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ACTS

OF THE

COUNCIL

AND

GENERAL ASSEMBLY

OF THE STATE OF

NEW-JERSEY,

FROM THE

Eſtabliſhment of the preſent GOVERNMENT, and Declaration of INDEPENDENCE, to the End of the firſt SITTING of the eighth SESSION, on the 24th Day of *December*, 1783;

WITH THE CONSTITUTION PREFIXED.

TO WHICH IS ANNEXED,

An APPENDIX, containing the ARTICLES of CONFEDERATION of the UNITED STATES, *&c.*

WITH TWO ALPHABETICAL TABLES AND AN INDEX.

Compiled under the Appointment of the LEGISLATURE,
BY PETER WILSON, A. M.

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CONSTITUTION

OF

NEW-JERSEY.

WHEREAS all the conſtitutional Authority ever poſſeſſed by the Kings of *Great-Britain* over theſe Colonies, or their other Dominions, was, by Compact, derived from the People, and held of them for the common Intereſt of the whole Society; Allegiance and Protection are, in the Nature of Things, reciprocal Ties, each equally depending upon the other, and liable to be diſſolved by the other's being refuſed or withdrawn. And whereas *George* the Third, King of *Great-Britain*, has refuſed Protection to the good People of theſe Colonies; and, by aſſenting to ſundry Acts of the *Britiſh* Parliament, attempted to ſubject them to the abſolute Dominion of that Body; and has alſo made War upon them in the moſt cruel and unnatural Manner, for no other Cauſe than aſſerting their juſt Rights; all civil Authority under him is neceſſarily at an End, and a Diſſolution of Government in each Colony has conſequently taken Place. Preamble.

AND WHEREAS in the preſent deplorable Situation of theſe Colonies, expoſed to the Fury of a cruel and relentleſs Enemy, ſome Form of Government is abſolutely neceſſary, not only for the Preſervation of good Order, but alſo the more

effectually to unite the People, and enable them to exert their whole Force in their own neceſſary Defence; and as the Honourable the Continental Congreſs, the Supreme Council of the *American* Colonies, has adviſed ſuch of the Colonies as have not yet gone into the Meaſure to adopt for themſelves reſpectively ſuch Government as ſhall beſt conduce to their own Happineſs and Safety, and the Well-Being of *America* in general: We, the Repreſentatives of the Colony of *New-Jerſey*, having been elected by all the Counties in the freeſt Manner, and, in Congreſs aſſembled, have, after mature Deliberation, agreed upon a Set of Charter-Rights, and the Form of a Conſtitution, in Manner following, *Videlicet:*

Government, in whom veſted.

I. THAT the Government of this Province ſhall be veſted in a Governor, Legiſlative-Council, and General Aſſembly.

Legiſlature, when the firſt to be choſen, &c.

II. THAT the ſaid Legiſlative-Council and Aſſembly ſhall be choſen, for the firſt Time, on the ſecond *Tueſday* of *Auguſt* next; the Members whereof ſhall be the ſame in Number and Qualifications as is herein after mentioned; and ſhall be and remain veſted with all the Powers and Authority to be held by any future Legiſlative-Council and Aſſembly of this Colony, until the ſecond *Tueſday* in *October*, which will be in the Year of our Lord One Thouſand Seven Hundred and Seventy-ſeven.

Annual Elections, when to be held.

III. THAT on the ſaid ſecond *Tueſday* in *October*, yearly and every Year for-ever, (with the Privilege of adjourning from Day to Day as Occaſion may require) the Counties ſhall ſeverally chooſe one Perſon to be a Member of the Legiſlative-Council of this Colony, who ſhall be and have been for one whole Year next before the Election, an Inhabitant and Freeholder in the County in which he is choſen, and worth at leaſt *One Thouſand Pounds*, Proclamation Money, of Real and Perſonal Eſtate within the ſame County: That, at the ſame Time, each County ſhall alſo chooſe three Members of Aſſembly; provided, that no Perſon ſhall be entitled to a Seat in the ſaid Aſſembly unleſs he be and have been for one whole Year next before the Election an Inhabitant of the County he is to repreſent, and worth *Five Hundred Pounds*, Proclamation Money, in Real and Perſonal Eſtate in the ſame County: That, on the ſecond *Tueſday* next

Who eligible for Members of Council and Aſſembly.

next after the Day of Election, the Council and Aſſembly ſhall ſeparately meet; and that the Conſent of both Houſes ſhall be neceſſary to every Law; provided that ſeven ſhall be a Quorum of the Council for doing Buſineſs; and that no Law ſhall paſs, unleſs there be a Majority of all the Repreſentatives of each Body perſonally preſent and agreeing thereto. *Provided always,* That if a Majority of the Repreſentatives of this Province in Council and General Aſſembly convened ſhall, at any Time or Times hereafter, judge it equitable and proper to add to or diminiſh the Number or Proportion of the Members of the Aſſembly for any County or Counties in this Colony, then, and in ſuch Caſe, the ſame may, on the Principles of more equal Repreſentation, be lawfully done, any Thing in this Charter to the contrary notwithſtanding; ſo that the whole Number of Repreſentatives in Aſſembly ſhall not at any Time be leſs than thirty-nine.

When to meet.

Quorum.

Proviſo.

IV. THAT all Inhabitants of this Colony of full Age, who are worth *Fifty Pounds,* Proclamation Money, clear Eſtate in the ſame, and have reſided within the County in which they claim a Vote for twelve Months immediately preceding the Election, ſhall be entitled to vote for Repreſentatives in Council and Aſſembly; and alſo for all other publick Officers that ſhall be elected by the People of the County at Large.

Who entitled to vote.

V. THAT the Aſſembly, when met, ſhall have Power to chooſe a Speaker, and other their Officers; to be Judges of the Qualifications and Elections of their own Members; ſit upon their own Adjournments; prepare Bills to be paſſed into Laws, and to empower their Speaker to convene them whenever any extraordinary Occurrence ſhall render it neceſſary.

Aſſembly's Power.

VI. THAT the Council ſhall alſo have Power to prepare Bills to paſs into Laws, and have other like Powers as the Aſſembly, and in all Reſpects be a free and independent Branch of the Legiſlature of this Colony, ſave only that they ſhall not prepare or alter any Money-Bill, which ſhall be the Privilege of the Aſſembly; that the Council ſhall, from Time to Time, be convened by the Governor or Vice-Preſident, but muſt be convened at all Times when the Aſſembly ſits; for which Purpoſe the Speaker of the Houſe

Power veſted in the Council, *&c.*

Houſe of Aſſembly ſhall always immediately after an Adjournment give Notice to the Governor or Vice-Preſident of the Time and Place to which the Houſe is adjourned.

Governor, how to be choſen.

VII. THAT the Council and Aſſembly jointly at their firſt Meeting, after each annual Election, ſhall, by a Majority of Votes, elect ſome fit Perſon within the Colony to be a Governor for one Year, who ſhall be conſtant Preſident of the Council, and have a caſting Vote in their Proceedings; and that the Council themſelves ſhall chooſe a Vice-Preſident, who ſhall act as ſuch in the Abſence of the Governor.

Power veſted in him.

VIII. THAT the Governor, or, in his Abſence, the Vice-Preſident of the Council, ſhall have the ſupreme executive Power, be Chancellor of the Colony, and act as Captain-General and Commander in Chief of all the Militia, and other military Force in this Colony; and that any three or more of the Council ſhall, at all Times, be a Privy Council to adviſe the Governor in all Caſes where he may find it neceſſary to conſult them; and that the Governor be Ordinary or Surrogate-General.

Court of Appeals.

IX. THAT the Governor and Council (ſeven whereof ſhall be a Quorum) be the Court of Appeals in the laſt Reſort in all Cauſes of Law as heretofore; and that they poſſeſs the Power of granting Pardons to Criminals after Condemnation in all Caſes of Treaſon, Felony or other Offences.

Militia Officers, how choſen.

X. THAT Captains, and all other Inferior Officers of the Militia, ſhall be choſen by the Companies in the reſpective Counties; but Field and General Officers by the Council and Aſſembly.

Great Seal, by whom made.

XI. THAT the Council and Aſſembly ſhall have Power to make the Great Seal of this Colony, which ſhall be kept by the Governor, or, in his Abſence, by the Vice-Preſident of the Council, to be uſed by them as Occaſion may require; and it ſhall be called *The Great Seal of the Colony of* New-Jerſey.

Supreme Judges, *&c.* their Continuance in Office;

XII. THAT the Judges of the Supreme Court ſhall continue in Office for ſeven Years, the Judges of the Inferior Court of Common Pleas in the ſeveral Counties, Juſtices of

of the Peace, Clerks of the Supreme Court, Clerks of the Inferior Courts of Common Pleas, and Quarter-Seſſions, the Attorney-General, and Provincial Secretary, ſhall continue in Office for five Years, and the Provincial Treaſurer ſhall continue in Office for one Year; and that they ſhall be ſeverally appointed by the Council and Aſſembly in Manner aforeſaid, and commiſſioned by the Governor, or, in his Abſence, by the Vice-Preſident of the Council. *Provided always*, That the ſaid Officers ſeverally ſhall be capable of being re-appointed at the End of the Terms ſeverally before limited; and that any of the ſaid Officers ſhall be liable to be diſmiſſed, when adjudged guilty of Miſbehaviour by the Council on an Impeachment of the Aſſembly.

by whom appointed, &c.

Proviſo.

XIII. THAT the Inhabitants of each County, qualified to vote as aforeſaid, ſhall, at the Time and Place of electing their Repreſentatives, annually elect one Sheriff, and one or more Coroners; and that they may re-elect the ſame Perſon to ſuch Offices, until he ſhall have ſerved three Years, but no longer; after which three Years ſhall elapſe before the ſame Perſon is capable of being elected again. When the Election is certified to the Governor or Vice-Preſident, under the Hands of ſix Freeholders of the County for which they were elected, they ſhall be immediately commiſſioned to ſerve in their reſpective Offices.

Sheriffs and Coroners, when to be elected.

XIV. THAT the Townſhips, at their annual Town-Meetings for electing other Officers, ſhall chooſe Conſtables for the Diſtricts reſpectively; and alſo three or more judicious Freeholders of good Character to hear and finally determine all Appeals relative to unjuſt Aſſeſſments in Caſes of publick Taxation; which Commiſſioners of Appeal ſhall, for that Purpoſe, ſit at ſome ſuitable Time or Times to be by them appointed, and made known to the People by Advertiſements.

Conſtables, when choſen,

And Commiſſioners of Appeal.

XV. THAT the Laws of this Colony ſhall begin in the following Style, viz. *Be it Enacted by the Council and General Aſſembly of this Colony, and it is hereby Enacted by the Authority of the ſame:* That all Commiſſions granted by the Governor or Vice-Preſident, ſhall run thus—*The Colony of* New-Jerſey *to A B*, &c. *Greeting:* And that all Writs ſhall likewiſe run in the Name of the Colony: And that all

Style of Laws, &c.

Indictments ſhall conclude in the following Manner, viz. *againſt the Peace of this Colony, the Government and Dignity of the ſame.*

Criminals, their Privilege.

