Months, thirty shillings.
John Burrodell and Company, shall pay for the first 18 Months, thirty five shillings.

The Saw Mill of

John Hayns and Company, shall pay for the first 18 Months, ten shillings.
John Ingle and Company shall pay for the first 18 Months, fifteen shillings.
Abraham Hulings and Company, shall pay for the first 18 Months, fifteen shillings.

GLOUCESTER

John Ray, shall pay for the first 18 Months, five shillings.
Abraham Parker shall pay for the first 18 Months, thirty shillings.

SALEM

Peter Carmack and Company, shall pay for the first 18 Months twenty five shillings.
Daniel England shall pay for the first 18 Months, twenty five shillings.
Michael Lazalier and Company shall pay for the first 18 Months, twenty five shillings.

The Grist Mill of

CAPE-MAY

John Townsend shall pay for the first 18 Months, five shillings.
Cornelius Shillingsworth shall pay for the first 18 Months five shillings.

SALEM

John Ogden shall pay for the first 18 Months, Ten shillings.
Ephram Seely shall pay for the first 18 Months, twenty shillings.
John Mason shall pay for the first 18 Months, ten shillings.
John Powell shall pay for the first 18 Months, twenty shillings.
Sarah Hall shall pay for the first 18 Months, twenty shillings.

GLOUCESTER

John English shall pay for the first 18 Months, ten shillings.
George Ward shall pay for the first 18 Months, twenty shillings.
Abraham Porter shall pay for the first 18 Months, ten shillings.
John Ray shall pay for the first 18 Months, ten shillings.

BURLINGTON

Juda Allen shall pay for the first 18 Months, ten shillings.
Richard Ayres shall pay for the first 18 Months, twenty shillings.
John Wells shall pay for the first 18 Months five shillings.
Samuell Lippencote shall pay for the first 18 Months, seaven shillings and six pence.
Daniell Farnsworth shall pay for the first 18 Months twenty shillings.

The Grist Mill of

John Allen shall pay for the first 18 Months, twenty shillings.
Joseph Reckless shall pay for the first 18 Months, twenty shillings.
Robert Chapman shall pay for the first 18 Months, twenty shillings.
William Trent shall pay for the first 18 Months, four pounds.

HUNTERDON

Henry Lane shall pay for the first 18 Months, five shillings.

MONMOUTH

James Laurence shall pay for the first 18 Months, fifteen shillings.
Nathan Allen shall pay for the first 18 Months twenty shillings.
Thomas Boell shall pay for the first 18 Months, ten shillings.
Ary Borum shall pay for the first 18 Months, fifteen shillings.
Peter Tilton shall pay for the first 18 Months, twenty shillings.
Thomas Tilton shall pay for the first 18 Months, seaven shillings and six Pence.
Lewis Morris Esqr. shall pay for the first 18 Months, twenty shillings.
The Grist Mill formerly John Eatons In Shrewsberry, shall pay for the first 18 Months, five shillings.
William Lawrence shall pay for the first 18 Months, twenty five shillings.
Henry Vangelder shall pay for the first 18 Months, ten shillings.
Daniel Tilton shall pay for the first 18 Months, fifteen shillings.
Thomas Kearny shall pay for the first 18 Months, fifty shillings.

SOMMERSET AND MIDDLESEX

John Harrison shall pay for the first 18 Months, fifteen shillings.
Peter Van Ness shall pay for the first 18 Months, five shillings.
Joseph Worth shall pay for the first 18 Months, ten shillings.
Cornelius Longfield shall pay for the first 18 Months, forty shillings.
John Burrow shall pay for the first 18 Months, five shillings.
Samuell Walker shall pay for the first 18 Months, five shillings.
William Calding shall pay for the first 18 Months, ten shillings.
Hickson and Company shall pay for the first 18 Months, ten shillings.
Richard Soaper shall pay for the first 18 Months five shillings.
John Lufborough shall pay for the first 18 Months, twenty five shillings.
Richard Cutter shall pay for the first 18 Months, five shillings.
Elisha Parker shall pay for the first 18 Months, twenty five shillings.
John Lowes shall pay for the first 18 Months, twenty shillings.
Courtland and Company shall pay for the first 18 Months, twenty shillings.

ESSEX

John Harriman shall pay for the first 18 Months, twenty four shillings.

The Grist Mill of

Benjamen Trotter shall pay for the first 18 Months, Eighteen shillings.
Joseph Meaker shall pay for the first 18 Months, Eighteen shillings.
William Looker shall pay for the first 18 Months,. five shillings.
John Blanchard shall pay for the first 18 Months, Eight shillings.
Widdow Eures shall pay for the first 18 Months, five shillings.
John Medless shall pay for the first 18 Months, five shillings.
Dr. States and Company shall pay for the first 18 Months fifty shillings.
The Widdow Duykin shall pay for the first 18 Months fourty shillings.
John Broadberry shall pay for the first 18 Months, thirty shillings.

BERGEN

Brockholst shall pay for the first 18 Months, five shillings.
John Demares shall pay for the first 18 Months, ten shillings.
David Akerman shall pay for the first 18 Months, five shillings.
Earle shall pay for the first 18 Months, ten shillings.
Abraham Andries shall pay for the first 18 Months, ten shillings.
Peter Vanbuskirk shall pay for the first 18 Months, forty shillings.

Passed 25 Jan. 1716/17.
PRO-Ms.

1. Although this act also appears in the first volume of the *Laws* series, a portion of it is retranscribed here because a more legible manuscript copy has since been obtained.

An Act to Enable some persons in every County of this Province to inspect the Rolls of all the Assessments in the said County, which lye in the hands of the Collectors Since the year One Thousand Seven hundred & Eight, and also Examine the Acco[un]ts of the Collectors & see what Dificiencies of persons dead, Removed, or Insolvent remain unpaid, & report the same to this House at the next meeting of this Assembly.

WHEREAS it appears by the Accounts of Thomas Gordon, Esqr Treasurer of this Province that Several If Not all the Counties of this Province are In Arrears for most of the Taxes Appointed to be paid Since the year one Thousand Seven Hundred and Eight for the Better Satisfaction of this

House of the Cause why the said several Taxes have not Been fully Paid

BE IT ENACTED BY THE GOVERNOUR Council and General Assembly and By the Authority of the Same That there Shall be some Persons Appointed in Every County of this province to Inspect the Rolls of all Assessments in the Said County Which Lie in the Hands of the Collectors Since the year one Thousand Seven Hundred and Eight and also Examine the Accounts of the Collectors and See what dificiencies of Persons Dead Removed or Insolvent Remains unpaid and Report the Same to this House at the Next meeting of This Assembly, for the County of Bergain Hessel Peterson and Phillip Schuyler, for the County of Essex Joseph Bonnel and Josiah Ogden, for the County of Middlesex John Kinsey, John Harrison, William Eirs and Charles Morgan, for the County of Sommerset Benjamin Clark John Harrison and Thomas Hall, for the County of Monmouth William Lawrance and Elisha Lawrance, for the County of Burlington, and County of Hunterdon Jacob Doughty Matthew Champion, Samuell Smith and Daniel Smith, for the County of Gloucester John Key And Thomas Sharp, for the County of Salem Isaac Sharp, Richard Johnston and Jeremiah Bass, for the County of Cape May Jeremiah Bass and Jacob Spicer, and if it so Happen that any of the persons Appointed to Inspect the Lists and Accounts in any County Within this province in manner aforesaid Happen to dye before said service Be performed that then the Surviving person or persons Appointed In Said County Shall do the whole service of Said County for the person or persons Deceased,

AND BE IT ENACTED by the Authority aforesaid that all The Collectors Within the several Counties of this province are Hereby Required to Lay the Lists of the Several Assessments and Accounts Before the Persons Appointed to Inspect them by this act and if any that Have Been or are Collector or Collectors their or Either of their heirs Executors or Administrators do Refuse or Neglect To Lay His or their Lists of Assessment And Account or Accounts before the Persons Appointed as Aforesaid To Inspect the Same He or they so Neglecting or Refusing Shall forfeit the Sum of fifty pounds for Every Such Refusal or Neglect, Which forfeiture Shall be Recovered by Action of Debt by any one that will Sue for the Same to Effect the one Half To be to the Prosecutor and the other half for the support of the Government.

AND BE IT FURTHER ENACTED by the Authority aforesaid That Neither this act nor any thing Therein Contained shall be Deemed Taken or Esteemed to be Any Bar Let or Hindrance for Paying the Publick Taxes or Arrearages of Said Taxes Since the Year 1708, But that the said Act Entituled An Act to Inforce the Payment of all Publick taxes into the Treasurer or Treasurers of this Colony shall be and is Hereby Declared to Be Remain and Continue In full force strength and Virtue Any thing Herein Contained to the Contrary Not With standing.

Passed 26 Jan. 1716/17.
PRO-Ms.

An Act for Explaining & Amending An Act of the Generall Assembly of this province Entituled An Act for Enabling the Owners of the Meadows & Marshes adjoyning to & on both sides the Creek that Surrounds the Island of Burlington to stop out the tide from overflowing them.

WHEREAS The former Act of Assembly Passed In the ninth year of Her Late Majesties Reigne, Entituled An Act for Enabling the owners of the meadows and marshes Adjoyning to and on both sides of the Creek that surrounds The Island of Burlington to stop out the Tide from overflowing them Hath on Experience been found Insufficient and Whereas on Experience it haith been found that the Tide flowing in at the Lower End of the Island doth not overflow or Damage The meadows or Marshes Lying Next or Near to yorkshire Bridge Nor that the Tide flowing in at yorkshire Bridge doth any Damage to the Meadows or marshes in the Lower Part of the Island By overflowing them And that the Tide may be Effectually Stopped out from overflowing the said Meadows and marshes At the proper Cost and Charge of the persons that are Benefited Thereby,

BE IT ENACTED by the Governour Councill and Assembly now mett and Assembled and by the Authority of the same That all the owners and possessors of the meadows and marshes Adjoyning to and Lying on both sides said creek So farr as Will be Drained and Benefited by stopping out the Tide at yorkshire Bridge shall meet and Assemble yearly on the first Munday in february At the Town of Burlington or at such other time as they or the Major part of them shall Appoynt and make such Covenants and Agreements as they or the Major part of them shall find Necessary for the making Repairing and from time and At all times Hereafter Upholding and maintaining the Dam, floodegates and sluce at The said yorkshire Bridge In manner following vizt: To make their Dam from the fast Land on that side of the Creek which Samuel Furnis Liveth to Their floodegates and from Thence two Rod further Towards Burlington Which said Dams Banks floodegates and sluces as aforesaid to Witt from the said fast Landing to the floode Gates And from the floodegates two Rod further Towards Burlington shall be made good Upheld and maintained at all times Hereafter at the proper Cost and Charges of the owners Proprietors and possessors of the meadow marsh and Swamp Drained and benefited thereby and to be Kept A Sufficient Breadth for A High Way. And for the more Effectuall making Upholding and Maintaining the said Dam floodgates and sluces In manner Aforesaid all the owners Proprietors and possessors of the before mentioned meadow marsh or swamp Adjoyning to and on both sides said creek as farr as will be Drained and Benefited by the aforesaid dam At yorkshire Brige shall meet Together yearly on the days Before mentioned or at such other Days and times as They or the Major part of them shall Appoynt and shall Chuse one Manager and one Assessor and one Collector

Which said assessor shall assess such sum and sums of money as shall be Agreed to at their meeting or meetings Equally upon all the Aforesaid owners Proprietors and Possessors of the said Meadow Marsh or swamp According to the Proportion and Quantity He she or they do hold possess or Enjoy severally or Respectively and the Collector so Chosen shall Collect and Receive all such sum and sums of money as shall be assessed for making Repairing upholding and Maintaining The said Dam floodegates And sluces In manner Aforesaid and shall Dyspose of the same to the use and uses that shall Be Appointed by the Mannagers Pursuant to the Covenants and Agreements of the owners Proprietors or Possessors of said Meadow swamp or marsh at their aforesaid meeting Which said managers shall Have for their Trouble four pence per Pound and the assessors for Assessing shall Have two pence per pound and the Collector for Collecting six pence per Pound.

AND BE IT further Enacted by the Authority aforesaid that if any of the owners Proprietors or possessors of said meadow marsh or swamp shall Neglect or Refuse to Come to said meetings to Elect and Chuse Managers Assessors And Collectors, and to make such Covenants Articles and agreements, as shall be Concluded on to be Necessary by saide owners Proprietors or possessors of such meadows marsh or swamp he she or they so Neglecting or Refusing shall Nevertheless be subjected to the Rules and Agreements made by the said owners Proprietors or possessors or the Major part of Them at Their aforesaid meeting or meetings.

AND BE IT further Enacted by the Authority Aforesaid that if any of the owners Proprietors or Possessors of said meadows swamps or marshes shall Refuse or Neglect to pay such sum or sums of money as shall be Appoynted them by the assessor or assessors That it shall and may be Lawfull for the Collector and He is hereby Impoured and Required to bring An Action of Debt Against Any person or Persons so Refusing or Neglecting and Recover the same if fourty shillings or under before any one Justice of the peace in said County and If Above forty shillings before any Court of Common Pleas within said County with Cost of suit. And the Asssessors List shall be sufficient Evidence which said Collector shall Appropriate the said money to the uses Appoynted by the said owners Proprietors and possessors of said meadow marsh or swamp at their said meeting.

AND BE IT ENACTED by the Authority aforesaid that for the More Effectuall stopping the Tide out of the Creek at the Lower End of the Island of Burlington All the owners Proprietors and possessors of the meadow marsh and swamp Adjoyning to and on both Sides Said Creek Which will be Drained and benefited thereby Including Daniel Smiths Land To the Dam at the Lower End shall meet Togeather & assemble yearly and Every year on the first Munday of February at Burlington or at any other time as they or the Major part of them shall Appoynt and shall Chuse one Manager and one Assessor and one Collector Which said Assessor so Chosen shall Asess the said owners proprietors And possessors of all the meadows marshes and swamps According to their former surveys which are Drained

and benefited by stoping the Tide out of said Creek at the Lower End of said Island Equally According to the Quantity and Proportion of meadow marsh and swamp already surveyed by virtue of the former Recited Act which said owners Proprietors and possessors possess and Enjoy and shall make such Covenants Articles and Agreeements as they or the Major part of them shall find Necessary for making the Dams floode gates and sluces and from time to Time and at all times forever Hereafter to Repaire uphold and maintaine the same. And if any of the owners Proprietors or Possessors of said meadow marsh or Swamp shall Neglect or Refuse to meet and Chuse A manager assessor And Collector and to make Necessary Covenants & agreements In manner aforesaid he she or thay shall Nevertheless be Concluded and oblidged by such Rules and methods as are Agreed to by the Aforesaid owners Proprietors and possessors of the Meadows marshes or swamps or the Major part of them at their said meeting.

AND BE IT further Enacted by the Authority aforesaid That the said owners Proprietors and Possessors of said meadows marshes or swamps shall pay in their Quota as they are Assessed to the Collector Appoynted to Recive the same at such Days and times as shall be appoynted by The owners Proprietors and possessors of the said meadow marshes and swamp at their said meetings to be Applyed to The making Repairing upholding and maintaining the aforsaid Dam Floodegates and sluces and all other Incidentall Charges in Passing this and the former Act Above Recited and other Necessary Charges In stopping the Tide out of said Creek and Draining the meadow marsh and swamp as aforesaid. And if any person or persons shall Refuse or Neglect to Pay his or their Tax to the Collector at such time and Times as shall be Appoynted the said Collector shall Bring an Action of Debt against any person or persons so Refusing or Neglecting and Recover the same With Cost of Suit If fourty Shillings or under before any one Justice of the peace In said County and if above forty Shillings before any Court of Record Within the County which said Collector shall Apply the mony so Recovered to the making Repairing and maintaining the Dam floodgeates and sluces as shall be appoynten by The owners and possessors of said meadow swamp or march In manner aforsaid.

AND BE IT further Enacted by the authority aforesaid that if any of the managers assessor or Collector Chosen as aforesaid shall Refuse or Neglect to performe his or their service Required by this Act Such person or persons so Refusing shall forfeit the Sum of forty Shillings for Each offence to be Recovered by Action of Debt before any one Justice of the peace In said County by any of the owners that will Prosecute the same to be Applyed to the making Repairing and maintaining the Dam floodegates and sluces as aforesaid.

AND BE it further Enacted By the Authority aforesaid that if any of the managers Assessors or Collectors shall Dye Refuse or Neglect to Perform his or their services Required by this act that then the owners proprietors and possessors of the said Meadows Marsh or swamp shall meet at such time and place as they or the Major part of them shall Appoynt and Chuse

others In the place and stead of him or them so Deceased Refusing or Neglecting who are Hereby Impowred and Required to act and officiate in Room and stead of the person or persons so Dying Refusing or Neglecting who shall have the same fees befor mentioned for their Labour and trouble and upon Refusall or Neglect shall be subjected to the penalty befor mentioned in this act.

AND BE IT FURTHER ENACTED by the Authority Aforesaid that all the owners proprietors and Possessors of the meadow marsh and swamp that is drained and benefited by stopping out the Tide at the Lower End of the Island of Burlington Including Daniel Smith Land shall be at the Charge of making Repairing and maintaining the Dam floodegates and sluces at the said Lower End Equally and Proportionably, according to the Quantity they hold Possess and Enjoy and the owners propritors and possessors of the Meadow marsh and swamp Drained and Benefited by Stoping out the Tide at york shire Bridge shall be at the Charge of making the Dam Repairing and maintaining the Floodegates and sluce at the said yorkshire Bridge By the Aforesaid owners According to the Quantity of meadow marsh or swamp thay hold and Enjoy severally and Respectively and without Respect or Regard of the owners of the meadow marsh or swamp by York shire Bridge being At any Charge of making Repairing or maintaining the Lower Dam floodegates or sluce or the owners of meadows Marsh or swamp Drained by the Dam at the Lower End being Charged with Helping to maintain the Dam floodegates and sluce at said yorkshire Bridge.

AND BE IT ENACTED by the Authority Aforesaid that if any of the owners or possessors of the said marsh swamp or meadow Live out of the County or province so that they Cannot be oblidged to pay their proportion Towards making finishing Repairing and maintaining the said Banks floodegates and sluces that then and In such Case the owners of the meadows marshes or swamps that have been at the Charge of Draining the meadows By Their Collector or who they shall Appoynt may Lett out the said Marsh swamp or meadow to pasture or sell the Grass of such person or persons so Living out of the province to pay the Quota Dew from such person or persons or if said meadow marsh or swamp be not profitable so that his or their Quota Cannot be Raised thereby such owner or owners so Living out of the County or province he she or They Their Heirs Executors or Administrators shall Pay their Proportionable Charge of Draining said meadow marsh or swamp when they Come to Live In the County or province and upon Refusall and Neglect shall be Recovered by the Collector In manner as is befor mentioned In this Act which money shall be Applyed to the Maintaining the Dam floodegates and sluces as aforsaid.

AND WHEREAS som persons have Laid out severall Sums of money for Draining the said meadows by Virtue of the former Act which is not yet Reinbursed to them

BE IT THEREFOR Enacted by the Authority aforesaid that all Persons Assessed by Virtue of the said former Act who are Living within the County or Province shall Imediately pay their Tax as then Rated to such Managers

or persons as have money Due for what they have Laid out on that said service and when all that Live on the Island of Burlington or Live in the said County of Burlington or province of New Jersey Have paid their Respective Tax or taxes as Rated what is then Wanting to make up such sum or sums to Reinburse the former Managers shall be Equally assessed on the Inhabitants on the said Island who have meadow marsh or swamp Within the said Drains According to the Quantity thay hold severally — — who shall pay the same to the said Managers and if any person or persons shall Refuse or Neglect To pay the same The aforesaid former managers shall bring An action of Debt against such person or Persons and Recover the same In manner as before mentioned In this Act.

Passed 26 Jan. 1716/17.
PRO-Ms.

An Act for Vesting the Lands late the Estate and Inheritance of William Hall Esqr. late of Salem in the County of Salem in the Province of New-Jersey in Trustees to be sold and Disposed of for the Payment of his Debts &c.

WHEREAS It hath been Represented to this Assembly, That William Hall Esqr. Late of Salem In the County of Salem, In the Province of New-Jersey Deceased, At the time of his Death was greatly Indebted to Sundry Persons, and dyed Seized of Sundry Tracts of Lands Tenements and Hereditaments, Rights to Proprieties or Shares of Proprieties In the Western Devision of this Province of New-Jersey, And In his Lifetime made his Will In writing and therein did devise severall Tracts of Land Tenements and Hereditaments to his Children and others, but left not any considerable Personal Estate, wherewith to satisfy and discharge his Debts, nor any Sufficient Power to his Executors In the said Will Named to make Sale of so much of his Lands as would be Sufficient to Pay his Just Debts, Nor will the Creditors of the said William Hall be Able to avoid so great A Loss of their Just Debts without An Act of Assembly to Enable Trustees — — to sell the Lands Late of the said William Hall Deceased for the Payment of his Debts. AND WHEREAS several of Principal Creditors of the said William Hall Deceased, by and with the consent of Sarah Hall Widdow and Executrix, and Clement Plumstead of Philadelphia Merchant Executor of the Last Will and Testament of the said William Hall have desired That

An Act of Assembly might pass for the obtaining of the purposes Aforesaid.

BE IT THEREFORE ENACTED by the governour, councill and general assembly Assembly, and It is hereby Enacted by the Authority of the same, That All the Lands Tenements and Hereditaments, Rights to Proprieties and shares of Proprieties Late the Estate and Inheretance In fee simple of the said William Hall Deceased, lying and being In the Western Devision of New-Jersey (Excepting the Grist and Fulling Mill given to his Wife Sarah Hall during her Natural Life) with their and Every of their Rights Members and Appurtenances, together with All Houses, Commons Profits, Hereditaments and Appurtenances whatsoever to the Premises or any part thereof belonging or Appertaining or accepted Reputed taken used occuppied or Enjoyed As part, parcell or Member thereof, shall from and After the End of this Session of Assembly be Actually Vested and Setled In Sarah Hall, Widdow of the said William Hall, Clement Plumstead of Philadelphia Merchant, John Ray of Gloucester County Gent: and Israel Pemberton of Philadelphia Merchant their Heirs and Assigns, and that from and After the End of this Sessions of Assembly, they the said Sarah Hall, Clement Plumstead, John Ray and Israel Pemberton shall be Adjudged and taken to be seized thereof, and of Every part and parcell thereof (Excepting as before Excepted) to them and their Heirs, and may hold and Enjoy The same free from any Estates uses Limitations, Entailes, Remainders, Charges or Proviso's had made In and by the said William Hall In his Last Will and Testament upon Trust Nevertheless that the said Sarah Hall, Clement Plumstead, John Ray and Israel Pemberton and the Survivor of them and their Heirs, shall by Sale thereof or any part thereof, raise such Sum or Sums of money as will be sufficient for the payment of the Debts Due to the said Creditors of the Estate of the said William Hall Deceased. And the said Trustees or the Survivors of them that shall accept of the said Trust or any two of them, Whereof the said Clement Plumstead to be one, are hereby Impowred and Authorized to sign Seal & Execute good and Sufficient Deed or Deeds Conveyance or Conveyances for the same, for their Lands, Tenements and Hereditaments, Rights to Proprieties or shares of Proprieties by them or any of them sold; And All such Deed or Deed(s) Conveyance or Conveyances by them so signed Sealed and Executed shall be Deemed and Esteemed, and are hereby declared to be As good and sufficient In the Law to the Purchaser or Purchasers their Heirs or Assigns, as If the said Deed or Deeds, Conveyance or Conveyances, were Executed by the said William Hall In his Lifetime, And After the satisfaction of the Respective Debts with Interest Due upon the same, That the said Trustees and the Survivor and Survivors of them and their Heirs (deducting to themselves All Reasonable Expences and charges by them laid out In and About the Execution of the said Trust) shall and are hereby Enjoyned and Required to Apply and dispose of the said whole Remainder of the said Estate to the Sole use and benefit of the children of the said William Hall to be Equally Devided amongst them as near as may be to the true Intent and meaning of the said William In his Last Will and Testament Aforesaid PROVIDED Always that

no Creditors of the said Estate of the said William Hall shall have or recieve [*sic*] any benefit by Virtue of this Act unless such Creditor or Creditors do within six Months, and such As live beyond the seas within Eighteen Months After the End of this Sessions of Assembly Exhibit to two or more of the said Trustees Whereof the said Clement Plumstead to be [always one] his her or their Just Account and claims Against the said Estate, and Pay his her or their just Proportion of the charge of obtaining this Act, According to the Agreement made by the Principall Creditors of the said Estate, any thing In this Act to the contrary notwithstanding PROVIDED Also, That If any of the said Trustees shall Refuse to accept of or dissagree to the Execution of the Trust Aforesaid, that then such Person or Persons before In this Act Named, who shall accept of the Trust Aforesaid, and the Survivor and Survivors of them and their Heirs shall and are hereby Invested with the whole Right and Estate of and In the Premises and Every part thereof, with full Power and Authority to Execute the Trust Aforesaid, for the uses Aforesaid to All Intents and purposes As fully as If All the said Trustees had Joyned In the Execution of the same.

AND BE IT FURTHER ENACTED by the Authority Aforesaid That A Deed or Deeds Conveyance or Conveyances Executed by the said Trustees or any two of them whereof the said Clement Plumstead to be one, and A true Copy of this Act Signed by the Secretary of the Province for the time being, shall and may be given In Evidence by the Purchaser or Purchasers of the said Lands, Tenements, Hereditaments, Rights to Proprieties or shares of Proprieties or any part of them, In any Court of Record within this Province, and shall be Deemed, Esteemed and taken to be A perpetual Bar In Law Against any claim hereafter to be made by the Heirs Legaties or Devisees of the said William Hall Deceased, any Law Custom or Usage to the Contrary In any wise notwithstanding.

Passed 26 Jan. 1716/17.
PRO-Ms.

An Act to enable John Pittinger & Sycha Pittinger of piscataway in the County of Middlesex & province of New Jersey To Sill and Dispose of the Reall Estate of Richard Pittinger late of piscataway aforesaid, Deceased, for the payment of Debts.

WHEREAS Richard Pittenger, Late of Piscataway In the County of Middlesex, and Province of New-Jersey, Dyed Intestate, having at the time of his Decease divers Goods, Chattels and Credits within the said County and Province of New-Jersey; Whereupon the said John Pittenger obtained

Administration upon the Personal Estate of said Richard Pittenger Deceased, and not finding sufficient Assets of said Estate to answer the Debts and Demands Due from the same, he the said John Pittenger, together with Sycha Pittenger, Widdow of said Richard Pittenger, Deceased, have set forth by their Petition to the General Assembly, That the Assets of the Estate of said Richard Pittenger Deceased, will not pay the Debts Due from the same, and Also that the said Richard In his Lifetime purchased A Tract of Land, and took up money at Interest to pay for the same, which Interest will Exceed the Value of the Land before the Heir of the said Richard (who is A Minor) will come to Age, and the Principall remain yet unpaid, and therefore they pray, That An Act may pass to Enable them the said John Pittenger and Sycha Pittenger to sell and dispose of the Real Estate of said Richard Pittenger Deceased, for the payment of his Just Debts, And it Appearing That the Allegations In said Petition are True.

BE IT THEREFORE ENACTED by the Governour, Councill and General Assembly, and It is hereby Enacted by the Authority of the same, That the said John Pittenger and Sycha Pittenger shall be Enabled to sell and dispose of the Real Estate of the said Richard Pittenger Deceased; and the said John and Sycha Pittenger, or the Survivor of Either of them, are hereby Impowred and Authorized to sell and dispose of the said Real Estate of Richard Pittenger Deceased, and to Signe, Seal and Execute good and sufficient Deed or Deeds, Conveyance or Conveyances for the same, and All such Deed or Deeds Conveyance or Conveyances by them the said John and Sycha Pittenger, or the Survivor of Either of them, so signed, Sealed and Executed by them, as Aforesaid, shall be Deemed and Esteemed, and are hereby declared to be as good and suficient Conveyances in the Law, to the purchaser or Purchasers thereof, their Heirs and Assigns, As If Lawfully Executed by the said Richard Pittenger In his Lifetime.

AND BE IT FURTHER ENACTED by the Authority Aforesaid, That All the Sum or Sums of money that the said Real Estate shall be sold for, shall be Accounted Assets In the hands of the said John Pittenger, and for which he the said John Pittenger, shall be Accountable, and account for the same Accordingly, any Law, Custom or Usage to the contrary In any wise Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority Aforesaid, That A True Copy of this Act, signed by the Secretary of the Province, for the time being, shall and may be given In Evidence by the Purchaser or Purchasers of the said Estate, In any Court of Record In this Province, and any Deed or Conveyance made and Executed In pursuance of this Act, shall be Deemed, Esteemed and taken to be A perpetual Bar In Law against any claim hereafter to be made by the Heirs of the said Richard Pittenger, Deceased, any Law, Custom or usage to the Contrary In any wise notwithstanding.

Passed 26 Jan. 1716/17.
PRO-Ms.

Seventh Assembly, Second Session

13 Jan.-28 Mar. 1718/19

Perth Amboy

An Act for Vesting the Lands Late the Estate and Inheritance of Robert Burnet Esqr Late of the County of Monmouth in the Province of Newjersey in Trustees to be Sold and Disposed of for the Payment of Debts.

WHEREAS it hath been Represented to this Assembly That Robert Burnet Esqr. Late of the County of Monmouth in the Province of Newjersey deceased at the time of his Death was Indebted to his son John Burnet of London Merchant in a Considerable Sum of money and that he dyed seized and Possesed of Sundry Tracts of Lands Tenements and Hereditaments, Rights to Proprieties or Shares of Proprieties in the Eastern Division of this province of New Jersey undisposed of in his Life time. And that he made his will in writing and did therein and thereby order and appoint his Lands to be Sold for the Payment of his Debts more Specially the Debt Due to his said son John Burnet which he Severall times Directs to be first paid before all other Debts and Legacies whatsoever, but for want of knowledge in the Law hath not Given Sufficient Power to his Executors nor any other to make sale of his said Lands to pay the said Debts, which he acknowledgeth to be justly due to his Said Son John Burnet. AND WHEREAS the Executors of said Robert Burnet have Desired that an act of General assembly might pass for the obtaining the purposes aforesaid

BE IT THEREFORE ENACTED by the Governour Councill and Generall assembly, and it is hereby Enacted by the authority of the same, that all the Lands Tenements and Hereditaments Rights to Proprieties and Shares in Proprieties Late the Estate and Inheritance in fee simple of the said Robert with Their and every of their Rights Members and appurtenances Together with all houses Commons Profits Hereditaments and Appurtenances whatsoever to the Premises or any part thereof belonging or appertaining or accepted reputed taken used occupied or Enjoyed as part parcell or member thereof whereof the said Robert Burnet dyed seized possessed and undisposed of in his Life time Shall be actually vested and settled in said John Burnet and Peter Burnet Isabel Montgomery and Margery Allen (Executors of the Last will and Testament of the said Robert Burnet upon Each of their entring into Bond with Security as is herein after appointed) their Heirs and assigns and upon their so entering into Bond they the said John Burnet, Peter Burnet, Isabel Montgomery and Margery Allen shall be adjudged and Taken to be seized thereof and of every part and parcell thereof to them and their heirs upon Trust Nevertheless that the said John Burnet Peter Burnet Isabel Montgomery and Margery Allen and the Survivors of them and their heirs shall by sale thereof raise such sum and sums of money as will be sufficient for the Payment of the said Debt Due to the said John Burnet and other Just Creditors of the said Estate of the said Robert Burnet deceased and the said Trustees or the survivors of them that shall happen to accept of the said trust or any two of them (whereof the said John Burnet

shall always be one) are hereby Impowered and authorized to sign Seal and Execute Good and sufficient Deed or Deeds Conveyance or Conveyances in the Law whatsoever for the said Lands Tenements and Hereditaments Rights to Proprieties or shares of Proprieties by them or any of them Sold as aforesaid and all such Deed or Deeds Conveyance or Conveyances by them so signed sealed and Executed shall be Deemed and esteemed and are hereby declared to be as good and sufficient in the Law to the Purchassor or Purchassors their Heirs and assigns as if the said Deed or Deeds Conveyance or Conveyances were Executed by the said Robert Burnet in his Life Time and after payment and satisfaction made of the said Debt due to the said John Burnet and the Cost and charges therein Expended, that the said trustees and the survivor or Survivors of them and their Heirs (deducting to themselves all Reasonable charges and Expenses by them laid out and Expended in and about the Execution of the said trust) shall and are hereby Enjoyned and Required to apply and dispose of the whole Remainder of the said Estate according to the true intent and meaning of the said last will and Testament of the Said Robert Burnet Deceased.