XVI. THAT all Criminals ſhall be admitted to the ſame Privileges of Witneſſes and Council, as their Proſecutors are or ſhall be entitled to.

Eſtates of Perſons deſtroying themſelves, &c. how to deſcend.

XVII. THAT the Eſtates of ſuch Perſons as ſhall deſtroy their own Lives ſhall not, for that Offence, be forfeited; but ſhall deſcend in the ſame Manner as they would have done had ſuch Perſons died in a natural Way; nor ſhall any Article, which may occaſion accidentally the Death of any one, be henceforth deemed a Deodand, or in anywiſe forfeited on Account of ſuch Misfortune.

Free Exerciſe of Religion;

XVIII. THAT no Perſon ſhall ever within this Colony be deprived of the ineſtimable Privilege of worſhipping Almighty GOD in a Manner agreeable to the Dictates of his own Conſcience; nor under any Pretence whatſoever compelled to attend any Place of Worſhip contrary to his own Faith and Judgment; nor ſhall any Perſon within this Colony ever be obliged to pay Tithes, Taxes or any other Rates, for the Purpoſe of building or repairing any Church or Churches, Place or Places of Worſhip, or for the Maintenance of any Miniſter or Miniſtry, contrary to what he believes to be Right, or has deliberately or voluntarily engaged himſelf to perform.

How preſerved.

XIX. THAT there ſhall be no Eſtabliſhment of any one religious Sect in this Province in Preference to another; and that no Proteſtant Inhabitant of this Colony ſhall be denied the Enjoyment of any civil Right merely on Account of his religious Principles; but that all Perſons, profeſſing a Belief in the Faith of any Proteſtant Sect, who ſhall demean themſelves peaceably under the Government as hereby eſtabliſhed, ſhall be capable of being elected into any Office of Profit or Truſt, or being a Member of either Branch of the Legiſlature, and ſhall fully and freely enjoy every Privilege and Immunity enjoyed by others their Fellow-Subjects.

Corruption, how guarded againſt,

XX. THAT the Legiſlative Department of this Colony may,

may, as much as poſſible, be preſerved from all Suſpicion of Corruption, none of the Judges of the Supreme or other Courts, Sheriffs, or any other Perſon or Perſons poſſeſſed of any Poſt of Profit under the Government, other than Juſtices of the Peace, ſhall be entitled to a Seat in Aſſembly; but that, on his being elected and taking his Seat, his Office or Poſt ſhall be conſidered as vacant.

Laws in Force.

XXI. THAT all the Laws of this Province, contained in the Edition lately publiſhed by Mr. *Allinſon*, ſhall be and remain in full Force, until altered by the Legiſlature of this Colony (ſuch only excepted as are incompatible with this Charter) and ſhall be, according as heretofore, regarded in all Reſpects by all civil Officers, and others, the good People of this Province.

Common and Statute-Law of *England*.

XXII. THAT the Common Law of *England*, as well as ſo much of the Statute Law, as have been heretofore practiſed in this Colony, ſhall ſtill remain in Force, until they ſhall be altered by a future Law of the Legiſlature, ſuch Parts only excepted as are repugnant to the Rights and Privileges contained in this Charter; and that the ineſtimable Right of Trial by Jury ſhall remain confirmed, as a Part of the Law of this Colony, without Repeal for-ever.

Trial by Jury confirmed.

Qualification of the Council and Aſſembly.

XXIII. THAT every Perſon, who ſhall be elected as aforeſaid to be a Member of the Legiſlative-Council or Houſe of Aſſembly, ſhall, previous to his taking his Seat in Council or Aſſembly, take the following Oath or Affirmation, *viz.* *I A B do ſolemnly declare, that, as a Member of the Legiſlative-Council* [or] *Aſſembly* (as the Caſe may be) *of the Colony of* New-Jerſey, *I will not aſſent to any Law, Vote or Proceeding, which ſhall appear to me injurious to the publick Welfare of ſaid Colony; nor that ſhall annul or repeal that Part of the third Section in the Charter of this Colony, which eſtabliſhes that the Elections of Members of the Legiſlative-Council and Aſſembly ſhall be annual; nor that Part of the twenty-ſecond Section in ſaid Charter reſpecting the Trial by Jury; nor that ſhall annul, repeal, or alter any Part or Parts of the eighteenth or nineteenth Sections of the ſame.* And any Perſon or Perſons, who ſhall be elected as aforeſaid, is hereby empowered to adminiſter to the ſaid Members the ſaid Oath or Affirmation.

Provided

Proviſo. *Provided always, and it is the true Intent and Meaning of this Congreſs,* That if a Reconciliation between *Great-Britain* and theſe Colonies ſhould take Place, and the latter be again taken under the Protection and Government of the Crown of *Great-Britain,* this Charter ſhall be null and void, otherwiſe to remain firm and inviolable.

Agreed upon in PROVINCIAL CONGRESS,
BURLINGTON, July 2, 1776.

ACTS

ACTS

OF THE

GENERAL ASSEMBLY

OF THE

STATE of NEW-JERSEY.

At a GENERAL ASSEMBLY held at

Princeton from the twenty-ſeventh Day of Auguſt to the eighth Day of October 1776, (being the firſt Aſſembly of the State of New-Jerſey after the Formation of the Conſtitution) the following Laws were paſſed.

SESSION FIRST—SITTING FIRST.

CHAP. I.

An ACT *for repealing an Ordinance of the Convention of the State of* New-Jerſey *of the twenty-firſt of* Auguſt *laſt; and for recovering and appropriating certain Militia Fines; and to prevent exceſſive Diſtreſſes.* Obſolete.

Paſſed Sept. 13, 1776.

THIS Act ſerves only to repeal an obſolete Ordinance of the Convention of the 21ſt of *Auguſt* 1776, and to direct the Fines incurred by two preceding Ordinances of the ſaid Convention, to be diſpoſed of in Manner preſcribed by another Ordinance of the 3d of *Auguſt*, and therefore is unneceſſary to be repeated.

CHAP. II.

An ACT *for the Security of the Government of* New-Jerſey.

Paſſed Sept. 19, 1776.

WHEREAS it is eſſentially neceſſary for the Safety of the State, that every Perſon who holds any Office or Poſt of a publick Nature ſhould evince his Fidelity and Attachment to the Government, from whence he derives Protection, and Preamble.

under which he is authorized to act: AND WHEREAS, to effect this important Purpoſe, it is neceſſary that a proper Teſt be eſtabliſhed to be taken by all Officers Civil and Military within this State.

The Remainder of the Preamble to this Act, having Reference only to ſuch Parts thereof as are repealed, is here omitted.

Teſt of Officers, Civil and Military.

Sect. 1. THEREFORE BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That the following Teſt ſhall be taken by all Officers Civil and Military, who are now in Office, or hereafter ſhall be appointed, elected or commiſſioned within the ſeveral Counties of this State, *that is to ſay,*

Oath of Abjuration,

I A B *do ſincerely profeſs and ſwear,* (or, if one of the People called Quakers, affirm) *that I do not hold myſelf bound to bear Allegiance to the King of* Great-Britain. So help me God.

and Allegiance.

I A B *do ſincerely profeſs and ſwear,* (or, if one of the People called Quakers, affirm) *That I do and will bear true Faith and Allegiance to the Government eſtabliſhed in this State under the Authority of the People.* So help me God.

The Remainder of the firſt Section, and the ſecond Section directing the aforeſaid Oaths to be adminiſtered by Perſons authorized to tender the ſame by *Dedimus Poteſtatem*, and authorizing the Governor to iſſue Commiſſions for that Purpoſe, are repealed and ſupplied by Chap. CXXXIX.

Repeal.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the Act paſſed the fifth of *May* One Thouſand Seven Hundred and twenty-two, intitled, * *An* Act *for the Security of His Majeſty's Government of* New-Jerſey, and ſo much of the Act paſſed the tenth of *February* One Thouſand Seven Hundred and twenty-ſeven--eight, intitled, † *An* Act *preſcribing the Forms of Declaration of Fidelity, the Effect of the Abjuration-Oath and Affirmation, inſtead of the Forms heretofore required in ſuch Caſes, and for repealing the former Acts in the like Caſes made and provided,* as relates to taking Affirmations to the King of *Great-Britain*, and the Acts thereby repealed, ſhall be, and the ſame are hereby repealed.

CHAP. III.

‡ *An* ACT *to render certain Bills of Credit a legal Tender within this State, and to prevent the counterfeiting of the ſame, and other Bills of Credit.*

Paſſed Sept. 20, 1776.

THE firſt Section of this Act declaring the Bills emitted and made current by the Continental Congreſs, thoſe emitted by the Congreſs or Convention of this State, and the Bills iſſued on Loan by Virtue of an Act of the Colony, paſſed in the Year 1774, to be a legal Tender, and impoſing a Penalty for the Refuſal of them in Payment of Debt, is repealed by Chap. CCXXXVIII, ſo far as it relates to the Continental Currency, and ſo far as it reſpects the other Bills by Chap. CXXXVII.

The

* *Allinſon*, Chap. CV.
† Do. Chap. CXXIV.

‡ See a Supplement to this Act, Chap. CLVIII.

The ſecond Section, ſo far as it relates to counterfeiting and altering the Continental Bills of Credit being in Force, follows at large—— There are however ſome obvious Reaſons for inſerting the whole of this Act, although repealed. Lawſuits may ariſe, in a neighbouring State they have ariſen, for the Recovery of Money paid or tendered agreeably to this Act, and the Supplement thereto, but it was judged beſt to transfer it to the Appendix—See Appendix No. 2.

Puniſhment for counterfeiting, &c.

2. AND WHEREAS it is neceſſary that the counterfeiting of the Bills of Credit made current by publick Authority ſhould be prevented, BE IT ENACTED *by the Authority aforeſaid*, That all and every Perſon and Perſons, who, from and after the Publication hereof, ſhall counterfeit or alter any of the aforeſaid Bills of Credit by this Act made a legal Tender, or any of the Bills of Credit emitted and made current by any of the Aſſemblies, Conventions or Congreſſes of any of the United States of *North-America*, or utter any Bill or Bills ſo counterfeited or altered, knowing the ſame to be ſo counterfeited or altered, as aforeſaid, and be duly convicted thereof, ſhall be adjudged guilty of Felony, and be puniſhed with Death in like Manner as Perſons convictedof counterfeiting or altering the former Bills of Credit of this State, and knowingly uttering the ſame, might or ſhould have been.

CHAP. IV.

An ACT *to confirm and eſtabliſh the ſeveral Courts of Juſtice within this State.*

Paſſed Oct. 2, 1776.

Preamble.

WHEREAS it is abſolutely neceſſary for the Welfare of the People, that Juſtice be duly and regularly adminiſtered;

Courts of Law and Equity confirmed.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſeveral Courts of Law and Equity of this State ſhall be confirmed and eſtabliſhed, and continued to be held with like Powers under the preſent Government, and at the ſame Times and * Places, as they were held at and before the Declaration of Independency lately made by the Honourable the Continental Congreſs.

Proceſs and Proceedings depending, confirmed.