AND BE IT further Enacted by the authority aforesaid That all Deed or Deeds Conveyance or Conveyances Executed by the said Trustees or any Two of them whereof the said John Burnet is one and a true Copy of this act signed by the Secretary of the Province for the time being or his Deputy shall and may be Given in Evidence by the Purchassor or Purchassors of the Said Lands Tenements Hereditaments Rights to Proprieties or Shares of Proprieties or any part of them in any Court of Record within this province and shall be Deemed esteemed and Taken to be a Perpetual Bar in Law against any claim hereafter to be made by the Heirs of the said Robert Burnet Deceased any Law Custom or usage to the Contrary in any wise notwithstanding.

AND BE IT Enacted by the authority aforesaid and it is hereby Enacted by the authority of the same that on the Second Tuesday of may next or Such other day or Days as any two or more of the trustees aforesaid (the said John Burnet being one) shall appoint att the City of Perth amboy or Such other place or places as any two of the Trustees aforesaid shall appoint (the said John Burnet being one) all the Lands Tenements hereditaments rights to Proprieties Late the Estate of the said Robert Burnet with their and Every of their Rights members and appurtenances together with all houses Commons profits hereditaments and appurtenances whatsoever to the premisses or any part thereof belonging or appertaining or accepted Reputed taken and occup[i]ed or Enjoyed as part parcell or member thereof whereof the said Robert Burnet died Seized possessed and indisposed of in his Life Time Shall be Exposed to publick vendue and Each part and parcell Thereof be Sold by the trustees aforesaid or any two of them (whereof the Said John Burnet to be one) to the highest Responsible bidder or Bidders for Such parcell or parcells thereof which Trustees or any two of them (whereof the said John Burnet to be one) shall Execute Seal and Deliver Such Reasonable Deed or Deeds Conveyance or Conveyances to the buyer

or buyers of any part or parts parcell or parcells of the premisses by him or them so Bought: as the Buyer or Byers by him or themselves or his or their Councill or Councills Learned in the Law shall be advised Divised or Required, within Ten Days after the same is or are presented and Delivered to the trustees aforesaid or any two of them (whereof the said John Burnet to be one) to be Considered of AND that, at the Selling of the Premisses, every part thereof may bear the better price: The Trustees aforesaid or any of them are forthwith to Give notice by publick placcarts, set up in such publick places as any of them Shall Think fitt, That at the time and place aforesaid or such other day or Days as the Trustees aforesaid or any two of them (whereof the said John Burnet to Be one) shall appoint the premisses and every part thereof are to be Sold as aforesaid. AND in the same or other placarts to the Best of their Ability and knowledge Set forth and make known what Lands tenements rights to Proprieties and other the premisses the said Robert Burnet died Seized of, in what County or Counties they and Every part of them respectively Lye upon whom and how bounded and the Quantity with what other Descriptions of them any of the Trustees aforesaid shall be able to give and think proper.

AND BE IT Enacted by the Authority aforesaid that every of the Trustees aforesaid shall on or before the Tenth day of aprill next Enter into Bond to His Excellency Robert Hunter Esqr <in> the sum of one thousand pounds with Such Sufficient Security as his said Excellency or John Barclay Deputy Secretary of this province or Such other Persons as his <said?> Excellency shall appoint shall approve, To be Lodged in the Secretarys office of this province with Condition that the oblidgeing Trustee shall according to the True Intent and meaning of this act Join in Selling the Premisses and every part thereof in manner and form as herein is prescribed and to the utmost of his or her Power Contribute in manner (as herein is Set down) to the Better doing of the same, and that in manner aforesaid he or she will Join in Granting of Deeds or Deed Conveyances or Conveyance to the highest bidders or bidder buyers or buyer and That he or she will apply such sum and Sums of money as shall be raised by the sale of the premises or any part Thereof first to the Payment and Satisfaction of the said Debt due to the said John Burnet and the Cost and charges therein Expended as herein is Directed And the whole Remainder of the said Estate according to the True Intent and meaning of the Last will and Testament of said Robert Burnet.

AND BE IT Enacted by the authority aforesaid that all such Sum and Sums of money as shall be paid by the buyers upon the buying of any of the premisses (provideing the same do not Exceed the Debt and Charge aforesaid of the said John Burnet) shall be paid to the said John Burnet in part of his said Debt and Charges and So much as the same shall be Deficient of the Debt and Charges aforesaid the said John Burnet is hereby Directed <to take in his own name and the other trustees are hereby directed>[1] to permitt his Takeing such and so many bonds with proper security of such and so many of the buyers aforesaid as shall make up such

Deficiency of his Debt and charges aforesaid The Remainder of which money shall be Jointly Received by the Trustees aforesaid and applyed according to the true Intent and meaning of the Last will and Testament aforesaid and The Remainder of which Bonds shall be Taken in the names of the Trustees aforesaid to be paid To the Survivors or Survivor of them his or her Executors and Adminstrators and applyed according to the True intent and meaning of the said Last will and Testament.

AND BE IT ENACTED by the authority aforesaid That in Case any one of the Executors aforesaid[2] do neglect or Refuse to Enter into bond as aforesaid at the time and in manner aforesaid then the premisses shall be actually vested and setled in the other Executors aforesaid who shall have Entered into Bond as aforesaid and in John Kinsey Esqr. And in Case two of the Executors aforesaid do neglect or Refuse each to Enter into bond as aforesaid at the Time and in manner aforesaid then the premisses shall be actually vested and setled in the other Executors aforesaid who shall have Entered into bond as aforesaid and in said John Kinsey and Jacob Doughty Esqrs. And in case three of the Executors above mentioned do neglect or Refuse Each to Enter into bond as aforesaid at the time and in manner aforesaid then the premisses shall be actually vested and Setled in the other Executor above mentioned who shall have Entered into Bond as aforesaid and in said John Kinsey, Jacob Doughty and John Harrison Esqrs. If any of which three cases happen then the Trustees therein shall be adjudged and Taken to be seized of the premisses to them and their heirs upon Trust as aforesaid and are hereby vested with the same powers and are to follow the same Directions as the Executor Trustees herein above mentioned (Excepteing in their or Either of their Granting bond with security as aforesaid) any thing Contained in this act to the Contrary notwithstanding

PROVIDED Always that upon the sale of the premisses the Money paid and the bonds Granted by the Buyers shall be to the Executor Trustees or Trustee Entering into bond with security as aforesaid and shall be applyed by them him or her in manner aforesaid

PROVIDED also that whenever it shall happen the said John Burnet to Die Margaret Burnet now his wife if she be alive and in Case of her Death his Executors or administrators shall be in his room and place as to the premisses and vested with the same Powers with which he is herein vested any Law, usage, or Custom, or thing herein, to the Contrary in any wise notwithstanding.

Passed 28 Mar. 1719.
PRO-Ms.; Allison, p. 61, date of passage.

1. The phrase within the angle brackets appears as an interlineation in the manuscript.

2. In the manuscript version, the phrase "that in Case any one of the Executors aforesaid" was written twice. This presumably accidental repetition has been deleted.

Eighth Assembly, Second Session

4 Sept.-30 Nov. 1723

Burlington

An Act for Naturalizing Cornelius Thompson.

WHEREAS Cornelius Thomson was born under the Dominion of the Duke of Holesein [Holstein?] and being of the protestant Religion hath Transported himself and Effects into this his Majesty's Collony of New Jersey in America And duly Considering the Happy constitution of this province being governed as near as may be to the laws of England, AND the Said Cornelius Thomson being Desirous to be made a partaker of those advantages and privileges which the natural born Subjects do Enjoy the Said Cornelius Thompson pray'd leave by his humble petition to bring in A Bill to this Assembly for Naturalizing himself, AND WHEREAS the Increase of People is the means of advancing the Wealth and Strength of any Government, And the Encouragement hereby Given to the Said Cornelius Thompson may Induce Others to Transport them Selves and Estates in to this Collony

BE IT THEREFORE ENACTED by the Governour Councill and Generall Assembly And by the Authority of the Same That the Said Cornelius Thompson be made and is hereby Declared to be his Majesties Natural born Subject, AND for all times hereafter shall be Deemed, adjudged and taken to be his Majesties Natural born Subject of this province to all intents constructions and purposes whatsoever as fully & amply as if he had been born, or were Born with in this province of New Jersey And that the Said Cornelius Thompson may take, receive Enjoy and be Entituled to all the Rights privileges & advantages of a Natural born Subject as fully to all Intents constructions & purposes whatsoever as any of his Majesties Natural born Subjects of this colony do or ought to Enjoy by virtue of their being his Majesties natural born subjects of this province, PROVIDED always & it is hereby Declared that this Act nor Anything therein Contained Shall be construed So as to Enable the Said Cornelius Thompson to be Capable of Being of his Majesty's council for this province or to be A Member of General Assembly Or Enjoy any office of Trust or Any Grant from the Crown Any law Custom or usage to the Contrary thereof in Any wise not withstanding.

Passed 30 Nov. 1723.
PRO-Ms.

Ninth Assembly, First Session

9 Dec. 1727 - 10 Feb. 1727/28

Perth Amboy

An Act for Naturalizing John Boshart Ann Rosina his wife Christopher Boshart & Dorothy Boshart their Children being Infants.

WHEREAS John Boshart Ann Rosina his wife & Dorthy Boshart were born under the Ligeance of the Emperor of Germany & haveing transported themselves & effects into this his Majestys Province of New-jersey with Intention to settle themselves here & being desirous off Enjoying the priviledges & benefits wch. the Naturall born Subjects of the sd. Province do enjoy have by their humble petition pray'd Leave to bring in a bill to this Assembly for Naturallizing them the said petitioners & as the sd. John Boshart Ann Rosina his wife do profess the protestant religion & have given testimoney of their duty Loyalty & affection to our present King & the Succession of the Crown in the protestant line

THEREFORE BE IT ENACTED by the Governour Council & Generall Assembly of this Province & it is hereby Enacted by the authority of the same that the said John Boshart Ann Rosina his wife Christopher Boshart and Dorthy Boshart their Children & every of them be from hence forth adjudged & taken to all intents & purposes Naturalized & as Free born of this Province & they are & shall be From hence forth adjudged reputed & taken to be in Every condition respect & degree as free to all intents and purposes as if they had been & were born in this province.

AND BE IT FURTHER ENACTED declared & ordained by the authority aforesaid that the sd. John Boshart Ann Rosina his wife Christopher Boshart & Dorothy Boshart their Children & every of them shall hereby be Enabled & adjudged able to all intents purposes & constructions whatsoever as well to demand challenge ask take retain have & enjoy any mannors Lands Tenements and hereditaments & all other priviledges & immunitys belonging to the leige people & natural Subjects of this Province & to make his or their resort or pedigree as heir to his her or their Ancestors lineal or collateral by reason of any discent remainder reverter right title conveyance legacy or b[e]quest whatsoever which may or shall from henceforth descend remain revert accrew or grow due unto them and every of them AS ALSO from henceforth to have retain keep & enjoy all Mannors Lands Tenements & Hereditaments wch. he or they may or shall have by way of purchase or gift of any person or persons whatsoever As also to prosecute persue maintain averr & justify all & all manner of actions suits & causes & all other things to do as Lawfully Liberally Freely & surely as if they the sd John Boshart Ann Rosina Boshart Christopher Boshart & Dorothy Boshart & every of them had been born of English parents within this province & as any other person born & dirived of English parents within this province may Lawfully do.

PROVIDED allways that nothing in this act contained Shall be deemed construed or taken to render them or either of them the sd. John Boshart

or Christoper Boshart capable of being one of the council of this province or members of the house of Representatives or to enjoy any place of trust Civill or Military in this province or to render them the sd John Boshart Ann Rosina his wife Christopher Boshart & Dorothy Boshart their children or any of them capable of taking by any grant from the Crown anything herein contained to the Contrary not withstanding.

Passed 10 Feb. 1727/28.
PRO-Ms.

Twelfth Assembly, Third Session

16 Oct.-25 Nov. 1742

Burlington

An Act for the Support of the Government of his Majesty's Province of New Jersey for one Year to commence the twenty third Day of September One thousand Seven hundred and Forty Two and to end the Twenty third of September One thousand Seven hundred and Forty Three.

WHEREAS the Act for supporting the Government of this his Majesty's Province has for some time been expired AND WHEREAS the Interest Money arising from the different Loans of this Province was designed by Two different Acts to be thereafter disposed of for the Support of Government of this province in such Sort Manner and Form as the Governour Council and Assembly should direct, We the House of Representatives of this province being willing and desirous to give all possible Demonstration of our Duty Loyalty & Gratitude by applying so much of the sd. Interest Money as is hereinafter directed for the Support of this his Majestys Government for the aforesaid One Year Do pray that it may be Enacted,

AND BE IT ENACTED by the Governour Council and Assembly of this Province and it is hereby Enacted and Declared by and with the Authority of the same that for paying the Sallarys of the Governour for the time being and other officers appointed in the Administration of the Government of this Province for One Year to commence the Twenty third Day of September One thousand Seven hundred and Forty Two and to end the Twenty third Day of September One thousand Seven hundred and Forty Three there shall be and is hereby chearfully and unanimously given unto his present Majesty his Heirs and Successors the Sum of Fourteen hundred and Twenty pounds Money according to the proclamation of the late Queen Ann to be paid out of the Interest Money that at any time heretofore hath now doth or at any time hereafter may arise by the Loan of the Bills of Credit which now are or hereafter may be current in this Province (that is to say) ——

To his Excellency Lewis Morris Esqr. or to the Governour or Commander in Chief of this Province for the Time being the sum of One thousand pounds Money aforesaid.

To the Chief Justice of this Province for the Time being the Sum of Two hundred pounds money aforesaid for his Sallary for attending the Supreme Courts and going to and holding the Circuit Courts and the Courts of Oyer and Terminer and General Gaol Delivery and each of them in each respective County in this Province when there shall be Occasion for the Tryal of any Cause either Civil criminal or mixed in any of the said Countys either at the Time appointed or to be appointed for the holding of the Circuit Courts or at any other Time when there shall be Occasion for any such Tryal in each of said Countys (the County of Cape May only excepted) the Causes of which County are to be tryed at Salem.

To the Second Judge of the Supreme Court of this Province for the Time being the Sum of Thirty pounds Money aforesaid.

To the third Judge of the Supreme Court of this province for the Time being the Sum of Thirty pounds Money aforesaid.

To the attorney General of this Province for the time being the Sum of Forty pounds Money aforesaid for his Services where no Fees are allow'd or are not be had.