† 2. AND WHEREAS in the late unſettled State of Government the Supreme Court, and ſeveral of the Inferior Courts of Common Pleas, and Courts of General Quarter-Seſſions of the Peace, have not been opened and held, whereby Suitors may be greatly injured; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That all Proceſs and Proceedings whatſoever depending in the ſaid Courts, or any of them, ſhall be, and they hereby are revived and continued as fully and effectually as if the ſaid Courts had met and continued the ſaid Proceſs and Proceedings, any Delay, Interruption or Omiſſion of holding the ſaid Courts notwithſtanding. CHAP.

* The Places of holding the Supreme Court are altered by Chap. XCVI, and directed to be held at *Hillsborough* and *Burlington*, and now fixed at *Trenton* by Chap. CLXVIII: The Courts of Quarter-Seſſions and Common-Pleas for *Middleſex* are altered by Chap. C, and fixed at *Brunſwick;* and for the County of *Bergen* by Chap. LXXX, *&c.*

The third Section, which authorized the Governor or Commander in Chief of the State for the Time being, with Advice of the Council, to alter the Times and Places of holding any of the ſaid Courts by Ordinance or otherwiſe, is expired by its own Limitation.

† Through the Confuſion of the Times ſundry Lapſes happened with Reſpect to holding different Courts of Juſtice, within the State, which occaſioned ſundry Laws to be paſſed for their Revival and for continuing the Proceedings, ſee Chap. XXVIII, XXXIX, LXIX, LXXX.

CHAP. V.

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

Paſſed Oct. 4, 1776.

Preamble.

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

High-Treaſon, who adjudged guilty thereof.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That every Perſon who is a Member of, or owes Allegiance to this Government, as before deſcribed, and who, from and after the Publication hereof, ſhall levy War againſt this State, within the ſame, or be adherent to the King of *Great-Britain*, or others the Enemies of this State within the ſame, or to the Enemies of the United States of *North-America*, giving to him or them Aid or Comfort, or by giving to him or them Advice or Intelligence either by Letters, Meſſages, Words, Signs or Tokens, or in any Way whatſoever, or by procuring for, or furniſhing to him or them any Kind of † Proviſions or Warlike Stores, and thereof ſhall be provably attainted of open Deed by People of his or her Condition, ſhall be adjudged guilty of High Treaſon, and be puniſhed accordingly, ſaving the § Corruption of Blood.

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

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

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

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

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

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

Puniſhment for reviling the Government, &c.

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

Two Juſtices to tender the Oaths, &c. to ſuſpected Perſons.

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

CHAP. VI.

An ACT *for the Inſpection of Gun-Powder.*

Paſſed Oct. 4, 1776.

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

* Chap. II.

Expired and supplied by Chap. CCXC.

CHAP. VII. *An* Act *for eſtabliſhing a Court of Admiralty, and Cuſtom-Houſes within the State of* New-Jerſey.

Paſſed Oct. 5, 1776.

THIS Act authorized the Governor and Council, (three to be a Quorum) by Ordinance or Commiſſion to eſtabliſh a Court of Admiralty and Cuſtom-Houſes, with their neceſſary Officers, and was limited to one Year, and from thence to the End of the next Seſſion of General Aſſembly—Continued by Chap. CIV, to the End of the next Sitting thereafter; when another Act was paſſed for that Purpoſe, which is now repealed and fully ſupplied by Chap. CCXC.

Private. Obſolete.

CHAP. VIII. *An* Act *to encourage* William Parker, William Corlies, Richard Lippincott, Jeremiah Borden *and* Lawrence Hartſhorne, *to erect Salt-Works in the State of* New-Jerſey.

Paſſed Oct. 5, 1776.

This Act was paſſed at a Time when the Enemies of the United States entertained the moſt ſanguine Hopes of greatly diſtreſſing, if not reducing us, for Want of the neceſſary Article of Salt, and depended on a Condition, which was not complied with, and in Conſequence the Law never took Effect.

At a GENERAL ASSEMBLY held at Burlington from the thirteenth Day of November to the ſecond Day of December 1776, the following Law was paſſed.

SESSION FIRST—SITTING SECOND.

Obſolete.

CHAP. IX. *An* Act *for the raiſing of four Battalions.*

Paſſed Nov. 27, 1776.

This Act was paſſed after the Enemy had invaded the State: The Recruits were allowed a Bounty of *Six Dollars* each, over and above the Continental Pay, and alſo one Pair of Shoes and one Pair of Stockings, were continued in Service until the firſt Day of *April* 1777, and were admitted during their Service to enliſt into any of the four Battalions to be raiſed in the State under the Continental Eſtabliſhment.

At a GENERAL ASSEMBLY begun at Pitts-Town, by a ſpecial Call of the Speaker, on the twenty-ſecond Day of January, and adjourned to, and continued at Haddonfield until the eighteenth Day of March 1777, the following Laws were paſſed.

SESSION FIRST—SITTING THIRD.

CHAP.

CHAP. X.

An ACT *for more effectually preventing diſaffected and evil-minded Perſons deſtroying the Credit and Circulation of the Continental Bills of Credit, and the Bills of Credit emitted by the late Congreſs of this State.*

Paſſed at *Haddonfield*, Feb. 11, 1777.

Such Parts of the above Act as declared the Value of the Continental Currency, and of the Bills emitted by the Congreſs of this State, and impoſed a Penalty on Perſons who ſhould attempt to depreciate them, by refuſing to ſell their Property therefor, or by aſking a greater Price for the ſame in the ſaid Bills than in Specie, *&c.* are repealed partly by Chap. CXXXVII, and partly by Chap. CCXXXVIII. The firſt and ſecond Sections, ſo far as they relate to fixing the Value of Gold and Silver Coin, being in Force, are as follows:

How Dollars are to be rated.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That in all Payments, Trade and Dealings whatſoever, *Spaniſh* milled Silver Dollars, weighing ſeventeen Pennyweight and ſix Grains, ſhall paſs at the Rate of, and be deemed equal in Value to *Seven Shillings and Six-pence*, lawful Money of this State, a Dollar; and that the Paper Bills of Credit or Dollars emitted by the Continental Congreſs ſhall paſs at the Rate above affixed for, and be deemed in Value equal to, *Spaniſh* milled Silver Dollars; excepting only in Diſcharge of Debts due and payable, or hereafter to become due and payable, in *Britiſh*, commonly called Sterling, Money, in which Caſe *Spaniſh* milled Silver Dollars, and Continental Bills of Credit or Dollars emitted as aforeſaid, ſhall paſs at the Rate of, and be deemed in Value equal to, *Four Shillings and Six-pence* Sterling a Dollar.

Half Johanneſſes, how rated.

2. AND IT IS HEREBY FURTHER ENACTED, That in all Payments, Trade and Dealings whatſoever, every *Portugal* Gold Half Johannes, weighing nine Pennyweight, ſhall paſs at the Rate of, and be deemed in Value equal to, *Three Pounds*, lawful Money of this State: And that eight Continental Dollars, or Bills of Credit aforeſaid, or *Three Pounds* in Bills of Credit of this State, ſhall paſs at the Rate above affixed for, and be deemed equal in Value to one *Portugal* Gold Half Johannes, weighing as aforeſaid, and in the ſame Proportion for all other Gold Coin.

CHAP. XI.

* *An* ACT *to prevent the counterfeiting or forging the Tickets of the United States Lottery.*

Paſſed Feb. 13, 1777.

Preamble.

WHEREAS it hath been recommended by Congreſs to the Legiſlatures of the United States reſpectively to paſs ſuch Laws as will moſt effectually tend to prevent the counterfeiting or forging the Tickets of the publick Lottery; *Sect.*

* Although the Drawing of the laſt Claſs of the above mentioned Lottery is cloſed; yet, as the Buſineſs thereof may not be entirely finiſhed, nor the Danger of Counterfeiting at an End, it was thought beſt to publiſh it at large.

Penalty for Counterfeiting.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That any Perſon who, from and after the Publication hereof, ſhall counterfeit or alter any Ticket of the ſaid publick Lottery, or utter, ſell, or offer for Sale, any Ticket ſo counterfeited or altered, knowing the ſame to be ſo counterfeited or altered as aforeſaid, and be duly convicted thereof, ſhall be adjudged guilty of Felony, without Benefit of Clergy, and be puniſhed with Death.

ThisLottery not to be affected by an Act paſſed 1774.

2. AND IT IS HEREBY FURTHER ENACTED, That Nothing in the Act, intitled, † *An Act more effectually to prevent the erecting of Lotteries, and ſelling of Lottery Tickets within this Colony*, paſſed the eleventh Day of *March* in the Year of our Lord One Thouſand Seven Hundred and Seventy-four, ſhall be conſtrued to extend to, or affect the publick Lottery aforeſaid.

CHAP. XII. *An Act to repeal the eighth Section of an Act, intitled,* * *An Act for the raiſing of four Battalions.*

Paſſed Feb. 19, 1777.

The Act of which this repeals a Part, being now obſolete, it was judged unneceſſary to inſert any more of this than the Title.

Expired.

CHAP. XIII. *An Act to prohibit the Exportation of Proviſions, and other Articles therein mentioned.*

Paſſed Feb. 20, 1777.

Limited to November 1ſt, 1777.—See Chap. XCIII, CX, *&c.*

The Articles were Soap, Tallow, Candles, Bacon, ſalted Beef and Pork.

Repealed and ſupplied by Chap. CCXVIII.

CHAP. XIV. *An Act to prevent Deſertion from the Army of the United States of* America, *and for other Purpoſes therein mentioned.*

Paſſed Feb. 26, 1777.

Obſolete.

CHAP. XV. *An Act to empower the Marſhal of the Court of Admiralty to ſecure and ſell the Prize Veſſel or Brigantine called the* Defiance, *lately taken by the Militia of this State.*

Paſſed Feb. 28, 1777.

The Court of Admiralty not being fully eſtabliſhed at the Time the above mentioned Veſſel was taken, the Marſhal of the ſaid Court was by this Act empowered to ſell the Veſſel and Cargo, the Monies to be ſubject to the future Decree of the ſaid Court.

CHAP.

† *Allinſon*, Chap. DXCVI.

* Chap. IX.

CHAP. XVI.

An ACT *to empower the Inhabitants of* Lower Penn's-Neck, *in the County of* Salem, *to rebuild and keep in Repair the Bridge and Cauſeway in the Road leading from* Stony-Iſland, *through the Townſhip of* Manington *to the* Salem *Great Road.*

Paſſed March 2, 1777.

Preamble.

WHEREAS the Inhabitants of *Lower Penn's-Neck*, in the County of *Salem*, and ſundry others of the ſaid County, have, by their Petition, ſet forth, That the Laws for the Support and Maintenance of the Bridge over *Salem* Creek at *Stony-Iſland*, in *Lower Penn's-Neck*, and the Cauſeway from thence to the Great Road leading to *Salem*, are expired by their own Limitation; and that if ſaid Bridge and Cauſeway ſhould become impaſſable, it would be very detrimental to the Inhabitants of the ſaid County, and particularly to thoſe of the ſaid Townſhip of *Lower Penn's-Neck*, it being the only direct Road from the ſaid Townſhip to the Town of *Salem*, and from great Part of the ſaid County to *Newcaſtle* and *Wilmington*; and praying that a Law may be paſſed to enable the Inhabitants of the ſaid Townſhip of *Penn's-Neck* to raiſe, from Time to Time, by a Tax on the Eſtates therein, ſuch Sums of Money as will be ſufficient to rebuild the ſaid Bridge, and to keep the ſame, and the Cauſeway aforeſaid, in Repair; and to enable the ſaid Inhabitants of *Penn's-Neck* to demand and receive from all other Perſons paſſing over the ſaid Bridge and Cauſeway, except only ſuch as are herein after excepted, a reaſonable Sum by Way of Toll;

Who to repair the ſaid Bridge and Cauſeway, and Manner thereof.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for the Overſeers of the Highways in the ſaid Townſhip of *Lower Penn's-Neck*, and they are hereby commanded and enjoined to take the ſaid Bridge and Cauſeway under their immediate Care and Management; and as ſoon as conveniently may be to rebuild and repair the ſaid Bridge and Cauſeway in Manner following, *that is to ſay*, The ſaid Bridge ſhall be conſtructed with a Draw or hoiſting Part of ſufficient Dimenſions to afford convenient Paſſage to ſuch Boats or Veſſels as there may be Occaſion to conduct through the ſame; and the ſaid Bridge ſhall in all Reſpects be made ſubſtantial and commodious, ſo as to afford convenient Paſſage to all Travellers, Carriages and Cattle which may have Occaſion to paſs over the ſame; and the ſaid Cauſeway ſhall be amended and put in good Repair, ſo as to afford the like convenient Paſſage: And the ſaid Overſeers of the Highways in the ſaid Townſhip of *Lower Penn's-Neck*, and their Succeſſors in the ſaid Office, are hereby conſtituted and appointed Managers for rebuilding, repairing and keeping in good Condition the ſaid Drawbridge and Cauſeway.

Mode of providing a Fund.

2. AND, in order to provide a Fund for defraying the Expence of rebuilding, repairing and keeping in Repair, the ſaid Bridge and Cauſeway, BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the ſaid Overſeers, or either of them, whenever he or they ſhall find it neceſſary to apply to any one Juſtice of the Peace of the

ſaid County of *Salem*; which Juſtice, when ſo applied to, is hereby directed and enjoined to iſſue a Precept to one or more of the Conſtables of the ſaid Townſhip of *Lower Penn's Neck*, commanding him or them to ſummon the Inhabitants of the ſaid Townſhip, to meet at ſome certain Time and Place in the ſaid Precept to be mentioned: And the ſaid Inhabitants when ſo met, or a Majority of them, are hereby authorized and empowered to award and order the Aſſeſſor of the ſaid Townſhip, to aſſeſs and levy, by Way of Tax, on the Inhabitants of the ſaid Townſhip, ſo much Money as they, or the Majority of them ſo met, ſhall adjudge to be neceſſary for the rebuilding and repairing the ſaid Bridge and Cauſeway; and the Clerk of ſuch Townſhip is hereby directed and enjoined to enter ſuch Award and Adjudication in the Town Book, and to ſerve a certified Copy thereof on the Aſſeſſor of the ſaid Townſhip, within three Days after ſuch Town-Meeting is over; and the ſaid Aſſeſſor is hereby commanded and enjoined to aſſeſs the ſaid Sum on the Inhabitants, in the ſame Manner, and in the ſame Proportion as the Taxes for the Support of Government are by Law directed to be aſſeſſed; and ſhall deliver a fair Copy or Duplicate of ſuch Aſſeſſment, to the Collector of the ſaid Townſhip within twenty Days after he ſhall receive the ſaid Certificate from the Town Clerk; and the ſaid Collector is hereby directed and enjoined to collect the Monies ſo aſſeſſed as ſoon as conveniently may be, and to pay the ſame to the Overſeers of the Highways of the ſaid Townſhip, for the Time being, or to one of them.

Aſſeſſor's and Collector's Fees, Duties and Penalties, how regulated.

3. AND IT IS HEREBY FURTHER ENACTED, That the ſaid Aſſeſſor and Collector ſhall be entitled to, and receive the like Fees and Reward for the before directed Services, as they are by Law entitled to have and receive for aſſeſſing and collecting the publick Taxes, and be ſubject to the ſame Penalties for Neglect of any of the Duties hereby enjoined on them, as they are by Law made ſubject to for neglecting the like Duties reſpecting the Tax for the Support of Government; and if any Perſon ſhall neglect or refuſe to pay the ſaid Tax hereby directed, on proper Application being made by the Collector, the ſaid Collector ſhall purſue the ſame Steps, and have the ſame Remedy againſt ſuch Delinquents for the Recovery thereof, as he may by Law have, and purſue in the like Caſes in collecting the ſaid Taxes for the Support of Government.

Power given to a Juſtice and two choſen Freeholders.

4. AND IT IS HEREBY FURTHER ENACTED, That if the ſaid Inhabitants of the Townſhip of *Lower Penn's-Neck*, being duly ſummoned as aforeſaid, ſhall neglect or refuſe to meet as aforeſaid; or if, when ſo met, ſhall neglect or refuſe to award a Sum of Money to be levied as aforeſaid, it ſhall and may be lawful for any Juſtice of the Peace of the ſaid County of *Salem*, and the two choſen Freeholders of the ſaid Townſhip of *Lower Penn's-Neck*, on Application and Notice to them given by the ſaid Overſeers of the Highways, or either of them, to meet together and award and determine the Sum neceſſary to be raiſed for the Purpoſe aforeſaid; and they are hereby directed and enjoined, by Writing under their Hands, to certify the ſame to the Aſſeſſor of the ſaid Townſhip, and thereupon the ſaid Aſſeſſor and Collector are hereby directed to aſſeſs and collect the ſaid Money in Manner before directed.

Cauſeway declared a publick Highway, and how repaired.

5. AND IT IS HEREBY FURTHER ENACTED, That the ſaid Road, from the ſaid Bridge to the great Road leading to *Salem*, ſhall be a publick Highway three Rods wide; and the ſaid Overſeers, or any Perſon

ſon by them appointed, ſhall have full Liberty to dig Mud or Earth within the ſaid three Rods, (to be computed one Rod and a Half each Way from the Middle of the ſaid Road or Cauſeway) for repairing or amending the ſaid Road and Cauſeway.

Made a Toll Bridge.

6. AND WHEREAS it is repreſented that the ſaid Bridge and Cauſeway will be of great publick Utility, and being rebuilt, erected and maintained at the ſole Expence of the Inhabitants of the Townſhip of *Lower Penn's-Neck*, it is highly reaſonable that the ſaid Inhabitants ſhould receive ſome Compenſation from ſuch other Perſons as may have Occaſion to make Uſe of the ſaid Paſſage; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the ſaid Overſeers of the Highways, and their Succeſſors, or ſuch Perſon or Perſons as they ſhall from Time to Time appoint for that Purpoſe, to erect a Gate at or near the ſaid Bridge, and to prevent any Perſon or Perſons from paſſing over the ſame (except only as hereafter is excepted) until ſuch Perſon or Perſons ſhall have paid the Rates herein after mentioned.

Gate to be erected, &c.

Gate to be opened, and Draw to be hoiſted, &c.

7. PROVIDED ALWAYS, AND IT IS HEREBY FURTHER ENACTED, That the ſaid Overſeers of the Highways, and their Succeſſors, or ſuch Perſon and Perſons as they ſhall appoint as aforeſaid, ſhall at all Times give ſuitable and proper Attendance, to open the ſaid Gate on the Application of Travellers and Paſſengers, and to hoiſt or draw the ſaid Drawbridge on the Application of ſuch Boatmen as may have Occaſion to paſs the ſame: And if the ſaid Overſeers, or the Perſon or Perſons ſo by them appointed as aforeſaid, and having the Care of the ſaid Gate and Bridge, ſhall neglect or refuſe to open the ſaid Gate, or hoiſt the ſaid Bridge ſo as to give free Paſſage to any Perſon applying as aforeſaid, and tendering the Fees herein after directed, he or they ſo neglecting or refuſing, ſhall forfeit and pay to the Perſon or Perſons delayed or injured thereby, the Sum of *Seven Shillings and Six-pence*, together with ſuch Damage as he or they ſhall have ſuſtained by ſuch Delay, to be recovered in any Court where the ſame may be cognizable, with Coſts of Suit.

Penalty on Neglect.

Fees to be taken.

8. AND BE IT FURTHER ENACTED, That the Fees to be demanded and taken by the ſaid Overſeers, or the Perſon or Perſons appointed by them as aforeſaid, from all and every Perſon and Perſons having Occaſion to paſs the ſaid Bridge and Cauſeway (except ſuch as are herein after excepted) ſhall be as follows, *Videlicet*, For every four wheeled Carriage, Waggon or Cart, with the Horſes, Oxen and Driver thereunto belonging, *Six-pence*; for every Chair or Chaiſe with two Wheels, *Four-pence*; for every Man and Horſe, *Two-pence*; for every Footman, *One Penny*; for all Horſes and horned Cattle driven or led over the Bridge, *One Penny* each; for Sheep and Hogs, *One Farthing* each; and for hoiſting or drawing the ſaid Drawbridge to permit a Boat or Veſſel to paſs, *One Shilling*. And it ſhall and may be lawful for the ſaid Overſeers, or the Perſon or Perſons by them appointed as aforeſaid, to ſtop and refuſe Paſſage over or through the ſaid Bridge to any Perſon or Perſons (except as herein after excepted) till Payment or Tender of the Fee or Fees above ſpecified be made: And if any Perſon or Perſons (except as herein after excepted) ſhall by any Means paſs the ſaid Bridge without Payment of ſuch Fee or Fees, it ſhall and may be lawful for the ſaid Overſeers, or

Perſons refuſing to pay, may be ſtopped, &c.

Perſons

Perſons by them appointed as aforeſaid, to ſtop and delay ſuch Perſon or Perſons in his or their next Attempt to paſs the ſaid Bridge, till he or they ſhall pay ſuch Arrearage, or to proſecute his Action of Debt for the ſame.

Overſeers to render fair Accounts,

9. AND, to the End that the Inhabitants of the ſaid Townſhip of *Lower Penns-Neck* may derive the Advantage hereby intended from the Fees or Toll above mentioned; BE IT FURTHER ENACTED, That the ſaid Overſeers of the Highways of the Townſhip of *Lower Penns-Neck*, and their Succeſſors in Office, ſhall regularly and yearly, at every annual Town-Meeting, render to the Inhabitants of the ſaid Townſhip, a juſt and fair Account of all the Monies ſo as aforeſaid received by them, or by the Perſon or Perſons by them appointed as aforeſaid, as well as of all other Monies by them received and diſburſed on Account of the ſaid Bridge and Cauſeway: And whenever the ſaid Overſeers of the Highways ſhall by any Means ceaſe to hold the ſaid Office, they, and each of them, ſhall pay to his or their Succeſſor or Succeſſors in Office, whatever Balance or Sum of Money ſhall remain in his or their Hands; and on Neglect or Refuſal to make ſuch Payment within ten Days after Demand thereof by ſuch Succeſſor or Succeſſors, it ſhall and may be lawful for ſuch Succeſſor or Succeſſors, in his or their own Name or Names, to ſue for and recover the ſame, together with Coſts of Suit, in any Court where it ſhall be cognizable.