To each of the Treasurers of this Province for the Time being the Sum of Forty pounds Money aforesaid.

To the Clerk of the Council of this province for the Time being the Sum of Thirty pounds Money aforesaid.

To the Door keeper of the Council of this Province for the time being the Sum of Ten pounds Money aforesaid.

ALL which said several payments of the said several Sums above mentioned shall be made and paid to the sd. several Officers before mentioned for the said Term of One Year by the Treasurers of this Province or either of them on Warrants to be produced to them or either of them and signed by the Governour or Commander in Cheif [*sic*] 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 and either of their Heirs Executors and Administrators of and from so much of the said Interest Money.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case his said Excellency Lewis Morris Esqr. present Governour of this Province shall by Death or otherwise cease to be Governour of the same, or that any other of the respective officers herein before mentioned shall happen to dye or otherwise be removed from their said respective Offices at any Time after the passing of this Act and before the Twenty third Day of September which shall be in the Year of our Lord One thousand Seven hundred and Forty Three that then and in such Case it shall and may be lawful for the Treasurers of this Province for the Time being, and they or either of them are hereby authorized directed and commanded to pay to his said Excellency Lewis Morris Esqr. 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 Governour as aforesaid or the said respective Officers dying or being otherwise removed from their Offices aforesaid shall remain in arrear and unpaid to them for his and their respective Sallarys.

AND WHEREAS it is fitting and necessary that the contingent Charges of this Government should from time to time be honourably and punctually discharged Therefore for defraying the same, We the said House of Representatives Do further pray that it may be Enacted

AND BE IT FURTHER ENACTED by the Governour Council and assembly of this Province And it is hereby Enacted by the authority of the same That the Treasurers of this Province or either of them out of the Interest Money

now in the Treasury or hereafter to be paid into the same shall pay or cause to be paid unto his said Excellency or to the Governour for the Time being over and above his said Sallary hereinbefore mentioned the Sum of Sixty pounds for House Rent for the said Term of One Year.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Treasurers aforesaid or either of them shall pay the Sum of Six Shillings per Diem unto each of the Council for the Time they or either of them have attended or shall attend at this or any other Sessions of General Assembly during the said One Year upon Warrants by them to be produced signed by the Governour in Council expressing the Number of Days each of the said Council shall have so 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 (Vizt.)

TO Richard Pa[r]tridge Esqr. Agent of this Province Eighty pounds.

TO the Clerk of the House of Representatives for his Attendance the Sum of Eight Shillings per Diem for the Time he hath attended or shall attend at this or any other Sessions of General Assembly during the said One Year and also the Sum of Eight pounds for entring the Minutes fair in the Book copying the Laws and Minutes for the Printer, Pen, Ink and Paper.

TO Benjamin Franklin or any other Printer hereafter appointed for printing the Minutes of the House of Representatives and Laws of this Province such Sum as Andrew Johnston Lewis Johnston Richard Smith and Isaac Pearson or any Two of them shall agree for.

TO the Serjeant at Arms for the Time being for his Attendance on the House of Representatives this or any other Sessions during the said Term of One Year the Sum of Three Shillings per Diem.

TO the Sergeant at Arms for the time being for his Attendance on the Council in Manner aforesaid the Sum of Three Shillings per Diem.

TO William Pettit or to the Door keeper of the House of Representatives for the Time being for this Attendance in Manner aforesaid the Sum of Three Shillings per Diem.

TO Richard Smith junr. Esqr. for Fire Wood and Candle for the House of Assembly this Session the Sum of Forty Shillings.

TO Stephen Williams for the Use of a Room Fire Wood and Candle for the Council the Sum of Fifteen Shillings p[er] Week during this present Session.

TO Andrew Johnston Esqr. the Amount of his Accompt for remitting the Agents Sallary and paying for the other Set of the Statutes at large the Sum of thirty four pounds Thirteen Shillings and Six pence Money aforesaid.

TO Archibald Home Secretary for his extraordinary Services to the Beginning of this Session Five pounds.

TO the Treasurers of this Province Six pence per pound for so much they or either of them shall exchange of the ragged and torn Bills of Credit during the Continuance of this Act.

TO Andrew Bradford the Amount of his Account in full for printing Votes of the assembly Laws of this Province and all other Services to the Beginning of this Session the Sum of Forty Five pounds Two Shillings.

All which said several Sums above mentioned shall be and are hereby directed to be paid out of the Interest Money already paid or payable into the Treasury by the said Treasurers of this province or either of them by Virtue of Warrants to be signed by the Governour or Commander in Cheif [*sic*] 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 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 the Sum of Six Shillings per Diem to the Speaker and every of the Members of the House of Representatives for the Time they or either of them have attended or shall attend at this or any other Sessions 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 signed by Andrew Johnston Robert Hude Richard Smith and Isaac Pearson or any Three of them expressing the Number of Days such Member shall have attended, And the said several Certificates 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.

Passed 25 Nov. 1742.
PRO-Ms.

Thirteenth Assembly, First Session

10 Oct.-10 Dec. 1743

Perth Amboy

An Act for ascertaining the Fees to be taken by the several Officers in the Colony of New Jersey.

FOR the better ascertaining and establishing of the Fees lawfull to be taken within this Colony and for preventing any undue Exactions or exorbitant Demands touching the Same We the House of Representatives of the said Colony do pray that it may be Enacted

AND BE IT THEREFORE ENACTED by the Governor Council and General Assembly of this Colony now met and Assembled and it is hereby Enacted by the Authority of the Same that from and after the Publication of this Act no Officer or other Person or Persons whatsoever for any Service or Services by him or them to be done and performed in their respective Office or Offices herein after mentioned for any Fee perquisite or other Reward shall exact demand or require any greater or other Fee or Fees Sum or Sums of money than is herein after set down allowed and established for the Same, except such fees that are already provided for by Acts of the General Assembly of this Colony, That is to Say

THAT THE GOVERNOR'S FEES shall be as follows Vizt:

For a Licence of Marriage hand and Seal &c Ten Shillings

The Seal to every Probate of a Will or Letter of Administration Nine Shillings

A Certificate for a Vessel's Property if of the Burthen of Twenty Tons and upwards Ten Shillings if under the Burthen of Twenty Tons five Shillings

A Certificate to go beyond the Seas if desired Ten Shillings

A License to Purchase Land of the Indians fifty Shillings

A Bill of Health if required Twelve Shillings

The Seal to a Patent for a Township Twenty Shillings

The Seal to a Confirmation or renewing a Patent Twelve Shillings

Every Writ or Error three Shillings

The first Rule in every Cause in Error Eight Shillings

Licensing every attorney Twenty Shillings

AND THAT THE JUSTICES FEES OF THE SUPREME COURT shall be as follows Vizt:

In all Causes to be paid on the first motion Six Shillings

The allowance of every Writ of Error Certiorari habeas Corpus or other such Writt Three Shillings

Takeing every affidavit one Shilling

Every Superseadeas Six Shillings

Admitting every attorney Eighteen Shillings

Takeing the Acknowledgement of a Deed Three Shillings

Taxing Costs four Shillings

Signing the Judgment Roll two Shillings

Takeing Bail on a Writ of Error or any other Writt Three Shillings

Makeing a Return of a Writ of Error or any other Writt Three Shillings

Makeing a Return of a Writ of Error Examining and affixing a Transcript of the Record thereto and delivering the Same in to the Governor and Council Twenty Shillings

For inspecting the Process against Real Estates and the Record of the Judgment on which the Same is founded and Certifying Thereon Ten Shillings

AND THAT THE SECRETARIE'S FEES shall be as follows Vizt:

For a Patent for a Township three pounds

A Patent for a Confirmation wherein no new Grants are contained Thirty Shillings

Every Order Warrant or Certificate under Governor's hand and Seal Countersigned by the Secretary Three Shillings

Entering Deeds and all other things on the Record for every Sheet fifteen lines to a Sheet and Six words to a line Seven pence

Every Copy of the Same and all other Papers whatsoever out of the Said Office each Sheet containing as aforesaid four pence half penny

Every new Justice of the Peace shall pay towards the Commission of the Peace Six Shillings

Every new Justice of the Pleas shall pay towards each Commission of the Pleas Six Shillings

For a Commission of Oyer and Terminer to be paid by the Person desiring the Same Twenty Shillings

For a Commission for a Sherrif Ten Shillings

A Commission for a Coroner five Shillings

A Commission for a Clerk of the Peace and Pleas Ten Shillings

For all other Civil Commissions each Commission five Shillings

A Commission for a Collonel of Regiment Twelve Shillings

Ditto for a Lieutenant Collonel Ten Shillings

Ditto for a Major Eight Shillings

Ditto for a Captain of a Company or Adjutant Six Shillings

Ditto for a Lieutenant five Shillings

Ditto for an Ensign four Shillings

For the Rolls for every Person Sworn One Shilling

Searching the Records the first Book nine pence, every other Book Six pence

Licence for an Attorney to Practice twenty Shillings

Drawing a Certificate to pass under the Broad Seal or any other Seal and for Engrossing the Same per sheet containing as before one Shilling

For attending the Courts or elsewhere with an Original Will or Record for each day Six Shillings per day

A Warrant to Resurvey Lands five Shillings

License for a Boat or Ferry countersigned by the Secretary Six Shillings

AND THAT THE FEES OF THE PREROGATIVE OFFICE shall be as follows Vizt:

For Engrossing a Will and Probate to be done in Parchment for each

Sheet containing fifteen lines and six words in a line Ten pence per Sheet

Takeing Depositions to a Will and Recording the Will each Sheet containing fifteen lines and Six words to a line Seven pence per Sheet

Swearing or attesting the Witnesses and Executors for each nine pence

Drawing every fiat or Order for Administration and for Swearing or attesting the Administrators three Shillings

Engrossing the Letters of Administration each Sheet containing fifteen lines and Six words to a line Ten pence per Sheet

Recording the Same per Sheet Seven pence

Drawing the Administration Bond two Shillings and Six pence

Fileing the Original Will nine pence

Recording the Inventory per Sheet each Sheet containing fifteen lines and Six words to a line Seven pence

Fileing the Inventory and Swearing the Executor Eighteen pence

Every Quietus per Sheet as aforesaid Seven pence

Auditing all the Accounts of Adminstrators and Executors one Shilling

Drawing and Setting up notice in order to their passing their accounts one Shilling

Every Licence of Marriage nine Shillings

For every Bond taken in the Office two Shillings and Six pence

Entering a Caveat one Shilling

AND THAT THE FEES OF THE CLERK OF THE SUPREME COURT shall be as follows Viz:

For every Bond to Prosecute two Shillings and Six pence

Makeing out every Process Writ or Capias if he does it two Shillings and Six pence

Sealing every Capias or any other Writ one Shilling

Fileing every Indictment one Shilling

Entering every Action Nine pence

A Copy of every Indictment Declaration Plea &c fifteen lines to a Sheet and Six words to a line Seven pence per Sheet

Every Copy of a Plea Replication or any other Pleadings Seven pence per Sheet as aforesaid

Entering every apearance of the Defendant Six pence

Entering every Verdict and Judgment one Shilling

Reading every Evidence Six pence

Entering every Rule of Court Nine pence

Every Copy thereof Six pence

Reading a Petition and Entering Order thereon nine pence Every Copy of the Entry Six pence

Withdrawing an Action Discontinuance or Entering a Noli prosequi One Shilling

Entering every Recognizance taken in Court one Shilling and Six pence

Searching the Records Nine pence

Fileing the Roll in every Action One Shilling

Swearing every Jury and Constable Three Shillings

Discharging by Proclamation one Shilling

Every Copy of a Writ in the Supream Court per Sheet One Shilling

Fileing every Writ Indictment or other Paper Nine pence

AND THAT THE FEES OF THE CLERK OF THE COUNCIL shall be as follows Vizt:

Makeing out the fiat for the great Seal to be affixed to every Writ of Error fileing the Same Sealing the Writ and finding Wax and Parchment three shillings and Six pence

Entering the Case on the Council book and taking out the Docket for the Governor Nine pence

Transcribing the Records in Parchment fifteen lines to a Sheet & Six words to a line Ten pence

Examining the Records in Council one Shilling

Entering the Plaintifs and Defendants appearance Nine pence

Every Rule made in the Case and Copy Two Shillings

Entering Judgment on the minutes and Copy Two Shillings

Entering every Noli prosequi and Discontinuance &c Two Shillings

Fileing the Errors and all other Pleadings or Writ of Error each nine pence

All other writs the Same fees as on a Writ of Error

Every Petition to the Governor in Council and Order four Shillings

Reading every private Bill first time Second time and third time each time five shillings

Entering the Agreement of the Council to a Bill four Shillings

Each Bill Engrossed in Parchment Eighteen Shillings

Affixing the Seal and Wax for each Six Shillings

Attending the Committee of Council on a Referrence on Such Bills Ten Shillings

AND THAT THE ATTORNEY GENERAL'S FEES shall be as follows Vizt:

For all Criminal Cases or Indictments found by the Grand Jury if Convicted fifteen Shillings

All Informations preferred according to Law of this Colony if Convicted fifteen Shillings

All Capital Cases if Convicted Twenty five Shillings

Every Non vult ulterius prosequi Ten Shillings

All other Services in the Kings Cases to have like fees as attorneys in Civil Cases

AND THAT THE SHERRIFS FEES IN ALL COURTS shall be as follows Vizt:

For Serving a Writ or Capias taking into Custody without any pretence of Rideing Ten Shillings

Returning the Writ nine pence

Takeing a Prisoner into Custody by Order of the Court or a Justice of the Peace Two Shillings

Discharging the Same nine pence

Serving a Venire facias and Return Six Shillings

Serving every Execution under fifty pounds Six Shillings and all above

fifty pounds three pence per Pound The Poundage to be Computed on the true and Real Debt only

Executing All Writs or Orders of partition of Lands or Tenements attesting the Jury for any matter or thing to be done by him about such Partition and making return thereof Twenty Shillings: But if the business of the Partition exceed what the Jury can perform in one day then the Sherrif for every day more that he shall attend on the Jury about the said Partition shall have Ten Shillings per diem

Every Writ of Possession and Return fifteen Shillings

Every Scire facias Served and returned Three Shillings, if not Served One Shilling

Victualling every Prisoner Six pence per day

Every Writ of Inquiry and Return fifteen Shillings

Takeing every Bail Bond one Shilling

Travelling Charges upon every Writ or Process to be Executed above Eight miles from the Court House of the County the Sherrif Shall be allowed for every mile above Eight miles two pence besides his other fees aforesaid that is, two pence for going and two pence for comeing every of the said miles to be taken only where the Writs shall be Served and so always that the whole mileage do not exceed Ten Shillings in any one Case

Attending a Jury of View Ten Shillings per day

Produceing the List of the Freeholders Thirty Shillings

AND THAT THE JUSTICES FEES IN OR OUT OF SESSIONS shall be as follows Vizt:

Every warrant of appearance one Shilling

Takeing every Recognizance Eighteen pence

A Pass Ten Pence

A Mittimus One Shilling

Taking Examinations each Sheet containing fifteen lines and Six words to a line one Shilling

Every Oath or Attestation four pence

Actions Tryed in the Sessions each Action three Shillings

AND THAT THE JUDGES AND JUSTICES FEES IN THE COURT OF COMMON PLEAS shall be as follows Viz:

For Acknowledging every Deed and Endorsing the Same Three Shillings

All Actions Tryed to the Bench three Shillings

Every Action which shall be called where there is a Rule made and the Cause not Tryed Eighteen pence

Taking Special Bail to the Judge or other Justice Eighteen pence

Setling and allowing every Bill of Cost one Shilling

Allowance to every Writ of Error one Shilling

AND THAT THE FEES IN ACTIONS OF FIVE POUNDS & UNDER shall be as follows Viz:

For a Summons Six pence

A Warrant to take into Custody one Shilling

A Judgment Nine pence

Administring Every Oath or attestation 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
Every Evidence Subpoenaed or attending two Shillings p day and so in proportion for a longer or Shorter time

AND THAT THE FEES FOR THE CLERK OF SESSIONS AND COMMON PLEAS shall be as follows Vizt:

For every Bond to Prosecute two Shillings
Drawing a Capias or any other Writ if he does it two Shillings
For Sealing every Writ one Shilling
Entering every Action Six pence
Fileing every Declaration Plea Rejoynder &c each Six pence
Every Copy of a Declaration or any other Pleadings for each Sheet containing fifteen lines and Six words to a line Six pence
Sealing every Subpoena each Writ not exceeding four names one Shilling
Entering the Defendants appearance Six pence
Entering Plea non vult &c Six pence
Entering Every Verdict Six pence
Entering every Judgment Six pence
Entering every Rule or Order of Court Six pence
Reading every Petition and Entering Order thereon nine pence
Entering every non pross retraxit discontinuance &c: Six pence
Calling and Swearing the Jury and Constable Eighteen pence
Every Evidence Sworn or Attested four pence
Entering every allowance of habeas Corpus Writ of Error &c: one Shilling
Entering every Recognizance taken in Court one Shilling
The Copy of every Rule of Court Six pence
Searching the Records Nine pence
Discharging by Proclamation one Shilling

AND THAT THE FEES OF THE CLERK OF ASSIZE OR OTHER PERSON EXECUTING THAT OFFICE IN ANY OF THE COUNTIES shall be as follows Vizt:

For Entering every Cause or Action nine pence
For fileing the Nisi Prius Roll one Shilling
For fileing the Distringas and return Nine pence
For Swearing the Jury and Constable three Shillings
For Swearing or Affirming every Witness Six pence
For Reading every Evidence Six pence
For Entering every Rule of Court nine pence
For every Copy thereof Six pence
For Entering every Verdict one Shilling
For returning the Postea Six Shillings

AND THAT WITNESSES FEES shall be as follows Viz:

For attending in the County two Shillings per day for each

Attending from other Counties three Shillings per man per day

AND THAT A SURVEYORS FEES shall be while on a View Ten Shillings per Day

AND THAT THE CHAIN BEARERS FEES ON A VIEW shall be five Shillings each per day

AND THAT JURY'S FEES shall be as follows Vizt:

For all Causes Tryed one Shilling for each man that is Sworn or affirmed on the Jury

A Writ of Inquiry Executed on Shilling per man

On a Coroners Inquest the Same

Every Case when Summoned and the Cause not Tryed for all that appear Six pence per man

Each Jury man attending on a View for himself and Horse four Shillings and Six pence finding himself and Horse two Shillings and Six pence per day

Attending from other Counties on a Tryal at Barr three Shillings per man p Day

AND THAT THE CONSTABLES FEES shall be as follows Vizt:

For Serving every Warrant or Summons Eighteen pence

Serving every Execution Eighteen pence

Summoning a Jury on a Tryal of small Causes two Shillings and Six pence

AND THAT THE CRYERS FEES shall be as follows Vizt:

For calling every Action eight pence

Calling the Jury in each Case eight pence

Calling every Evidence three pence

Every one discharged by Proclamation Six pence

AND THAT THE CORONERS FEES shall be as follows Vizt:

For Viewing a Dead Body twelve Shillings

A Warrant to Summon the Inquest two Shillings

Swearing or attesting the Jury two Shillings

Swearing or attesting every Witness four pence

Drawing and returning the Inquisition Six Shillings

Executing every Process Ten Shillings

Returning every Writ nine pence

Serving every Venire and Return Six Shillings

Takeing every Bail Bond one Shillings

For taking Examinations in Writing for every Sheet as aforesaid One Shilling

For taking every Recognizance one Shilling and Six pence

PROVIDED that no Fees shall be allowed where the Inquisition is taken on a View of a Person Slain Drowned or otherwise Dead by misadventure

AND THAT THE FEES OF PRACTITIONERS OF THE LAW shall be as follows Vizt:

For makeing out every Process Writ or Capias if he does it Two Shillings and Six pence

Drawing every Declaration five Shillings

Every Copy of a Declaration where necessary Two Shillings

Drawing every affidavit one Shilling

Every common Plea Replication Rejoynder one Shilling

Every Term fee after the Service of the first Process in any Cause and not before Six Shillings Provided not above two Term fees be allowed in cases on Bond where Judgment is by Default nor more in any Cause unless when necessary Services are done in any Term after the said Two Terms

Drawing every Special Plea Replication Rejoynder fifteen lines to a Sheet and Six words to a line Ten pence per Sheet for as many Sheets as are necessary

Every Warrant of Attorney Nine pence

Drawing every Breviat three Shillings

Every Continuance of a Case after Issue one Shilling without any pretence of a Term fee for that Service

Drawing up the Judgment and Entering the Same on the Roll five Shillings Arguing a Demurrer or special Verdict fourteen Shillings

A Fee upon every Tryal fourteen Shillings

Every Special motion allowed to be a motion in Westminster Hall four Shillings Provided but two motions be allowed in Judgments by Default and not more than three in Causes Tryed except in cases where Titles of Land are concerned

Service of a Copy of every Rule of Court Two Shillings Provided that not more than the Service of one Rule be allowed in cases of Judgments by Default nor more than three in Causes Tryed Excepting Cases where Titles of Land are concerned

Drawing every Bail piece and attending the Judge three Shillings

Every ticket for a Subpoena Nine pence

Entering the Declaration Plea &c on the Roll per Sheet as before Eight pence

Writ or Declaration in Special Cases exceeding three Sheets twelve pence per Sheet

Drawing Depositions of Witnesses One Shilling per Sheet as aforesaid for so many Sheets as shall be necessary

Copy thereof per Sheet if required four pence

A Copy of a Bill of Costs Six pence

AND THAT THERE SHALL BE PAID TO THE SPEAKER OF THE ASSEMBLY for the Time being For every Private Bill Twenty Shillings

AND THAT THE CLERK OF THE ASSEMBLY'S FEES in Private affairs shall be as follows

For Reading and Entering every Petition or other Instrument or Writing Eighteen pence

Reading every Private Bill first time Second time and third time each time Eighteen pence

The Perusal of An Act or each days Minutes Eighteen pence
Entering every Order Eighteen pence
A Copy thereof Eighteen pence
Entering a Report into the Journal of the House Eighteen pence
Engrossing every Private Bill per Sheet as aforesaid eight pence
Fees for all Private Bills to be Taxes by the Speaker Provided no Bill be called a Private Bill which concerns a County Town or Precinct

AND THAT THE FEES OF THE SERGEANTS AT ARMS FOR THE COUNCIL and General Assembly shall be as follows Vizt:

Serving every Order Seven Shillings
Taking every Person Committed into Custody Two Shillings and Six pence
Travelling Charges per mile three pence for going and three pence for comeing
Every Days attendance on any Person after Committment Two Shillings

AND BE IT FURTHER ENACTED by the Authority aforesaid That if any Officer or Officers Person or Persons whomsoever shall Exact or take any greater or other Fees for or in respect of any of the Services herein before mentioned than are ascertained and allowed of by this Act He or they so Offending shall for each Offense forfeit the Sum of Twenty Pounds proclamation money One half thereof to the use of his present Majesty his Heirs or Successors, the other half to any one who shall sue for the Same to effect to be Recovered by Action of Debt Bill Plaint or Information in any Court of Record within this Colony where the Same Shall be Cognizable with full Costs of Suit.

AND BE IT ENACTED by the Authority aforesaid that from and after the Publication of this Act no Attorney At Law Sherrif Clerk or other Officer of any Court of this Colony shall recieve [*sic*] or take any Fee or Reward for any Service or Services by him or them not actually done and performed nor for any Services actually done but such only as are necessary in the management of any Cause And that no Judge shall Tax and Bill or Bills of Costs till the Party pretending the Services to have been done shall have Prove by Oath or Affirmation or otherwise to the satisfaction of the said Judge what Services have been done.

AND BE IT FURTHER ENACTED by the Authority aforesaid that no attorney at any time shall Demand or recieve [*sic*] the Costs due on any Action till he shall first have Drawn up a Bill of the particulars of the Costs and filed a Copy of the Same in the Office of the Clerk of the Court where the Writ issued or the Judgment was obtained And shall also on the demand of any such Fees give a Copy of such Bill of Costs to the Person who is to pay the Same if required and when paid Shall give a Receipt for the Same And in Cases where Execution Issues shall file the Judgment in the proper Office and Indorse the Real Debt due on the Execution before the Same is Sealed. And in case any attorney or attorneys Shall neglect or refuse to do as is hereby required he or they so offending shall for each Offense in any one of the above articles forfeit the Sum of three pounds to the Party

grieved or any other who will Sue for Same to effect to be Recovered by Action of Debt in any Court of Record where the same shall be Cognizable with full Costs of Suit.

AND BE IT FURTHER ENACTED by the Authority aforesaid that any attorney at Law who shall undertake any Cause and by his neglect or mismanagement thereof the Cause shall miscarry shall be liable to make good all Damages sustained by his Employers to be recovered by action in any Court of Record where the same shall be Cognizable in this Colony.

PROVIDED ALWAYS that nothing contained in this act shall be Construed or taken to Entitle any Officer mentioned in this Act to any Fee or Reward that of right does belong to another.

PROVIDED ALWAYS that all Actions Prosecutions and Suits for the Forfeitures and Penalties incurred by virtue of this Act shall be brought and commenced within Six months time after Offence or Offences committed and not afterwards.

PROVIDED ALWAYS that neither this Act nor any thing therein contained shall be in force till His Majesty's Royal Assent be had Thereunto.

Passed 2 Dec. 1743.
Disallowed 28 June 1749.
Nj-Ms.

Fifteenth Assembly, First Session

4 Apr.-6 Aug. 1745

Perth Amboy

16-24 Aug. 1745

Trenton

An Act for Applying two Thousand Pounds of the Interest money now in the Treasury arising from the Loans of the Bills of Credit for His Majesty's Service.

WHEREAS by certain Expresses dispatch'd to His Excellency our Governor from His Excellency Governor Shirley, and Comodore Warren, it appears that Louisburg on the Island of Cape Breton was Blockaded by His Majestys Forces under the command of General Pepperill at that place, and that the measures heretofore concerted for the Reduction thereof has been well approved of by His Majesty and that further succours of Men and Provisions were Required in effecting this so Necessary an Enterprize.

THEREFORE we the House of Representatives being Cheerfully and unanimously disposed to do every thing in our Power that may be Acceptable to His Majesty and demonstrate our Zeal for His Honour and Interest 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 the Treasurers of this Colony or either of them are hereby authorized and Commanded when thereunto required by the Trustees hereafter Mentioned to pay or cause to be paid unto John Eatton and John Low Esqrs or either of them for the Eastern Division, and William Mott and Jacob Spicer Esqrs or either of them for the Western Division (who are hereby Appointed Trustees for the Colony of New Jersey) the Sum of two thousand Pounds out of the Interest Money now in the Treasury aforesaid. The one Moiety or half part of the aforesaid Sum of two thousand pounds to be Delivered to the Trustees of the Eastern Division or either of them and the other Moiety or half part thereof to be delivered to the Trustees of the Western Division <or> either of them to be laid out in Purchasing and Transporting of Provisions for His Majestys Service to be with all Convenient Dispatch transmitted to His Excellency Governor Shirley or to the Governor or Commander in Chief of the Colony of the Massachusets Bay for the time being for the Use of His Majestys Subjects at Cape Breton aforesaid.

AND the Said Treasurers or either of them shall take a Receipt or Receipts Setting forth the particular Service the Money so paid was Designed for and Signed by the person or persons receiving the Same and the Said Receipt or Receipts when Produced by the Said Respective Treasurers or either of them 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 as aforesaid.

AND BE IT FURTHER Enacted by the Authority aforesaid that it Shall and may be Lawfull for the Trustees of the Respective Divisions aforesaid or either of them and they are hereby commanded and required to hire Suitable Vessells to Transport those Provisions (to be purchased in

Pursuance of this Act with all Convenient Speed for His Majestys Service aforesaid) to His Excellency Governor Shirley or to the Governor or Commander in Chief as aforesaid to be by Him apply'd to the Uses aforesaid and to keep a Book and make fair Entries therein of every thing done by them in Conformity hereto and of all Money by them paid and Advanced for the Service aforesaid and to Produce Sufficient Receipts for the payment thereof in Order to Enable them to render a Satisfactory Account for the Same when thereunto required by the House of Representatives of this Colony to whom they are hereby made accountable.

AND BE IT FURTHER ENACTED by the Authority Aforesaid that it Shall and may be Lawfull for the Trustees aforesaid to retain in their Own Hands out of the Money aforesaid five per Cent as Commissions on Such Money as Shall be by them disbursed in Manner aforesaid.

Passed 1 June 1745.
PRO-Ms.

Sixteenth Assembly, Second Session

Fifth Sitting

17 Nov. 1747 - 18 Feb. 1747/48

Burlington

An Act for Making Current Forty Thousand Pounds in Bills of Credit.

WHEREAS the Bills Credit now Current in this Colony are and Yearly will be by Virtue and in pursuance of the several Acts by which they were Emitted Sunk and Destroyed, insomuch that a Sum Sufficient for the Necessary Occasions of the inhabitants and the Support of the Government and the Officers thereof will in a Short time be wanting FOR REMEDY whereof and for the better Enabling the Colony to discharge the debt they have Contracted in Enlisting and Victualling the Forces lately raised therein for His Majestys Service on the late intended Expedition against Canada and to Assist His Majesty on any future Emergency in Carrying on the War against His Enemies, or to provide for the Necessary Expences that may be Occasioned by the Legal Calling of the Forces of the Colony together for furnishing them with Arms and Ammunition for marching them or any part of them for the Repelling an Enemy or Quelling any Insurrection or Rebellion or for the Assistance of our Neighbours against His Majestys Enemies as aforesaid

BE IT ENACTED by the Governor Council and General Assembly of this Colony now met and Assembled and it is hereby Enacted by the Aothority of the same that Bills of Credit to the Value of Forty Thousand Pounds Current Money of America According to the Act of Parliament made in the Sixth year of the Reign of the late Queen Anne Entituled An Act for ascertaining the Rates of Foreign Coins in Her Majesty's Plantations in America shall be Printed made and Prepared as followeth Vizt: a Thousand Bills each of the Value of Six Pounds or Seventeen Ounces Ten penny weight of Silver. Two Thousand Bills each of the Value of Three Pounds or Eight Ounces fifteen pennyweight of Silver. Four Thousand Bills Each of the Value of One Pound Ten Shillings or Four Ounces Seven pennyweight and Twelve Grains of Silver. Eight Thousand Bills Each of the Value of Fifteen Shillings or Two Ounces Three penny weight and Eighteen Grains of Silver. Twelve Thousand Bills Each of the Value of Twelve Shillings or One Ounce fifteen penny weight of Silver. Twelve Thousand Bills Each of the Value of Six Shillings or Seventeen penny weight Twelve grains of Silver. Sixteen Thousand Bills Each of the Value of Three Shillings or Eight penny weight Eighteen grains of Silver. Twenty Thousand Bills Each of the Value of One Shilling and six pence or four penney weight nine grains of Silver. Twenty six Thousand Bills each of the Value of One Shilling or Two penney weight Twenty two grains of Silver.

AND BE IT FURTHER ENACTED by the Authority aforesaid that there shall in like manner be Printed in Bills of Credit aforesaid the Value of Twenty 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 half part of the Number of each sort of the said Bills which Bills shall be disposed of in the manner hereafter to be directed.