And to pay the Balance in their Hands to the Succeſſor.

Penalty for Neglect.

Who excepted from paying Toll.

10. PROVIDED ALWAYS, That the Inhabitants of the ſaid Townſhip of *Lower Penn's-Neck*, and all other Perſons holding Land, and paying Tax for the ſame in the ſaid Townſhip, and the Proprietors of the Lands through which the ſaid Cauſeway is laid in the Townſhip of *Manington*, ſhall be, and they are hereby exempted from the Payment of any Fee or Toll for paſſing the ſaid Bridge and Cauſeway, and themſelves, their Servants, Carriages and Cattle, ſhall at all Times be at Liberty to paſs the ſame without any Fee or Reward.

Overſeers to keep ſaid Bridge and Cauſeway in Repair, or forfeit Damages.

11. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Overſeers of the Roads as aforeſaid, or any Perſon by them appointed to receive the Rates as aforeſaid, and to keep the ſaid Bridge and Cauſeway in good Repair, ſhall, from Time to Time, and at all Times (unavoidable Accidents excepted) keep the ſaid Bridge and Cauſeway in good and ſufficient Repair; and ſhall, on Neglect or Refuſal ſo to do, forfeit and pay to any Perſon or Perſons ſuch Damages as he or they ſhall have ſuſtained by inſufficiently or negligently keeping the ſaid Bridge or Cauſeway, to be recovered in any Court of Record where the ſame may be cognizable, with Coſts of Suit.

Juſtice and Freeholders, their Forfeiture for Neglect of Duty.

12. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Juſtice of the Peace, or two choſen Freeholders as aforeſaid, or any one of them, ſhall neglect or refuſe to perform any of the Duties herein required, he or they ſo neglecting or refuſing, ſhall forfeit the Sum of *Five Pounds* each, for ſuch their Neglect or Refuſal, to be recovered by any Perſon who ſhall ſue for the ſame, in any Court where the ſame ſhall be cognizable, with Coſts of Suit, the one Half to the Perſon who ſhall proſecute the ſame to Effect, and the other Half to be paid to one of the Overſeers of the Roads as aforeſaid, to be by him applied towards the Support of the ſaid Bridge and Cauſeway.

CHAP.

CHAP. XVII. *An* ACT *for the Support of Government of the State of* New-Jerſey, *to commence the twenty-ſeventh Day of* Auguſt *One Thouſand Seven Hundred and Seventy-ſix, and to end the ſecond* Tueſday *in* October *One Thouſand Seven Hundred and Seventy-ſeven, and to diſcharge the publick Debts and contingent Charges thereof.* Obſolete.

Paſſed March 14, 1777.

CHAP. XVIII. *An* ACT *for the Preſervation of the publick Records of the State of* New-Jerſey. Obſolete.

Paſſed March 14, 1777.

This was a temporary Act, paſſed at a Time when the Enemy had overrun a great Part of the State, and the Records were ſuppoſed to be in Danger of falling into their Hands, and appointed certain Perſons for removing the Records, and for depoſiting them in a Place of Security.

CHAP. XIX.

An ACT *to prevent the diſtilling of Wheat, Rye and other Grain.*

Paſſed March 14, 1777.

THIS Act, paſſed to prevent the Army and Inhabitants from being diſtreſſed for Want of Grain, for which great Prices were at that Time given for the Purpoſe of Diſtillation, was ſuſpended by Chap. XXXVI, until ſimilar Laws ſhould be paſſed in the States of *New York*, *Pennſylvania* and *Delaware*, and has never ſince taken Effect, nor is it probable that it ever will without ſome Alteration, for which Reaſon the Title only is inſerted.

CHAP. XX. *An* ACT *for the better regulating the Militia.* Repealed—ſupplied by Chap. CCXLII.

Paſſed March 15, 1777.

This is the firſt Militia Law paſſed ſince the Revolution—It repealed Chap. CC and DXXXIX in *Allinſon*'s Edition of the Laws; and alſo the Ordinances of the Congreſs or Convention of this State, by which the Militia were regulated until the paſſing of this Act—Three Companies of Horſe, and no more, were allowed to be embodied by this Act, and no mention is made of Artillery.——Three Acts were paſſed ſupplementary to this, which are all repealed therewith by Chap. LXXXIV. —The Militia Act now in Force may be ſeen Chap. CCXLII, and a Supplement thereto Chap. CCCXIX.

CHAP. XXI. *An* ACT *for eſtabliſhing Magazines of Arms, Ammunition and warlike Stores, in the ſeveral Counties of this State, and to poſtpone the ſinking of ſo much of the Quotas of the Sinking Fund Tax for the Years One Thouſand Seven Hundred and Seventy-ſix, and One Thouſand Seven Hundred and Seventy-ſeven, as may be neceſſary for defraying the Expence thereof.* Obſolete.

Paſſed March 15, 1777.

By this Act Commiſſioners were appointed for purchaſing and importing a certain Quantity of Arms and Ammunition, to be diſtributed

amongſt the ſeveral Counties by other Commiſſioners appointed in the ſaid Act. The Proportions of the ſeveral Articles before mentioned were fixed for the ſeveral Counties, and the Treaſurer of the State was directed to pay into the Hands of the Commiſſioners firſt mentioned ſuch Sums as they or a Majority of them ſhould judge neceſſary for the Purpoſe out of the Money directed by Law to be ſunk in the Year 1776 and 1777, the ſinking of which was poſtponed. The Act never took Effect otherwiſe than by poſtponing the ſinking of the Money.

Expired. CHAP. XXII. *An Act for inveſting the Governor and a Council, conſiſting of twelve, with certain Powers therein mentioned for a limited Time.*

Paſſed March 15, 1777.

This and ſundry other temporary Acts of the ſame Kind were paſſed in order to give Vigour and Efficacy to the Laws, and to ſtrengthen and increaſe the Executive Powers of Government, by veſting in the Governor, and a Number of Gentlemen throughout the State, ſtiled *A Council of Safety*, certain extraordinary Powers for the Preſervation of the State, which was endangered by the open Attacks of external, and the ſecret Machinations of internal Foes.——This Act was limited to ſix Months.—See Chap. XL, LXXXII, XCI.

CHAP. XXIII.

* *An* ACT *for the regulating of Conſtables.*

Paſſed March 15, 1777.

Preamble. WHEREAS ſome Doubts may ariſe whether Perſons elected to ſerve as Conſtables within the ſeveral Precincts of this State, agreeably to the preſent Conſtitution, can, as the Law now ſtands, be fined in caſe they neglect or refuſe to ſerve; and alſo whether the Oath, which, under the old Conſtitution, Conſtables were required to take, can be legally adminiſtered to thoſe who have been or ſhall be choſen as aforeſaid; Therefore,

Conſtables' Qualification. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That every Perſon who has been elected Conſtable in this State, purſuant to the preſent Conſtitution, ſhall, within thirty Days after the Publication of this Act, and every perſon, who ſhall hereafter be ſo elected Conſtable, ſhall, within one Week after being notified thereof by the Clerk of the Townſhip in which he lives, repair to ſome Juſtice of the Peace in the County where he reſides, and take the following Oath or Affirmation, *Videlicet, I, A B, do ſwear* (or if a Quaker affirm) *That I will well and truly execute the Office of a Conſtable, for the County of C, from this Time until the next annual Town-Meeting ſhall be over, and from thence to the End of the Week next enſuing, unleſs ſome Perſon ſhall be ſooner appointed and qualified to ſerve in my Stead; and in particular, that I will faithfully endeavour to perform all the Duties of a Conſtable as enjoined by an Act, intitled,* † An *Act* for regulating Taverns, Ordinaries, Inkeepers and Retailers of ſtrong Liquors, *without any Connivance at, or Favour ſhewn to, ſuch as ſhall offend againſt the ſame.*

PROVIDED

* See a Supplement to this Act Chap. CCII. See alſo Chap. CCLVIII.

† Paſſed March 15, 1738--9.——*Allinſon* Chap. CLVIII. See alſo *Allinſon* Chap. CCCCLXXII.

PROVIDED ALWAYS, That no Perſon ſhall be elected or appointed to ſerve as Conſtable, unleſs he be of good Fame. — To be of good Fame.

2. AND IT IS HEREBY FURTHER ENACTED, That the Clerk of each Townſhip ſhall, within two Days after the annual Town-Meeting is over, notify each Perſon elected to ſerve as Conſtable, within his Townſhip of ſuch his Election, and alſo return the Names of the Perſons ſo elected to the next Court of Quarter-Seſſions, immediately after the ſame ſhall be opened; or, in Caſe of Failure, forfeit the Sum of *Forty Shillings*, to be recovered with Coſts of Suit by the Overſeer or Overſeers of the Poor of the Precinct in which he lives, and applied to the Uſe of ſaid Poor. — Town-Clerk to notify, and to return the Names of Perſons choſen.

* 3. AND IT IS HEREBY FURTHER ENACTED, That if any Perſon, elected as aforeſaid to ſerve as Conſtable, ſhall neglect or refuſe to be qualified as above directed, or to execute the Office of a Conſtable, when ſo qualified, he ſhall forfeit the Sum of *Six Pounds*, to be recovered and applied as aforeſaid. — Conſtables' Forfeiture for Neglect.

4. AND IT IS HEREBY FURTHER ENACTED, That where any Conſtable elected as aforeſaid, ſhall neglect or refuſe to ſerve, or die, or remove out of the Precinct in which he was elected, before the Term for which he was elected expires; or in caſe any Townſhip ſhall neglect or refuſe to chooſe a Conſtable; then, and in every ſuch Caſe, any two Juſtices of the Peace of the County ſhall have Power to appoint one, † and to adminiſter to him the above Oath or Affirmation, as the Caſe may require, which he is hereby directed to take, under the Penalty of *Six Pounds*, in caſe he ſhall refuſe, to be recovered and applied as aforeſaid. — Conſtables' not ſerving, Juſtices to appoint.

5. AND IT IS HEREBY FURTHER ENACTED, That in all Caſes where a Conſtable ſhall by legal Authority be ordered to inflict corporal Puniſhment upon any Perſon, it ſhall and may be lawful for ſuch Conſtable to employ an Executioner; and for any Juſtice of the Peace of the County to draw an Order on the County Collector for defraying the Expence thereof, out of the Money in his Hands belonging to ſuch County, provided it does not exceed the Sum of *Ten Shillings*, which the County Collector is hereby required to pay. — Conſtable may hire an Executioner.

6. AND WHEREAS ſeveral Patent Towns in this State, by their Patents are allowed to elect but one Conſtable, and, by the Increaſe of Inhabitants, more are now become neceſſary; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That, from and after the Publication of this Act, it ſhall and may be lawful for any Patent Town within this State to elect two or more Conſtables, as their reſpective Caſes may require; which Conſtables, when ſo elected, ſhall take the aforeſaid Oath, and be ſubject to the ſame Laws, Regulations and Penalties to which other Conſtables are or ſhall be ſubject. — Patent Towns may elect two or more Conſtables.

7. AND IT IS HEREBY FURTHER ENACTED, That ſo much of the Act, intitled, ‡ *An* Act *for the better regulating Conſtables, Vendues and Taverns*, as relates to Conſtables, and the Acts therein repealed, ſhall be, and are hereby repealed. — Acts repealed.

CHAP.

* In Part altered by Chap. CCLVIII.

† Two Juſtices are empowered by Chap. CCII to appoint any Number not exceeding three.

‡ *Allinſon* Chap. CCCCLXXII.

Obſolete.

CHAP. XXIV. *An* Act *for defraying ſundry incidental Charges.*

Paſſed March 17, 1777.

C H A P. XXV.

An ACT *to authorize the preſent Treaſurer to ſign ſuch of the unſigned Bills of Credit of this State, as were directed by Law to be ſigned by the late Treaſurers, and for other Purpoſes therein mentioned.*

Paſſed March 17, 1777.

THE firſt and ſecond Sections of this Act empowering the Treaſurer to ſign the Bills directed to be emitted by Chap. DXCI in *Allinſon*, and appointing other Signers in Room of the former, in caſe of their Diſability, are obſolete, theſe Bills having been called out of Circulation by Chap. CXXXVII.

The third Section is in Force, and is as follows:

Preſent Treaſurer to have the ſame Powers, *&c.* as the former Treaſurers.

3. AND WHEREAS ſome Doubts may ariſe concerning the Power of the preſent Treaſurer, as well with Reſpect to proſecuting the County Collector for Neglect of Duty, as to the other Duties required by Law of the Treaſurer or Treaſurers of this State; BE IT ENACTED *by the Authority aforeſaid*, That the Treaſurer of this State for the Time being ſhall be, and is hereby inveſted with all the Power and Authority, and ſhall be entitled to all the Rights and Privileges, and ſubject to the like Pains and Penalties, which the former Treaſurers, or either of them, were ſubject or entitled to, or inveſted with, in either of the Diviſions of *New-Jerſey*, under the former Conſtitution.

C H A P. XXVI.

An ACT *for granting an annual Salary to the Secretary of this State, in Lieu of his Fees on the Commiſſions of Juſtices, Coroners and Militia Officers.*

Paſſed March 17, 1777.

Preamble.

WHEREAS it is neceſſary that all Offices, Civil as well as Military, now vacant in this State, ſhould be filled up, and the Perſons thereto commiſſioned without Delay: AND WHEREAS many of the ſaid Offices are by no Means lucrative, it is equitable that the Expence of iſſuing the Commiſſions to ſuch ſhould be defrayed by the Publick: AND WHEREAS the Secretary will make out more Commiſſions in the preſent than in any ſucceeding Year, it is juſt that the annual Salary ſhould be proportioned to his Service one Year with another;

Secretary's Salary.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Treaſurer pay to the Secretary of this State an annual Salary of *One Hundred and Twenty Pounds*, during the Continuance of this Act, to commence from the firſt Day of *September* laſt, in Lieu of the Fees the

ſaid

ſaid Secretary was entitled to receive on the Commiſſions of Juſtices, Coroners and Militia Officers, by an Act, intitled, † *An* Act *for the better enabling the Judges and Juſtices of this Colony to aſcertain and tax Bills of Coſt, and for making Proviſion by Law for the Payment of the Services of the ſeveral Officers of the Colony, and for preventing the ſaid Officers from taking exorbitant Fees:* And in caſe of the Death or Removal of the ſaid Secretary from the Execution of his Office, the Treaſurer ſhall only pay ſuch Proportion of the ſaid annual Salary as may be due at the Time of his Death or Removal.

2. AND BE IT FURTHER ENACTED, That ſo much of the aforeſaid Act as reſpects the Fees to be taken by the Secretary on the aforeſaid Commiſſions is hereby repealed. Repeal.

The remaining Section, which directed the Secretary to return the Fees he had received for any of the Commiſſions aforeſaid ſince the firſt Day of *September*, if demanded within twelve Months, is obſolete.

CHAP. XXVII. *An* Act *to exempt ten Men, to be employed at the Union Salt-Works, in the State of* New-Jerſey, *from Service in the Militia.* Private. Repealed by Chap. CXXVI.

Paſſed March 17, 1777.

At a GENERAL ASSEMBLY held at Haddonfield, by a ſpecial Summons of the Speaker, from the ſeventh Day of May to the ſeventh Day of June, 1777, the following Laws were paſſed.

SESSION FIRST—SITTING FOURTH.

CHAP. XXVIII. *An* Act *to revive and continue ſeveral Courts of Juſtice in this State.* Obſolete.

Paſſed May 12, 1777.

The Courts are revived—See Chap. IV. XXXIX. LXIX. LXXX.

C H A P. XXIX

‡ *An* ACT *for completing the four Battalions of this State in the Continental Service.*

Paſſed May 28, 1777.

SUCH Parts of this Act as directed the Value of the Time of bought Servants, enliſted under it into the Regiments of this State in the Continental Service, to be paid for by the State, and fixed the Mode of determining the ſaid Value, are obſolete, as no Perſon can be now enliſted under or by Virtue thereof; and ſo much as relates to the hiring of Subſtitutes, with its Appendages, is repealed by Chap. LXXVII. The

† *Allinſon*, Chap. CCX.

‡ See ſundry Acts for this Purpoſe, Chap. LXXXI, CXLI, CXC, CCXI, CCXXXV, and CCLXVII.

Parts in force, and which are not ſuperſeded or otherwiſe provided for by Law, are here tranſcribed at large; but as this Act is the Security for the Exemption of ſuch Perſons as have hired Subſtitutes for the Continental Service from Militia Duty, it may be ſeen at large in the Appendix, No. 1.

No Perſon enliſting to be impriſoned for a Debt under *Fifty Dollars*.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That no Perſon who hath enliſted, or hereafter ſhall enliſt as a Soldier in the Continental Service, ſhall be impriſoned or otherwiſe reſtrained for any Debt under *Fifty Dollars*, any Law to the contrary notwithſtanding.

Officers ſelling Recruits, to forfeit *Fifty Pounds*.

7. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any recruiting Officer, belonging to any of the * four Battalions of this State, ſhall be convicted of ſelling or otherwiſe diſpoſing of any Recruit that has been enliſted by him, or any recruiting Party for his Company, ſaid Officer ſhall, for each Offence, forfeit the Sum of *Fifty Pounds*, to be recovered in any Court where the ſame ſhall be cognizable, one Half to the Uſe of the Proſecutor, and the other Half to be paid to the Treaſurer for the Uſe of the State.

Expired—and ſupplied by Chap. CLXXVIII.

CHAP. XXX. † *An* Act *for regulating the Election of the Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners, of the State of* New-Jerſey.

Paſſed June 4, 1777.

Limited to the ſecond *Tueſday* in *October* 1778, and thence to the End of the next Sitting thereafter; but continued by Chap. CXXI and CXLIV, to the End of the firſt Sitting of the fourth Seſſion.

Expired.

CHAP. XXXI. *An* Act *for rendering more effectual two certain Acts therein mentioned.*

Paſſed June 4, 1777.

The Acts herein referred to were the Treaſon Act, ſee Chap V—And the Act for appointing a Council of Safety, Chap. XXII. The Deſign of the Act was to alter ſome Parts of the Treaſon Act, and to inveſt the Governor and Council of Safety with further and more extenſive Powers—It was limited to the Continuance of Chap. XXII.

Repealed by Chap. LXXXIV. and now ſupplied by Chap. CCXLII.

CHAP. XXXII. *A ſupplemental* Act *to an Act, intitled,* ‡ *An Act for the better regulating the Militia.*

Paſſed June 5, 1777.

Obſolete.

CHAP. XXXIII. *An* Act *of free and general Pardon, and for other Purpoſes therein mentioned.*

Paſſed June 5, 1777.

As this Act, though in other Reſpects obſolete, is ſtill the Security of thoſe Perſons who accepted of the Clemency offered by it, and is alſo available to the Commiſſioners of forfeited Eſtates, who may not yet have finally ſettled their Accounts, it is tranſcribed at large in the Appendix, No. 4.

CHAP.

* Theſe four Battalions were afterwards incorporated into three, and are now reduced to two, in Virtue of the Reſolutions of the Honourable the Congreſs of the United States, paſſed ſubſequent to this Act.

† See a Supplement to this Act, Chap. LVIII. See alſo Chap. CLXXVIII. CCXXXIX and CCCXXIV.

‡ Chap. XX.

CHAP. XXXIV.

An ACT *to aſcertain the Duty of Commiſſioners of Appeal.*

Paſſed June 5, 1777.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That each and every Perſon who is or hereafter ſhall be choſen a Commiſſioner of Appeal, agreeably to the fourteenth Section of the Conſtitution of this State, ſhall, within ten Days after being notified of ſuch his Appointment by the Clerk of the Townſhip or Precinct for which he ſhall be choſen, whoſe Duty it ſhall be to notify him thereof, repair to ſome Juſtice of the Peace of the County in which he ſhall reſide, and before he ſhall undertake the ſaid Office, take the following Oath, or, if one of the People called *Quakers*, an Affirmation, for the faithful Diſcharge of his Duty, in the Words following, *to wit*, *I do ſwear* (or, if of the People called *Quakers*, *affirm*) *that I will faithfully and impartially do my Duty as one of the Commiſſioners of Appeal in Matters of Taxation for the Townſhip of in the County of according to the beſt of my Skill and Underſtanding, in Conjunction with the other Commiſſioners of the Townſhip for which I have been choſen a Commiſſioner.* Commiſſioners of Appeal, Their Qualification.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That the Commiſſioners of Appeal of any Townſhip within this State, being appointed and qualified as aforeſaid, ſhall fit at ſome ſuitable Time or Times to be by them appointed and made known to the People by Advertiſement; and on the Determination of any ſuch Appeal or Appeals as ſhall be brought before them, the ſaid Commiſſioners ſhall give a Tranſcript of their Judgment to the Appellant in caſe any Deduction ſhall be made in the Aſſeſſment appealed from; which Tranſcript ſhall be a ſufficient Voucher to ſuch Appellant, either for the Whole or ſuch Part of ſuch Aſſeſſment as ſhall be therein mentioned; and the Collector of ſuch Townſhip, in collecting the Taxes of the ſaid Townſhip, ſhall govern himſelf accordingly, any Law, Uſage or Cuſtom, in anywiſe to the contrary notwithſtanding. And Mode of Proceeding.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That ſuch Commiſſioners, qualified as aforeſaid, ſhall have full Power to convene before them by Subpœna or otherwiſe, any Perſon or Perſons that they ſhall judge neceſſary on the Hearing of ſuch Appeal or Appeals, and ſhall have full Power to adminiſter Oaths or Affirmations, as the Caſe may require, to any Perſon they ſhall judge neceſſary for the juſt Determination of ſuch Appeal or Appeals. Powers inveſted in them.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Commiſſioners of Appeal ſhall each of them be paid out of the Money in the Hands of the Collector of the Townſhip for which they are Commiſſioners, the Sum of *Six Shillings* per Day, for as many Days as they ſhall have attended on the Hearing and Determining of ſuch Appeals; and the Receipt or Receipts of ſuch Commiſſioners ſhall be ſufficient Vouchers to ſuch Collector for ſo much of the publick Money as ſhall be paid by him for that Purpoſe. Wages.