AND BE IT FURTHER ENACTED that the whole Number of the 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 near the Top and bottom the Value of Each Bill so hereby made Current shall be Expressed in proclamation and at Eight Shillings the Ounce, and the said Bills shall be indented and Contain the words following Vizt: This Bill by Law shall pass current in New Jersey for _____ Ounces _____ Penneyweight and _____ grains of Silver March 25th _____

AND for preventing any fraudulent practice during the printing of the said Bills the Printer thereof shall before his Printing them have a Copy of the Oath or affirmation Enjoyned by the Act passed in the first year of the Reign of His present Majesty King George the Second Entituled (An Act for the making of Twentyfour Thousand Seven hundred and Sixty Pounds in Bills of Credit in order to Exchainge the Bills of Credit formerly made Current in this Province by an Act passed in the Year of Our Lord One Thousand Seven hundred and Twenty three) Delivered to him by the Inspectors herein after appointed, and after his printing the said Bills shall take the same Oath or affirmation if One of the people Called Quakers and in all other respects be under the same Regulations concerning the said Bills as in and by the last recited Act in respect to the Bills thereby made Current is directed and appointed.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Sum of Sixty Thousand Pounds in Bills of Credit aforesaid when Printed Shall be by the Printer thereof Delivered together with the Stamps for the Indents and Arms unto Samuel Nevill, John Crane, Daniel Smith and Samuel Smith, Forty Thousand pounds of the Bills of Credit aforesaid by them the said Samuel Navill John Crane Daniel Smith and Samuel Smith or any three of them to be immediatly Numbred Signed and Indented at Perth Amboy and Burlington or either of the said Places, and the remaining Twenty Thousand Pounds thereof shall be by them kept in Order to be numbred Signed, Indented and Delivered as herein after mentioned to Exchainge such part of the Bills of Credit hereby made Current as may hereafter be so worn and Ragged as to render them unfit to pass, or to be applyed to assist His Majesty on any Emergency and in that Case to be made Current, and to be sunk and destroyed out of the Interest Money Arising from the Loans of the Bills of Credit to be Let out by Virtue of this Act, in such proportion and in such manner and form as the Governor Council and General Assembly by Law shall direct. AND when the said Forty Thousand Pounds shall be so Numbred, Signed and Indented, and the aforesaid sum of Twenty Thousand Pounds Counted out for the use aforesaid, the Residue of the said Bills so printed (if any) Shall be burnt by the Signers in the presence of the Spectators.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case it should so happen that the said Samuel Nevill or John Clane [*sic*] should happen to Die Refuse or otherwise be disabled before the Bills of Credit aforesaid should be signed, that then and in that Case Dirck Schuyler is hereby appointed a Signer in lieu of such person so Dying refusing or being disabled and if any Two of the said three signers should refuse die or otherwise be disabled, then Richard Fitz Randolph is hereby appointed a Signer of the said Bills of Credit. AND in Case of the Death Refusal or other disability of Daniel Smith or Samuel Smith then Joshua Raper is hereby appointed a Signer in the place or Stead of the said Person so Dying refusing or being disabled and if any Two of the three last named Signers should refuse or otherwise be disabled then Hugh Hartshorne is hereby apppointed a Signer, Which Signers so appointed in Case of the Refusals or disabilities aforementioned happening shall be and are hereby Vested with all the Powers and Authorities which by this Act are Vested in the first named Signers.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Printer on the delivery of the said Bills to the signers when printed shall take the oath (or affirmation if a Quaker) herein before Directed in the presence of the said Signers or any Two of them. AND before any of the said Signers shall begin to Sign any of the said Bills they shall take the Oath (or affirmation if Quakers) as in and by the Act Entituled of (An Act for making of Twenty four Thousand Seven hundred and Sixty Pounds in Bills of Credit &c.:) is directed and appointed.

AND BE IT ENACTED by the Authority aforesaid that as soon as may be Conveniently after this Act takes place the Secretary of this Colony is hereby required to Notify the same to some three Justices of the Peace of each County in this Colony of which one of the said Justices in each of the said Counties shall be of the Quorum who on the Receipt of the said Notice are hereby required forthwith to issue their Precepts to the Constables of respective Townships or precincts in Each County Commanding them to give Notice to the other Justices in each of the said Counties and to summon all the Freeholders Chosen for that year in the said Townships and Districts to meet together at some day and place in the said Precept to be appointed in the said County not Exceeding Twelve days nor to be less than Eight then and there by the Majority of the Voices of the said Freeholders in each Respective County in Concurrence with three of the said Justices (Quorum unus) to Choose and they are hereby Commanded so to meet and Choose a like number of the Commissioners for the mannagement of the several Loan offices as in and by an Act passed in the Tenth year of the Reign of his Majesty King George the first Entituled (An Act for an additional Support of this Goverment and making Current Forty Thousand pounds in Bills of Credit) for that and other purposes therein mentioned for Each respective County therein Named is directed and Appointed.

AND BE IT ENACTED by the Authority aforesaid that Two Commissioners of the Loan office shall be Chosen for the County of Morris in

the manner and form before directed by this Act, and the said Commissioners for the County of Morris shall be a body Politick and Corporate in Succession by the Name of the Commissioners of the Loan Office of the County of Morris.

WHICH Commissioners of the several Counties Erected before the County of Morris so Chosen by Virtue of this Act only and no others shall be Commissioners to mannage the Bills of Credit already made Current.

AND the said Commissioners together with the Commissioners of the County of Morris so Chosen as aforesaid shall be Commissioners to to [*sic*] mannage the Bills of Credit by this Act to be made Current and shall be Vested with the same powers and Authorities and Subject to the same Pains Penalties and forfeitures as in former Acts were directed appointed and Inflicted.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case any Constable or Constables in any of the said Counties shall Neglect delay or refuse to do their respective duties hereby Enjoyned them each such Constable shall forfeit for each offence Five pounds to be recovered by any person who will sue for the same to Effect in any Court where the same is Cognizable, One half to the use of our Sovereign Lord the King and the other half to him or them suing for the same to Effect with Costs of Suit.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if the Justices and Freeholders in any the Counties of this Colony should make Choice of the Commissioners already Empowered to mannage the Loan Offices for the Bills of Credit now Current for the purposes Enjoyned and required by this Act, such Commissioner or Commissioners shall before the Receipt of any of the Bills of Credit by this Act to be made Current Quallify themselves by giving Security as directed by the Act Entituled (An Act for an additional support &c:) in the same manner as if they had never been before Ellected or named Commissioners of the Loan office and shall take the following Oath or Affirmation Vizt: I A: B: will according to the best of my skill and knowledge faithfully Impartially and truly demean myself in discharge of the trust Committed to me as one of the Commissioners of the Loan Office for the County of _____ according to the purport true intent and meaning of this and the several Acts of General Assembly relating thereto now in force so as the publick may not be prejudiced by my consent Privity or Procurment.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all such and so many persons who by Virtue of this Acts shall be Elected Commissioners of the Loan office not being Commissioners immediatly before such Choice shall also after their being Chosen Qualify themselves in like manner as herein above is directed and appointed, and thereupon are and shall be Authorized and Empowered to demand and Require of the former Commissioner or Commissioners respectively the Books Writings Papers Evidences Bills of Credit Money and all other things belonging to the said Loan Office or Loan Offices and to give sufficient Receipts and other discharges for the same.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the aforesaid Forty Thousand Pounds in Bills aforesaid when prepared and Signed as aforesaid shall be delivered to the Commissioners of the Loan Offices chosen and appointed as aforesaid for the several Counties of this Colony in the proportions following Vizt: To the Commisioners of the County of Bergen for the use of the said County the Sum of Three Thousand One hundred and ninty pounds. To the Commissioners of the County of Essex for the use of the said County the sum of Five Thousand three hundred Pounds. To the Commissioners of the County of Middlesex for the use of the said County the sum of Four Thousand four hundred and Twenty Seven Pounds. To the Commissioners of the County of Monmouth for the use of the said County The sum of Six Thousand Six hundred and Six pounds. To the Commissioners of the County of Somerset for the use of the said County the sum of One Thousand five hundred and Sixty pounds. To the Commissioners of the County of Burlington for the use of the said County the Sum of four Thousand Eight hundred and Twelve Pounds. To the Commissioners of the County of Gloucester for the use of the said County the sum of Three thousand three hundred and forty One pounds. To the Commissioners of the County of Salem for the use of the said County the sum of Five Thousand Six hundred and fifteen pounds. To the Commissioners of the County of Cape May for the use of the said County the sum of One Thousand two hundred and Sixteen pounds. To the Commissioners of the County of Hunderdon for the use of the said County the Sum of Two Thousand Eight hundred and Eighty three pounds. To the Commissioners of the County of Morris for the use of the said County the Sum of One Thousand Pounds. For which sums the Commissioners of the said several Loan Offices respectively to whom the said Bills shall be delivered shall give their Receipts to the said Signers which Receipts to them their Heirs Executors and Administerators shall be sufficient discharges for the Bills so Delivered.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Commissioners of the Loan Offices aforesaid Elected Qualified and appointed as aforesaid as to all the purposes required and duties Enjoyned them by this Act shall be and are hereby declared to be Vested with the like powers and Authorities in pursuance of their respective trusts as in and by the former Acts of this Colony for the purposes therin mentioned the former Commissioners were Vested with and Entituled to.

AND BE IT FURTHER ENACTED by the Authority aforesaid that when the said Commissioners of the Loan Offices so appointed by Virtue of this Act have Quallified themselves as above directed and have received the Bills by this Act to be made Current they shall let out the same at the rate of five pounds Interest for every Hundred pounds for each year for the space of Sixteen Years, they the said Commissioners observing the like method in letting out the said Money taking Security for the same, giving Notice of the Letting thereof minuting their proceedings and demands made by the Borrowers, Viewing the premises offered in Mortgage, Enquiring into the

Title and Value thereof taking Oath or affirmation of its being free of Incumbrances and the Fee Simple of the Borrower Releasing the Premisses Mortgaged and in all other respects relating to the Money by this Act directed to be Let out, and in respect to the persons Borrowing the Premisses Mortgaged and all other the duties Trusts or Authorities Enjoyned and given by this Act the said Commissioners shall proceed and behave in like manner as in relation to the Money formerly Let out, the Persons Borrowing, Premisses Mortgaged, and all other duties Trusts and Authorities formerly Enjoyned and given to the Loan Officers appointed by the aforesaid Act entituled (An Act for an Additional support of this Goverment&c:) they were directed and appointed to do, So always that due regard be had to this Act wherein any alteration shall therein be made.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the several sums of Money 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 on Each year pay into the Loan office One Sixtenth part of the sum borrowed together with the Interest of so much of the Principal as was the year past remaining in the borrower's hands Computed at the rate of five pounds per Centum per Annum untill the whole Sum borrowed with the Interest Annually Computed at the rate aforesaid shall be paid in.

PROVIDED ALWAYS that it shall and may be Lawful for any such Borrower at any of the Annual times of payment aforesaid to pay in the whole sum borrowed if such borrower shall so think fit in the same manner as he she or they might have done or may do in relation to the Bills of Credit aready Let out by former Acts of this Colony, and the Money so paid in shall again be Let out by the said Loan Officers to any Person or Persons who may incline to borrow the same at the Interest aforesaid, so that such Borrower or borrowers shall pay in such Equal and proportional parts of the sum borrowed that the whole Sum so again let out may be repaid with Interest Computed as aforesaid at the Expiration of the time limitted for the Currency of the said Bills.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all the sums of Principal Money that shall be so paid in by the borrowers during the first Eight Years of the time limmitted for the Currency 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 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 ReEmitted shall be again paid in Equal proportional parts that the whole thereof and the Interest Annually shall be Repaid at the time limitted for the Currency of said Bills.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case any Commissioner or Commissioners of the Loan office aforesaid do or shall

Neglect delay or Refuse or by Death or Removal omit performing the Duties Enjoyned him or them by this Act or shall behave him or themselves in his or this 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 out their precepts according to the directions of this Act to Call together the Justices and Freeholders chosen in each Town or Precinct to meet at such time and place as by the said Justices in their precept shall be appointed to hear and determine Summarily 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 said 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 a person or persons in the Room and Stead of such defaulture or defaultures which Commissioner or Commissioners so Chosen by the Justices and freeholders as before having Entred into Bond and been Qualified in like manner as the other Commissioners in and by this Act is appointed shall have all the powers priviledges and advantages and be Subject to all the Pains Penalty and forfeitures which any of the said Commissioners of the County for which he is so appointed are Vested with Entituled to Charged with or subject to by Virtue of this or the former Acts aforesaid.

AND BE IT ENACTED by the Authority aforesaid that the said Commissioners shall be in like manner accountable for any matter cause or thing by them done by Virtue of this Act and may obtain their discharges from the said Office and New ones be appointed as aforesaid in case of their or any of their neglect delay Refusual or Death under the Pains Penalties and forfeitures as by the said former Act is directed.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case any Person or persons who shall borrow Money by this Act directed to be Let out and Shall make failure of the payments herein appointed or any of them on the days and times herein before mentioned and for the space of thirty days after, then and in such Case the said Loan officers shall become Seized of an Estate in Fee simple absolute in the Premisses Mortgaged foreclosed of any Equity of Redemption and shall and may proceed to give Notice and make sale thereof on the same Annual days and in the same manner as in respect to the premisses Mortgaged Sale thereof things relating thereto in such sort manner and form as by the former Acts were required and Enjoyned So always that due regard be had to this Act where any alteration is therein made. And the money or price for which the said Lands shall be sold upon the Sale thereof shall be paid into the hands of the said Commissioners out of which they shall Retain in their hands what has not been paid in of the Principal Money Lent together with the Interest that has become due thereon untill the day of the Sale thereof as also the Expence

of Advertisments And Sale of the same not Exceeding Eight Shillings in the whole and the Remainder if any be the said Commissioners shall pay to the said Mortgagers their Heirs Executors Administerators or assigns, and in Case such sale shall happen during the first Eight years Currency of the said Bills but not after the said principal sum so received on the Sale shall be Re-Emitted in the manner herein before directed in respect to the Sums of Money paid into the said Loan offices during the first Eight years Currency of the said Bills.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if it should so happen that after any of the Money is lent out on Security as aforesaid it should be discovered that the borrower had no good Title to the Premisses Mortgaged in such Case the Loan officers aforesaid shall and may proceed in like manner and are hereby in every respect thereto as fully Impowered as former Commissioners of the Loan Offices in and by former Acts were impowered to do Concerning the Moneys borrowed on this Act and the Security given on Such borrowing and the penalties accruing thereon in Case he should have no Title as in and by former Acts were inflicted and directed in respect to the Lands then Mortgaged.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Bills of Credit by this Act to be made shall be and continue Current for and during the Term of Sixteen Years from the date of the said Bills between man and man, but shall be received by the Commissioners aforesaid and the Treasurers of the respective Divisions of this Colony for the space of Six Months thereafter and no longer, which said Bills so made Current shall be received and paied for the Value Expressed upon Each Bill for Lands Goods Chattels or any other thing bought or sold by all Persons whatsoever Residing in or passing through this Colony and a Tender of the said Bills at any Time During their Currency made to any Person or Persons whatsoever in the said Colony for the payment or discharging of any Debt or debts Bargains Sales of Lands or other things, Bonds Mortgages Specialties and Contracts whatsoever already made or hereafter to be made either for Sterling Money Silver Money of America or any other Species of Gold Silver or any other Quantity of Plate or Gold shall be as Effectual in Law to all intents and Purposes as if the Species Contracted for had been Tendered for the same.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any person or Persons residing in this Colony Party or Parties[1] to any Contract Covenant Bargain or Agreement already made or hereafter to be made shall upon a Tender of the Bills of Credit hereby to be made Current refuse the same or shall ask a greater price for any thing by him or them offered to sale or shall do any other Act matter or thing within this Colony so as to lessen the Value of the Bills hereby made Current he she or they so offendeng shall be liable to the same pains Penalties and Forfeitures for so doing as in respect to former Bills by the said former Acts are directed.

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 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 Convict, he she or they so offending shall incur the pains and Penalties of Felony without benefeit of Clergy and shall suffer Death Accordingly.

AND to the End the Intents of this And the former Acts of this Colony 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 Suspition of having Counterfeited any of the Bills of Credit now Current in this Colony 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 Tryal 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 Convicted thereof shall suffer in such Case the same manner as if the same were Alledged and proved to have been done in some County of this Colony and the Juries on the Tryals of all such forreign issues shall be Returned from the Bodies of the Counties 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 the respective Loan Offices of this Colony shall be kept Annually and every Year during the space of Sixteen Years at the times and Places which in the said former Acts are appointed. And it shall and may be Lawful for the several Loan Officers to keep and retain in their hands out of the Interest Money arrising on the Bills hereby made Current so much thereof as will pay them the Sallaries Annually due and appointed by this Act. And the Residue shall be Annually and every Year within three Months after the Receipt thereof paid unto the Treasurers of the respective Divisions of this Colony for the time being, To be disposed of to and for the support of the Goverment of this Colony and to discharge the debt they have contracted in Enlisting and Victualling the Forces latly raised therein for His Majesty's Service on the late intended Expidition against Canada or the better to Assist His Majesty on any future Emergency in Carrying on the War against His Enemies or to provide for the Necessary Expences that may be occasioned by the legal Calling the forces of the Colony together for furnishing them with Arms and Ammunition for marching them or any part of them for the repelling an Enemy or Quelling any Insurrection or Rebellion or for the Assistance of our Neighbours against His Majesty's Enemies as aforesaid, in such sort manner and form as by the Governor Council and General Assembly shall be directed. And the said Treasurers on receiving thereof shall give to the said Loan Officers the Respective Receipts for the Sums received which shall be sufficient to discharge them the said Loan Officers their Heirs Executors

and Administerators for the said Interest Money. And in Case the said Loan Officers shall Neglect delay or refuse to pay the said Interest Money unto them the said Treasurers at the several days and times herein before appointed the said respective Treasurers are hereby required and Commanded on any such Neglect delay or refusal forthwith to prosecute the defaulter or defaulters and on Conviction each Loan Officer so offending shall for Each Offence forfeit the sum of Twenty pounds to be recovered with Costs of Suit by the said Treasurers of the respective Divisions who shall sue for the same to Effect by Action of debt Bill plaint or information in any Court of Record in this Colony where the same shall be Cognizable One half to the use of the Lord the King that now is His Heirs and Successors for the Support of this Goverment to be disposed of as the Governor Council and General Assembly shall hereafter direct, the other half for the use of him the said Treasurer.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the yearly Salaries of the said Commissioners of the said Loan offices for the Services Required by this Act, besides what they are Entituled to for other Services by former Acts shall be as follows. To Each of the Loan Officers of the County of Bergen appointed as aforesaid the sum of Nine Pounds fifteen Shillings. To Each of the Loan Officers of the County of Essex appointed as aforesaid the sum of Ten Pounds Ten Shillings. To Each of the Loan Officers of the County of Middlesex appointed as aforesaid the Sum of Nine pounds Ten Shillings. To Each of the Loan Officers of the County of Monmouth appointed as aforesaid the sum of Twelve pounds Ten Shillings. To Each of the Loan officers of the County of Somerset appointed as aforesaid the sum of Five Pounds Ten Shillings. To each of the Loan Officers of the County of Hunderdon appointed as aforesaid the sum of Ten pounds. To each of the Loan Officers of the County of Burlington appointed as aforesaid the Sum of Nine pounds Ten Shillings. To each of the Loan Officers of the County of Gloucesster appointed as aforesaid the Sum of Seven Pounds. To Each of the Loan Officers of the County of Salem appointed as aforesaid the Sum of Eleven pounds. To Each of the Loan Officers of the County of Cape May appointed as aforesaid the Sum of Four pounds Ten Shillings. To each of the Loan Officers of the County of Morris appointed as aforesaid the sum of Four Pounds Ten Shillings.

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 and freeholders mentioned in the before Recited Act Entituled (An Act for an additional Support of this Goverment &c.) the Accounts relating to the Principal Sums by them Annually received and again let out During the first Eight Years aforesaid by them the said Justices and freeholders to be Inspected and Considered of. AND the said Loan Officers shall also in the like manner lay before the said Justices and freeholders the Accounts of all Bills paid in after the Expiration of the said first Eight 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 be accounted Cancelled Bundled up Tied Sealed Certified and Delivered to the Treasurers of the respective Divisions and their Receipts taken for the same in such sort manner and form as by the before Recited Bil Entituled (An Act for an Additional support of this Goverment) in relation to the Bills by the same made Current is directed, Except in this that the Triangle is to be Cut from the top of them, to the End that the said Bills may be seen and Examined by the General Assembly of this Colony and Compared with the Certificates so given and such other Courses therein taken concerning the same as to them shall seem meet.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if through any defeciency of the said Borrowers or any of them the Bills brought in after the first Eight Years Currency in order to be Cancelled or in Cases where 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 of the County where such defeicincy or defeicinceis [*sic*] may happen shall by the method Directed in the Act entituled (An Act for the additional Support of this Goverment &c:) Levy the same on the Inhabitants of that County under the same Pains penalties and forfeitures and to be recovered and applyed in the same manner as in and by the last mentioned Act is appointed. PROVIDED ALWAYS that no sum or sums of Money shall be Levyed to make good 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 Mortgagors or any of them have no Title of the premises Mortgaged only Excepted) pursuent to the directions 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 Levyed on the Inhabitants of the said Counties respectively so as that the Money may be ready to pay unto them the said Commissioners on or before the Twenty fifth day of March next following such Sale or Sales.

AND BE IT FURTHER ENACTED by the Authority aforesaid that Wheat if offered in any of the payments aforesaid shall be received at the rate of four pence less in Value for every bushel than Market price which wheat when so paid into any of the said Loan Offices shall be sold for the Bills of Credit hereby to be made Current, and the Money disposed of in such manner as if the Payment had first been made in the said Bills. AND ALSO all Gold and Silver Coins mentioned in the aforesaid Act of the late Queen Anne for the Ascertaining the Value of the said Coins shall and may be received at the Rates in the said Act mentioned if paid in the first Eight years Currency of the said Bills to be let out at Interest in such manner as if the same had been paid in the Bills of Credit aforesaid, and if paid in after that time, then to be paid into the Treasury in order to Exchainge for Bills of Credit or be otherwise disposed of as the Governor Council and

General Assembly may hereafter direct and appoint. AND also it shall and may be Lawful for the said Loan Officers to receive in any of the said payments the Bills of Credit now Current in this Colony and when paid in the same shall be disposed of in such manner and form as if the said payments were made in the Bills hereby made Current, AND also that the Bills hereby made Current when paid into the said Loan Office in discharge of any debts already Contracted by the Borrowing of Bills formerly made Current shall and may be disposed of in such manner as if payment were made in the Bills so formerly made Current.

AND BE IT FURTHER ENACTED by the Authority aforesaid that not any of the Money or Bills by this Act directed to be let out at Interest shall be let out in Sums not Exceeding One hundred Pounds nor less than Twelve pounds ten Shillings to any one person unless it shoud remain in the hands of any of the said Loan Officers for the space of six Months for want of Borrowers. In which Case it shall and may be Lawful to let out the same on good Security as aforesaid to any person who will Borrow the same in Sums not Exceeding Two hundred Pounds to any one Person.

AND to prevent frauds that may happen by Executors or Administerators in their non payment of any part of the money Borrowed as aforesaid by the respective Testators on Intestates. BE IT FURTHER ENACTED by the Authority aforesaid that if any person or persons shall borrow any of the Bills of Credit which by Virtue of this Act shall become Current and shall after 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 last will was made before the Premises were Mortgaged then it shall be understood that the Testators intent was (unless otherwise Expressed in such Will) the Devisee or Devisees should pay the residue of the Mortgage money in Arrear at the time of such Testators 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 immediatly have his he[r] or their Action either in proper Person or by Gaurdian [*sic*] 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 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 Should be made the same is hereby declared fraudent and Void against such Devisee or Devisees.

AND BE IT ENACTED by the Authority aforesaid that in Case any such Mortgagor shall Die Intestate the Mortgage money aforesaid or any part thereof being in Arrear and unpaid and leaving 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 money shall be paid out of the personal Estate if sufficient, and the Profits of the premises Mortgaged shall be applyed towards the repayment of the said Money to such person or persons as may be Entituled 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 she or they comes of Age.

AND where any such 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 Intestate or Testator, his or her Heirs or Devisees being then under age, In such Case the Money Arising by such Sale after the Deduction of the Principal Interest and Costs due to The Loan Office shall be placed out at Interest by the Executors or Administerators for the benefit of such Heir or Devisee or persons Entituled to such Land.

AND BE IT ENACTED by the Authority aforesaid that the Residue of the aforesaid Bills to wit the aforesaid Twenty Thousand Pounds shall be Divided into Two Equal parts, One half whereof shall be kept by One of the Signers of the Eastren Division the other half to be kept by one of the Signers of the Westren Division for and during the Term of Two years from the Issuing of the said Bills at which time it shall and may be Lawful, and they, That is to say the Signers aforesaid are hereby Commanded to Sign number indent and Compleat the Value of One Thousand pounds money aforesaid, and when so Compleated Deliver one half thereof to the Treasurer of the Eastren Division aforesaid and the other half thereof to the Treasurer of the Westren Division aforesaid, who on Receipt thereof are hereby Commanded as often as application shall be made at any Convenient time to Issue the same to any Person or Persons so applying in Exchainge gratis for any other Bills of Credit of this Colony that now are or then may be Current and are so toren and ragged as may render them unfit to pass.

PROVIDED ALWAYS that if the said Twenty Thousand Pounds or any part thereof shall be applyed to His Majestys Service by the Governor Council and General Assembly as herein before mentioned that then the said Signers shall meet together and Number Sign and Indent the sum that shall be so applyed any thing in this Act Contained to the Contrary Notwithstanding.

AND when and as often as the said Treasurers and Either of them shall have Exchainged the whole quantity of the new Bills so delivered them to Exchainge, they or Either or them may apply to the said Signers for a like quantity of the said new Bills in order to make further Exchainge as Occasion

may require, and the said Signers being satisfied that the whole sum first delivered to the said Treasurers Exchainged as aforesaid may and shall from time to time furnish the said Treasurers Respectively with other like Sums as occasion may require untill the whole Sum of Twenty Thousand Pounds if not otherwise applyed as aforesaid is delivered in Exchainge as aforesaid. AND in Case it should happen the whole of the said Bills so Signed or unsigned should not be wanting to Exchaing the Torn and Ragged Bills or be otherways applyed as aforesaid, in such Case if Signed the said Bills shall be kept by the respective Treasurers, and if unsigned by the said Signers in order that an Account may be rendered thereof to the General Assembly and such Course taken therein as to them shall seem meet.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Ragged Bills so by the said Treasurers Received in Exchainge shall be on the Annual days aforesaid laid before the Justices and freeholders of the Conties of Middlesex or Burlington by them to be inspected Canceled Bundled up Tyed Sealed and a Certificate of the Quantity so Sealled left the Treasurer of the Respective Division in manner and form as in relation to the other Bills is herein directed and to be kept by the said Treasurers for the like uses.

AND BE IT ENACTED by the Authority aforesaid that the Loan Officers aforesaid before they lend out any of the Bills by this Act to be made Current shall be provided with Books of Blank Mortgages printed and bound up like to those formerly directed to be Provided on lending out the Bills of Credit formerly made Current which Mortgages shall be by them respectively filled up as Occasion shall require. AND for the filling up and taking of each Mortgage the said Commissioners of the Loan Office shall take the Sum of Three Shillings and no more. AND the said Commissioners shall in like manner be provided with Books of Clean Paper bound up to Minute their proceedings and Accounts relating to the Bills by this Act to be made Current in such manner and form as by the Act Entituled (An Act concerning the duty of the Commissioners appointed to mannage the Loan Offices) relating to the Bills formerly made Current is directed and appointed Which Books so to be provided shall be printed and Bound up by the same person who shall print the Bills of Credit by this Act to be made Current.

AND BE IT FURTHER ENACTED by the Authority aforesaid that Joseph Cooper and Ebinezer Hopkins Esqrs. or in Case of either of their refusal Death or other disability than Thomas Spicer shall be inspectors of the Press to take Care that the printer of the Bills of Credit doth duly perform the duty hereby Enjoyned him and that the Books of Mortgages and Books to minute the Proceedings of the said Loan Officers and keep their Accounts relating to the said Bills are made of fit Sizes and Printed bound up and delivered to the said Loan Officers.

AND BE IT FURTHER ENACTED by the Authority aforesaid that it shall and may be Lawful for Richard Smith Junr. Joseph Cooper and Daniel Smith Esqrs. or any two of them and they are hereby required to agree with a printer for Printing the Bills of Credit and Books aforesaid at as reasonable

a rate as they can and at such place as any Two of them shall see meet.

AND WHEREAS it is Necessary that some provision should be made for defraying the Expences that may arise [from printing] the Bills of Credit to be made Current by Virtue of this Act.

BE IT ENACTED by the Authority aforesaid that the Treasurers of this Colony or either of them shall pay out of the first Interest Money that shall be paid into the Treasury by Virtue of this Act. Vizt: to the Signers who are to Sign the Bills of Credit to be made Current by this Act, Each the Sum of Thirty two pounds Money aforesaid for Numbering Signing and Indenting the Forty Thousand pounds as aforesaid, and to Each of the said Signers the Sum of Sixteen pounds if they shall Number Sign and Indent the whole remaining Twenty Thousand Pounds in pursuance of this Act or in proportion for such part thereof as they shall so number sign and Indent. To the Inspectors for inspecting the Press when the said New Bills hereby to be made Current shall be Printed Each the sum of Ten pounds. To the Printer who shall Print the Bills of Credit the Books of Mortgages and other Books directed to be provided and bound up for the Commissioners of the Loan Offices by this Act so much Money as Richard Smith Junr. Joseph Cooper and Daniel Smith Esqrs. or any two of them shall agree with the Printer for doing the said Service.

ALL which Sums shall be paid out of the Interest Money as abovesaid by the said Treasurers or either of them by Virtue of Warrants to be passed in Council and the said Warrants when produced and indorsemints thereon made by the persons to whom the same may be respectively made payable shall be Sufficient Vouchers for the said Treasurers or either of them their Executors and Administerators for so much of the said Interest Money.

AND WHEREAS there is now under the Consideration of the Legislature of this Colony a Bill Entituled (An Act for Erecting the Southran parts of the County of Salem in New Jersey into a seperate County and ascertaining the boundaries of the several precincts therein) which County is to be Called by the Name of Cumberland. BE IT ENACTED by the Authority aforesaid that in Case the said Bill for Errecting the said County shall pass into a Law before this Act shall obtain His Majestys Royal asscent, Then and in such Case the Justices and freeholders of the said County shall Choose Two Commissioners of the Loan office of the County of Cumberland in the same manner as the other Counties of this Colony are in this Act directed to Choose their's which said Commissioners when so Chosen shall be and are hereby made a body Politick and Corporate in Succession by the Name of the Commissioners of the Loan Office of the County of Cumberland, and shall be Commissioners to mannage the Bills of Credit made Current and Allotted for said County by Virtue of this Act which said Commissioners and all others Concerned shall be Vested with the same Powers and Authorities, and Subject to the same Pains Penalties and forfeitures as the other Commissioners and Persons Concerned in other Counties are Vested with and Subject to. And then and in such Case there shall be delivered to the Commissioners of the Loan Office of the County of Salem for the

use of the said County only the sum of Three thousand Pounds, And to the Commissioners of the Loan Office of the County of Cumberland for the use of the said County the sum of Two Thousand Six hundred and fifteen Pounds. AND in that Case there shall be paid to each of the said Commissioners for the County of Cumberland the yearly Sum of Six pounds as a Salary for their performing their duty as in and by this Act is prescribed. And to the Commissioners of the County of Salem only the yearly sum of Seven pounds each, any thing in this Act to the Contrary Notwithstanding.