5. AND

Forfeiture.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That every ſuch Commiſſioner, refuſing or neglecting to perform the Duties required of him by this Act, ſhall, for every ſuch Neglect or Refuſal, forfeit the Sum of *Six Pounds*, to be recovered before any Juſtice of the Peace of the County, and applied the one Half Part to the Perſon proſecuting for the ſame, and the other Half to be paid into the Hands of the Overſeers of the Poor for the Uſe of the Poor of the Townſhip where ſuch Commiſſioner reſides.

In caſe of Removal, *&c.* how to be ſupplied.

6. AND BE IT ENACTED *by the Authority aforeſaid*, That if any of the Commiſſioners of Appeal, in any Townſhip or Precinct within this State, ſhall remove, or by Death or otherwiſe be rendered incapable to perform the Duties required of him by this Act, or ſhall refuſe to take upon him the ſaid Office agreeably to the Directions of this Act, then, and in ſuch Caſe, the two choſen Freeholders of ſuch Townſhip, in Conjunction with one Juſtice of the Peace of the County, ſhall meet together and appoint ſome other fit Perſon in the Stead of ſuch Perſon dead, diſabled, removed or refuſing: And the ſaid Juſtice and Freeholders as aforeſaid ſhall, within one Week after ſuch Appointment, notify ſuch Perſon thereof, who ſhall take the ſame Oath as before-mentioned, be liable to the ſame Regulations, and have the ſame Powers and Authorities that any Commiſſioner hath who is choſen agreeably to the fourteenth Section of the Conſtitution of this State.

Coſts accruing on Appeals, by whom to be paid.

7. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Coſts ſhall neceſſarily accrue on the Determination of ſuch Appeals, ſuch Coſts ſhall go with the Event of ſuch Determination, *to wit*, If the Perſon appealing ſhall be diſcharged from the Payment of any Part or the Whole of the ſaid Tax, then the Coſt to be drawn out of the publick Money in the Hands of the Collector of ſuch Townſhip, by an Order ſigned by the ſaid Commiſſioners; but in caſe no Abatement be made in ſuch Aſſeſſment, then the Coſts ſhall be paid by the Appellant.

Private—Repealed by Chap. CXXVI.

CHAP. XXXV. *An* Act *to exempt a Number of Men, to be employed at the Iron-Works at* Batſto *and* Mountholly, *in the County of* Burlington, *from actual Service in the Militia, under the Reſtrictions and Regulations therein mentioned.*

Paſſed June 5, 1777.

By this Act fifty Men, to be enrolled and furniſhed with Arms by *John Cox*, Eſq. Proprietor of the Works, and diſciplined by a Captain and two Lieutenants to be named by him, were exempted from Muſters and Reviews, and from being called into actual Service, unleſs when the County was invaded—They were engaged in caſting Cannon, Cannon-Shot, *&c.* for the Army, and in providing Caſtings, *&c.* for the Salt-Works.

CHAP.

CHAP. XXXVI.

An ACT *to ſuſpend the Operation of an Act, intitled,* **An* Act *to prevent the diſtilling of Wheat, Rye and other Grain.*

Paſſed June 6, 1777.

Preamble. WHEREAS the Act, intitled, *An* Act *to prevent the diſtilling of Wheat, Rye and other Grain*, paſſed the fourteenth Day of *March* laſt, cannot produce the ſalutary Effects thereby intended, until ſimilar Acts ſhall be paſſed by the Legiſlatures of the neighbouring States; but in the mean Time the Inhabitants of this State would, by the Operation thereof, ſuffer a manifeſt Injury;

Enacting Clauſe. *Sect.* 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the Publication of this Act, the Operation of the before recited Act, to prevent the diſtilling of Grain, ſhall be and it is hereby ſuſpended until the diſtilling of Grain ſhall be prevented by Law in the States of *New-York*, *Pennſylvania* and *Delaware*, and no longer.

CHAP. XXXVII.

A Supplement to an Act, *intitled,* † *An* Act *to puniſh Traitors and diſaffected Perſons.*

Paſſed June 7, 1777.

Preamble. WHEREAS in and by an Act of the Legiſlature of this State, made and paſſed in the Year of our Lord One Thouſand Seven Hundred and Seventy-ſix, intitled, *An* Act *to puniſh Traitors and diſaffected Perſons*, there are not any particular Directions for the levying, recovering and appropriating, ſuch Fines as may be awarded by Virtue thereof;

Mode of recovering Fines. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That whenever any Court within this State ſhall, by Virtue of the ſaid recited Act, award that a Fine be paid by any Offender, it ſhall and may be lawful for ſuch Court, in their Diſcretion, either to enforce the Payment of ſuch Fine in the Manner heretofore uſed in the like Caſes, or to give Judgment againſt ſuch Offender for the Fine ſo awarded as a Debt due to the State, with Coſts, and Execution ſhall iſſue thereon accordingly; and the Monies ariſing from ſuch Fines, when recovered, ſhall be paid to the Collector of the County in which the ſame ſhall have been levied, to be by him paid to the Treaſurer for the Uſe of the State.

2. AND WHEREAS no Proviſion is made by the before-recited Act for the Payment of the Conſtables Fees when the Perſon ſummoned by the Juſtices agreeably to the Directions of the ſaid Act appears in Virtue of ſuch Summons, nor are Perſons who refuſe to attend when ſummoned for the Purpoſe of taking the ſaid Oaths made liable by the

* Chap. XIX.
† Chap. V. See alſo Chap. CCCXXVIII.

Conſtables' Fees.

ſaid Act to any Fine for ſuch Contempt; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That when any Perſon, ſummoned by the Juſtices as is by the before-recited Act directed, doth take the ſaid Oaths to the State, then, and in ſuch Caſe, one of the Juſtices who iſſued the Summons or Warrant ſhall certify under his Hand the uſual Fees due to the Conſtable who ſerved the ſame, who, on producing the ſaid Certificate to the County Collector, ſhall be entitled to receive from him the Sum mentioned therein out of any publick Money in his Hands: And whenever ſuch Perſon ſhall appear agreeably to ſuch Summons, but refuſe to take the ſaid Oaths, then the Conſtable's Fees for ſerving ſuch Summons or Warrant ſhall be paid by the Perſon ſo refuſing: And when any Perſon ſummoned to take the Oaths as aforeſaid, ſhall neglect or refuſe to appear at the Time and Place mentioned in ſuch Summons, and ſhall not aſſign any ſufficient Reaſon for ſuch Neglect, the ſaid Juſtices ſhall forthwith, on the Conſtable's making Oath that the Summons was duly ſerved, fine, at their Diſcretion, ſuch Offender in any Sum not exceeding *Six Pounds*, to be levied on the Goods and Chattels of the Offender, by Warrant of Diſtreſs; which, when recovered, ſhall be paid to the Collector of the County where the Offender ſhall reſide; and the ſaid Collector ſhall pay the ſame to the Treaſurer for the Time being, for the Uſe of the State, deducting *Two-pence* in the *Pound* for his Trouble, and all ſuch Fees as ſhall have been paid to the Conſtables as aforeſaid: And if the ſaid Collector ſhall neglect to pay into the Treaſury the Balance of ſuch Fines remaining in his Hands, he ſhall at all Times be ſubject to an Action of Debt, at the Suit of the Treaſurer, for the Recovery of the Whole Sum by him as aforeſaid received, with Intereſt, and Coſts of Suit.

Penalty on Perſons neglecting to appear when ſummoned.

Collector neglecting to pay, &c. ſubject to an Action of Debt.

Obſolete.

CHAP. XXXVIII. *An Act for defraying ſundry Incidental Charges.*

Paſſed June 7, 1777.

At a GENERAL ASSEMBLY begun at Haddonfield the third Day of September, and continued there until the twenty-fourth, and thence adjourned to and continued at Princeton until the eleventh Day of October, 1777, the following Laws were paſſed.

SESSION FIRST—SITTING FIFTH.

CHAP. XXXIX.

* *An* ACT *to revive and continue ſeveral Courts of Law, and for other Purpoſes therein mentioned.*

Paſſed at Haddonfield, Sept. 20, 1777.

The firſt Section was intended for the Revival of the Courts, they are revived and the Section is obſolete; the ſecond Section is as follows:

2. AND

* See Chap. IV, XXVIII, LXIX, LXXX.

2. AND WHEREAS ſome Doubts may ariſe with Reſpect to the Authority of Courts of Oyer and Terminer and General Gaol Delivery, held by Commiſſion under the Governor or Commander in Chief of this State, BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Governor or Commander in Chief of this State for the Time being, with the Advice of the Council as Occaſion ſhall require, to conſtitute and appoint by Commiſſion Courts of Oyer and Terminer and General Gaol Delivery in the reſpective Counties in this State, in Manner heretofore uſed under the former Government, PROVIDED, That no Perſons be appointed by ſuch Commiſſions as Judges of the ſaid Courts but the Juſtices of the Supreme Court of this State, and the Judges and Juſtices of the reſpective Counties in which the ſaid Courts ſhall be appointed to be held; and ſuch Courts of Oyer and Terminer and General Gaol Delivery, ſo conſtituted, appointed and commiſſioned, ſhall, and they are hereby declared to have all the Power, Juriſdiction and Authority, which ſuch Courts have heretofore held, uſed and exerciſed, in this State under the former Government; and all the Proceedings, Tranſactions and Adjudications, of ſuch Courts heretofore appointed and commiſſioned, in Manner aforeſaid, within the preſent Year, are hereby declared to be valid and effectual to all Intents and Purpoſes.

Governor to appoint, by Commiſſion, Courts of Oyer and Terminer, *&c.*

Proviſo.

Courts, their Power, *&c.*

The third Section providing for the Payment of the Juſtices of the Supreme Court, who ſhould attend and hold the Courts of Oyer and Terminer is expired, and that Expence is now annually provided for in the Support-Bill.

* CHAP. XL. *An* Act *for conſtituting a Council of Safety.* Expired.

Paſſed Sept. 20, 1777.

Limited to the End of the next Sitting of the General Aſſembly thereafter; but amended by Chap. LXVI, and continued to the End of the ſecond Sitting of the ſecond Seſſion.—The Act was of a ſimilar Tenor with Chap. XXII.

C H A P. XLI.

† *An* ACT *to aſcertain the Puniſhment for High-Treaſon, and to eſtabliſh the Word* State *in ſtead of* Colony *in Commiſſions, Writs and other Proceſs; and for other Purpoſes therein mentioned.*

Paſſed Sept. 20, 1777.

WHEREAS ſome Doubts may ariſe in the Courts of Judicature reſpecting the Sentence in High-Treaſon, the ſame not being as yet preciſely aſcertained; therefore, Preamble.

Sect. 1.

* See Chap. XX, LXVI, LXXXII, and XCI.

† The Sentence for High Treaſon by the Law of *Great-Britain* is very terrible.

1. That the Offender be drawn to the Gallows, and not be carried or walk; though uſually a Sledge or Hurdle is allowed, to preſerve the Offender from the extreme Torment of being dragged on the Ground or Pavement.
2. That he be hanged by the Neck, and then cut down alive.
3. That his Entrails be taken out and burned while he is yet alive.
4. That his Head be cut off.
5. That his Body be divided into four Parts.
6. That his Head and Quarters be at the King's Diſpoſal.