PROVIDED ALWAYS that His Majesty's Royal approbation be had to these presents before making Printing or preparing the Bills of Credit herein Enacted to be Current.

Passed 18 Feb. 1747/48
PRO-Ms.

1. The manuscript version of this portion of the law actually reads: "that if any person or Persons residing in this Colony Party or *no* Parties to any Contract. . . ." The word "no" has been deleted because it makes little sense in the context of the act.

Seventeenth Assembly, Fourth Session

Second Sitting

24 Jan.-22 Feb. 1750/51

Burlington

An Act to revive an Act Entituled An Act for better Setling and Regulating the Militia of this Colony of New Jersey for the Repelling Invasions and Suppressing Insurrections and Rebellions

WHEREAS An Act of the General Assembly of this Colony passed in the twenty Second year of his present Majestys Reign Entituled An Act to further Continue An Act Entituled An Act for better Setling and Regulating the Militia of this Colony of New Jersey for the repelling Invasions and Suppressing Insurrections and Rebellions hath expired 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 An Act of the General Assembly of this Colony passed in the Nineteenth year of his present Majestys Reign Entituled An Act for better Setling and Regulating the Militia of this Colony of New Jersey for the Repelling Invasions and Suppressing Insurrections and Rebellions Shall be and is hereby revived and Continued and every Clause Article and thing therein Contained Shall be and remain in full force from and after the Publication hereof for the Space & Term of one Year and from thence to the End of the next Session of General Assembly Any thing to the Contrary thereof in either of the above recited Acts in any wise Notwithstanding.

Passed 15 Feb. 1750/51.
PRO-Ms.

THE COLONIAL PRINTERS

Since most of the foregoing text was derived from the work of New Jersey's official colonial printers, a few remarks should be made as to the life and work of these printers, and their relationship to colonial New Jersey society.

The governmental printers formed a small but important cog in the machinery of colonial law-making; for it was partly through their efforts that local officials throughout the province were made aware of the latest statutory developments. The business of printing each session's laws was generally given to a regularly appointed printer, though on occasion, an outside printer was hired, as Samuel Keimer was in 1728, during William Bradford's tenure as official printer. The official printer at first received a regular salary, generally about £25-£30; but after 1742 he was paid by piece-rate instead. After producing the session laws, the printer also distributed them to those officials who would be responsible for putting them into execution: these included the governor, judges, county clerks, mayors and public treasurers. In 1770, for example, 569 copies of the laws were printed and distributed. Finally, compilations of the laws were also issued by the printers in 1717, 1732, 1752, 1776, the text for which was usually produced by an important member of the assembly. These publications helped to clarify the legislative record, since they only included public acts currently in force: private acts and obsolete, disallowed or repealed laws were omitted.

As was often the case with matters relating to New Jersey, throughout most of the colonial period, the province had to rely on its neighbors for the printing of its laws and other official publications. Five of the seven printers who worked for the government based their operations in either New York or Philadelphia. Only the last two printers, James Parker and Issac Collins, established permanent printing operations within the colony. In the decade that preceded the revolution, New Jersey's imprints accounted for about 2 percent of all publications produced in the thirteen colonies.

In the colonial period, much of the demand for printing came from the government itself, instead of from private citizens. This was especially true of New Jersey, whose small and largely agricultural population rarely had either the need to use, or the money to buy the printed word. In addition to the session laws reprinted here, the colony's official publications consisted mostly of ordinances, proclamations and paper money. The history of colonial printing in New Jersey therefore closely follows the history of the growth of these government publications. As a simple perusal of the text will show, until mid-century, the session laws themselves rarely amounted to more than a few pages per year. After then, imperial wars, along with growing demand for private acts, greatly increased the government's statutory and other official publications. This trend, together with growing commercial and cultural demand for printing, finally allowed Parker and Collins to establish viable, local printing operations.

Because demand for their services was limited, the colonial printers were

a small and closely interconnected set of tradesmen. In 1764 there were only fifty-three printers in all thirteen colonies. It is hardly surprisingly then that the printers of the mid-Atlantic region were all rather familiar with each other. Most of the printers of New Jersey's laws were at one time partners with, or apprentices to, one of the other six. On the other hand, limited demand meant that this familiarity could also take the form of antagonism. Rival printers competed for government contracts and would often attack each other through their own newspapers.

But whether partners or competitors, or based in New Jersey or elsewhere, the colonial printers had one important trait in common: unlike printers in England, they achieved considerable social prominence, and could hardly be referred to as mere tradesmen. The printers derived their prominence first of all from their role as official governmental servants. Close association with legislatures and governors resulted in the steady accumulation of highly placed patrons and supporters. From these contacts came appointment to other provincial offices: the printers frequently served as assembly clerks and post-masters, positions that aided in turn the success of their printing operations. The printers' high social status also resulted, somewhat ironically, from the limited demand for their services. While London's expansive book trade was turning its printers into specialized tradesmen, the limited colonial market forced its printers to diversify their operations. Colonial printers could hardly afford to produce novels or philosophical works for America's tiny set of literati. They therefore imported these works for local customers, and thus their printing shops became book stores and general merchandisers as well. Finally, many printers published their own newspapers, a role which greatly enhanced their intellectual standing within the colonial community. The printers who disseminated New Jersey's colonial laws formed a small but intelligent, enterprising and highly visible segment within colonial society; their individual careers deserve some further attention.

Born in England in 1663, William Bradford first introduced printing into Pennsylvania, beginning in Philadelphia in 1685. As a Quaker, he had been encouraged by the Society of Friends to commence business in the area, but he soon ran afoul of sectarian controversies. After siding in print with the opposition Keithian faction, he was tried for sedition in 1693 but was let off by a hung jury. Fortunately, in the same year he was invited by New York to be that colony's first official printer. During the rest of his career, he generally supported royal policy, having profited from the harsh lessons of his Philadelphia experience. He abandoned Quakerism for the established Anglican church, and in 1733 maintained a cautious silence during the famous libel trial of fellow printer John Peter Zenger. He was apparently rewarded for his loyalty, since he served as New York's official printer for almost fifty years.

Bradford's career was closely connected with that of his son, Andrew, who was born in 1686 and died in 1742, ten years before the elder Bradford himself. Andrew Bradford became his father's partner in 1711, and in 1712 established his own shop in Philadelphia as a branch of the family's business. Until 1723

he was Pennsylvania's only printer, and he continued to serve as official printer until 1729. His other major accomplishment was the successful publication of the *American Weekly Mercury,* 1719–1746, the third newspaper founded in the colonies.

From their main base of operations in New York and Philadelphia, the Bradfords published most of New Jersey's colonial laws during the years 1703–1740. William printed all the session laws between 1703 and 1723, Andrew printed the laws of 1730 and 1740, and they published jointly the laws of 1725 and 1732. All of these editions were produced solely in either New York or Philadelphia, with the possible exception of the 1723 session laws. One of the 1723 editions bears the notation, "printed in Perth Amboy, New Jersey," which if taken at face value would make this the first New Jersey imprint. However, since a typographically identical edition was also "printed in New York," the authenticity of this work's claim to New Jersey imprintation is open to doubt: William Bradford may have simply reprinted a few words in a cunning attempt to give New Jerseyans the false idea that he had transported his entire press across the Hudson River.

If the Bradfords' 1723 imprint is indeed a fake, then the honor associated with New Jersey's first imprint should fall instead to Samuel Keimer and his session laws of 1728. Keimer was born in London in 1688 and opened a printing shop there in 1713. After numerous difficulties, he moved to Philadelphia in 1723 where he established himself as Andrew Bradford's only competitor in the printing business. By reputation a rather odd and imprudent character, Keimer was forever attracted to strange ideas and practices. While in England, he joined the French Prophets, an extremely pietistic Protestant sect, only to publicly denounce the same sect ten years later. His own personal religious convictions led him to grow an untrimmed beard, and his personal appearance was generally unkempt and slovenly. He may have been attracted to the printing trade as a means of disseminating his peculiar views; but unfortunately the latter only led his business into an endless string of troubles. While in England he had been imprisoned for libel and sedition. As for his work in America, it included a number of visionary projects that could only have attracted indifference at best, and perhaps even hostility. These included attempts at printing the first colonial editions of Daniel Defoe and Richard Steele, introducing serialized instruction in classical languages, and establishing a free school for slaves.

In spite of these peculiarities, in 1727 he was hired by the province of New Jersey to print £24,760 in bills of credit, as well as the acts passed in the same year. For security reasons, the colony required that the paper currency be printed within its boundaries. Keimer therefore moved his press to Burlington from Philadelphia in late 1727. In the following year, while still in Burlington, he printed the *Acts and Laws of New Jersey . . .* (1728), which stands next to Bradford's questionable 1723 publication as New Jersey's first imprint. Although Keimer profited well from his contract with New Jersey, his business soon resumed its downward spiral. Imprisoned by his creditors in 1729, he

was forced to sell his press, whereupon he migrated to Barbados, dying in 1742.

The printing of colonial New Jersey laws forms little more than an interesting footnote to the life of the next printer, Benjamin Franklin, a figure whose career otherwise needs little introduction. It was with Samuel Keimer that Franklin first obtained employment, after arriving in Philadelphia from his native Boston in 1723. Franklin served as Keimer's principal assistant when the latter printed New Jersey's bills of credit and laws in 1727–1728. But he had little tolerance for Keimer's eccentric behavior. After repeated quarrels, he parted ways to form a rival printing shop in 1728, and in the following year, took over Keimer's own newspaper, the *Pennsylvania Gazette*.

Franklin was now on the road to a successful career as a printer. In 1730 he replaced Andrew Bradford as Pennsylvania's official printer, a position which he held until 1766. He later complemented this position by becoming the assembly clerk in 1736 and the provincial postmaster in 1737. As with the Bradfords, his work in printing New Jersey's laws was largely a sideline to a career that centered in a neighboring colony. He printed the session laws for the years 1733, 1735 and 1739, and was the colony's official printer between 1742 and 1749. In 1748 Franklin turned over the daily management of his printing business to his partner, David Hall. His status as a colonial printer, though less lowly than that of his counterparts in England, could only have impeded the career he would now pursue as a provincial leader in England's imperial bureaucracy. Between 1769 and 1775 he would serve New Jersey in a far more prestigious office: the assembly's provincial agent in London.

Franklin was succeeded as New Jersey's official printer by yet another member of the Bradford family, William Bradford III. The grandson of the original Bradford, William Bradford III was apprenticed to his uncle, Andrew, in 1733, became a partner with him in 1739, and became sole proprietor when Andrew died in 1742. For years he was Franklin's principal competitor in the city of Philadelphia, publishing the *Pennsylvania Journal* (1742-1793) as a rival to Franklin's *Gazette*. He served as New Jersey's official printer from 1747 to 1758, thanks largely to his friendship with Jonathan Belcher, who was governor in the same period. Bradford went on to play an active role in the Pennsylvania patriot movement of the 1760s and 1770s. He died in 1791.

The career of the next New Jersey printer, James Parker, attests to the familiar nature of the world of colonial printing. Born in Woodbridge, New Jersey in 1714, Parker apprenticed himself to the elder William Bradford in New York in 1727, but ran away six years later, eventually finding work with Benjamin Franklin, the Bradfords' chief rival in the Philadelphia area. In time Franklin took him on as a partner, and in 1742 helped him open a printing shop in New York City. In the New York area, Parker quickly surpassed the elder Bradford, whose printing and editing abilities were greatly inferior to his own. He replaced Bradford as New York's official printer in 1743, and in 1747 took over his newspaper, the *New York Gazette*. In 1755 he established

a branch operation in New Haven, Connecticut, where he published the *Connecticut Gazette*. Like other colonial printers, he intermixed his private career with public office-holding, serving as librarian of the city of New York, postmaster of New Haven and later postmaster general for the British colonies. At its height in the 1750s, Parker's business was the largest, as well as one of the most competent printing enterprises in all the provinces.

In 1754 Parker returned to his native Woodbridge where he established New Jersey's first permanent printing press. He soon began petitioning the provincial government to appoint him in place of William Bradford III as the colony's official printer. Although Bradford's printing habits were admittedly sluggish, Parker was unsuccessful in his solicitation until Governor Belcher's death in 1757 deprived Bradford of a highly placed patron. In the next year Parker was appointed official printer, a position that he held until his death in 1770, thanks in part to the support of William Franklin, New Jersey's last royal governor, and Benjamin Franklin's natural son.

While in Woodbridge, Parker also published the *New American Magazine* (1758–1760), New Jersey's first magazine. But his operation remained heavily dependent on government contracts: about two-thirds of all the Woodbridge imprints consisted of either the acts or the proceedings of the General Assembly. Demand for private printing in colonial New Jersey apparently remained rather limited. In 1766 Parker was ordered by the crown to return to New York City to more properly carry out his responsibilities as postmaster general, a role that by this time had come to overshadow his business as a publisher and printer.

It was the last of New Jersey's official colonial printers, Isaac Collins, who finally turned printing in New Jersey into a viable, full-time occupation. Born in Delaware in 1746 to a devoutly Quaker family, Collins worked for various printers in Philadelphia before opening his shop in Burlington in 1770. He had been encouraged in this endeavor by the local Quaker community; and through their influence in the assembly he obtained appointment as the colony's official printer, replacing the recently deceased James Parker. Surviving the revolutionary crisis of 1775–1776 required even more political dexterity than that normally demanded of public printers; but Collins somehow managed to remain on good terms with both Tory and patriot parties. In the fall of 1775 he printed almost simultaneously the last session laws of the old royal assembly, as well as the proceedings of the new revolutionary Provincial Congress. He went on to become the new state's official printer, serving until 1795.

Collins's business, however, extended considerably beyond the printing of public documents. He published New Jersey's first established newspaper, the *New-Jersey Gazette,* between 1777 and 1786, and his other private imprints well outnumbered his governmental publications. Most notable of all was the famous Collins quarto bible of 1791, the second bible published in English in the United States. During his career, he developed a considerable reputation for the quality of his printing. Late in life, around 1796, he moved to New York to take advantage of that growing city's flourishing book market;

but by then printing in New Jersey had finally become permanently established.

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INDEX

NOTE: The following is a comprehensive index to all personal and place names, and all significant subjects mentioned in the text of the laws and in the annotations. It covers all four volumes of the *Laws of the Royal Colony of New Jersey, 1703-1775.* The index does not cover the editorial note and introduction in the first volume of the series, or the essay on colonial printers found in this, the fourth and last volume.

A few guidelines were used in indexing personal and place names with variant spellings. When different spellings of a personal name are known to all refer to the same person, they are grouped together under the most common version found in the text, with the secondary spellings listed afterwards in parentheses, for example: *Hollinshead, Joseph (Holenshead, Holinshead, Hollingshead).* Readers who attempt to find entries under a secondary spelling will be referred from there to the main heading. Place names are handled in the same way, except that if one of the variants is identical to the modern version, all entries are grouped under that particular spelling. However, if the modern version or spelling does not appear in the text, no attempt was made to cross reference from it to contemporary versions, for example, from *Lawrence Township* to *Maidenhead.* Finally, the index does not attempt to distinguish between different persons having the same name, except in the case of a few well-known examples; for example, separate entries were created for James Parker, the printer, and James Parker, the East Jersey proprietor.

Volume numbers refer to the number of the *New Jersey Archives,* third series, of which the *Laws of the Royal Colony of New Jersey* is a part. The first volume of the *Laws* series, which covers the period 1703-1745, is actually the second volume of the *Archives,* third series. It is labeled volume "II" on its spine, and in this index its page entries are likewise grouped after the figure "2". Entries for the second volume of the *Laws,* covering 1746-1760, are correspondingly placed after the figure "3", and so forth.

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