In caſe of Coining, the Puniſhment for Male Offenders is milder; being to be drawn and hanged by the Neck till dead.

The Sentence for Women convicted of Treaſon is to the full as terrible as the other; which is to be drawn to the Gallows, and there to be burned alive.

Blackſtone, Vol. IV. Pages 92 and 93.

Sentence in High-Treaſon aſcertained.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, when any Perſon ſhall be duly convicted of High-Treaſon, the Sentence awarded therefor, ſo far as reſpects the corporal Puniſhment to be inflicted on the Offender, ſhall be the ſame as in caſe of Murder. PROVIDED ALWAYS, That this Reſtriction of the corporal Puniſhment ſhall not be deemed or conſtrued to ſave the Forfeiture of the Eſtate of ſuch Offender, where the ſame would otherwiſe have been forfeited; nor in any Manner to alter or affect the Doctrine and Law reſpecting High-Treaſon, other than is herein plainly expreſſed.

Proviſo.

Eſtabliſhment of the Word *State* inſtead of *Colony*.

2. AND WHEREAS in the fifteenth Section of the Conſtitution of *New-Jerſey* it is directed and ordained, that all Commiſſions ſhall run thus, *The Colony of* New-Jerſey *to A B*, &c. *Greeting*; and that all Writs ſhall likewiſe run in the Name of the Colony; and that all Indictments ſhall conclude in the following Manner, *videlicet*, *againſt the Peace of this Colony, the Government and Dignity of the ſame:* AND WHEREAS, ſince the framing of the ſaid Conſtitution, the Honourable Congreſs have declared the United Colonies Free and Independent States: AND ALSO WHEREAS, ſince the * Declaration of Independency, the Commiſſions and Writs have run in the Name of the *State*, and not of the *Colony of New-Jerſey*, and Indictments have concluded againſt the Peace of this *State* and not of this *Colony*, and ſome Doubts may ariſe reſpecting the Validity of Commiſſions, Writs and Indictments, ſo as aforeſaid worded; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That, from and after the Publication of this Act, all Commiſſions and Writs, which by the Conſtitution are required to run in the Name of the *Colony*, ſhall run in the Name of the *State* of *New-Jerſey*; and all Indictments ſhall conclude againſt the Peace of this *State*, the Government and Dignity of the ſame; and that all Commiſſions, Writs and Indictments, heretofore iſſued, preferred and exhibited, which have the Word *State*, and not the Word *Colony*, ſhall be, and they hereby are declared to be good and effectual in the Law.

Perſons guilty of Crimes before *July* 2d, 1776, puniſhable.

3. AND WHEREAS divers Crimes and Offences may have been committed and done before the Framing and Organization of the preſent Government, BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That all Perſons who have, before the † ſecond Day of *July* in the Year of our Lord One Thouſand Seven Hundred and Seventy-ſix, committed any Murder, Manſlaughter, Burglary, Robbery, Perjury, Forgery, Grand-Larceny, Petit-Larceny, Battery, Aſſault, Adultery, or Fornication, (provided the Period in which the ſame ſhould by Law have been proſecuted ſhall not be elapſed) ſhall and may be proceeded againſt and puniſhed in ſuch Manner as they might have been by Law if the ſaid Crimes and Offences had been committed or done ſince the ſaid ſecond Day of *July*; and it ſhall and may be ſufficient in all Indictments for any ſuch Crimes and Offences to be preferred and exhibited to alledge the Year of our Lord, and to conclude againſt the Peace of this State, the Government and Dignity of the ſame.

The fourth Section, authorizing the Courts to take up and proceed upon Indictments preferred under the former Government, is obſolete.

CHAP.

* Congreſs declared theſe United States Free and Independent, *July* 4, 1776.

† The Date of the Conſtitution of this State.

CHAP. XLII. *An Act to reſtrain the Exportation of Pitch, Tar, Turpentine, and other naval Stores, from the State of* New-Jerſey. Repealed by Chap. CCLVII.

Paſſed Sept. 20, 1777.

By this Act a Number of Perſons were appointed Commiſſioners in the Counties of *Burlington*, *Glouceſter*, *Cumberland*, *Monmouth* and *Cape-May*, to purchaſe naval Stores for the Uſe of the State, to open an Office, wherein ſuch Articles were to be regiſtered by all Perſons poſſeſſed of them, to cauſe all ſuch naval Stores as were in Danger of falling into the Enemy's Hands, or of being exported, to be removed to Places of Security, and to give Permits for their Removal or Exportation, at their Diſcretion, or at the Diſcretion of any three of them; and all Veſſels laden with any of theſe Articles without a Permit, were made forfeitable, *&c.*

CHAP. XLIII.

* *An* ACT *for the more eaſy and expeditious Recovery of Penalties on forfeited Recognizances, and for the Appropriation of the Monies ariſing from the ſame, and from Fines and Amercements, and for other Purpoſes therein mentioned.*

Paſſed Sept. 22. 1777.

WHEREAS it frequently happens that Recognizors neglect or refuſe to appear in the proper Courts, agreeably to the Conditions of their reſpective Recognizances: AND WHEREAS no eaſy and expeditious Mode of proſecuting ſuch Recognizors has hitherto by Law been eſtabliſhed: AND ALSO WHEREAS the Monies which may be recovered upon ſuch Recognizances, or may ariſe from Fines and Amercements in the Courts of Law within the State, ought to be appropriated; Preamble.

Sect. 1. THEREFORE BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That if any Perſon whatſoever, ſince the † ſecond Day of *July* in the Year of our Lord One Thouſand Seven Hundred and Seventy-ſix, hath been bound, or at any Time hereafter ſhall be bound by any Recognizance, to the State of *New-Jerſey*, or to the Commander in Chief thereof for the Time being, for the Uſe of the State, with Condition for his Appearance, as the Caſe may require, at the Supreme Court of Judicature, or at the Seſſions of Oyer and Terminer, General Gaol Delivery, or of the Peace, to be held for any City, County or Place, within the State; and if ſuch Perſon hath not appeared or ſhall not appear agreeably to the Condition of ſuch Recognizance, then the Court, in which ſuch Recognizor may be bound to appear, ſhall be, and they hereby are empowered and directed, on Motion of the Attorney-General, or his Deputy, to award a Writ of *Scire Facias* againſt ſuch Recognizor, to ſhew Cauſe why the Recognizance ought not to be forfeited, Judgment to be entered againſt the Recognizor, and Execution to iſſue thereon; and if ſuch Recognizor ſhall appear at the Return of ſuch Writ, and not ſhew or alledge any Matter ſufficient to diſcharge him from his Recognizance, or, being returned, *warned*, or, upon two Writs of *Scire Facias*, Mode of proſecuting Recognizances.

* See a Supplement to this Act, Chap. CXLIX. See alſo Chap. CCXCI.

† The Date of the Conſtitution of this State.

it be returned, *that the Recognizor had nothing whereby to be ſummoned, or could not be found in the County*, ſhall make Default, that thereupon the Recognizance ſhall be forfeited, Judgment final ſhall be given againſt the ſaid Recognizor, as in caſe of Debt, and Execution ſhall iſſue thereon accordingly; and that in every ſuch Action, Suit or Writ, of *Scire Facias* againſt every ſuch Recognizor, Coſts ſhall be awarded and allowed.

The ſecond, third and fourth Sections, are repealed and ſupplied by Chap. CCXCI.

Fines appropriable.

5. AND BE IT ENACTED *by the Authority aforeſaid*, That the Money ariſing from Recognizances and Fines, and directed to be depoſited in the State-Treaſury, ſhall be appropriated to ſuch Purpoſes as the Legiſlature ſhall direct.

Sheriff's Allowance, how to be made, &c.

6. AND WHEREAS it is juſt and reaſonable, that every Sheriff who ſhall ſummon any Grand or Petit Jury, to be and appear at any Court of Oyer and Terminer or General Gaol Delivery, ſhould be allowed an adequate Compenſation for the ſame, as well as for his own Attendance on the Court; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That every ſuch Sheriff ſhall be allowed ſuch Sum, for the Services aforeſaid, as the Juſtices of the ſaid Court of Oyer and Terminer or General Gaol Delivery ſhall certify to be adequate and juſt; and the Treaſurer of the State is hereby authorized and directed to pay the Sheriff, or his Order, the Sum certified as aforeſaid.

Repealed by Chap. LXXXIV.

* CHAP. XLIV. *An Act to explain and amend an Act, intitled, An Act for the better regulating the Militia, and the ſupplemental Act thereto.*

Paſſed Sept. 23, 1777.

Obſolete.

CHAP. XLV. *An Act to empower the Inhabitants to elect Town-Officers in ſuch Townſhips or Precincts where the ſame has been neglected at the uſual Time of holding their Town-Meetings; and for other Purpoſes therein mentioned.*

Paſſed Sept. 23, 1777.

Beſides providing for the Election of Town-Officers, where the ſame had been neglected, this Act alſo confirmed an Election of ſuch Officers made in the South Ward of *Amboy*, on the firſt *Monday* of *September* 1777, —It is now obſolete.

Obſolete.

† CHAP. XLVI. *An Act for recovering the Arrearages of the* Ten Thouſand Pounds *Tax, and for other Purpoſes therein mentioned.*

Paſſed Sept. 23, 1777.

This Tax was laid by an Ordinance of the Congreſs or Convention of this State, paſſed at *Trenton*, *June* 3, 1775—The Quota of each County to be diſpoſed of for the Purchaſe of Ammunition, *&c.* for the Uſe of ſuch County, as the County Committee ſhould direct.

CHAP.

* See Chap. XX, and XXXII. † See two Supplements to this Act, Chap. LXII, and XCVII.

CHAP. XLVII. *An* Act *to raiſe a Company of Artillery out of the Militia of the State of* New-Jerſey. Obſolete.

Paſſed Sept. 24, 1777.

There ſtill ſubſiſts a Company of Artillery in the County of *Monmouth*, but the Company, raiſed by this Act, was enliſted and put under the particular Direction of the late Brigadier General *Forman*, and was not to ſerve longer than the Term of one Year.

CHAP. XLVIII.

An ACT *to revive and continue an Act, intitled,* * *An* Act *for regulating Roads and Bridges.*

Paſſed Sept. 24, 1777.

WHEREAS the Act, intitled, *An* Act *for regulating Roads and Bridges*, made and paſſed the eleventh Day of *March*, in the Year of our Lord One Thouſand Seven Hundred and Seventy-four, will ſoon expire by its own Limitation; therefore, Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Act aforeſaid, intitled, *An* Act *for regulating Roads and Bridges*, and all and every the Clauſes, Powers and Authorities, therein contained, ſhall continue and be in full Force for the Term of ſeven Years, to be computed from the Publication hereof, and from thence to the End of the next Sitting of the General Aſſembly, and no longer. Continuance.

CHAP. XLIX. *An* Act *to enable the Owners and Poſſeſſors of Meadows lying between* Fiſhing-Iſland *and* Mud-Creek, *bounding on* Salem *Creek, in the County of* Salem, *to erect and keep in Repair the Dam, Banks, Sluices and other Waterworks; to open and keep clear the neceſſary Watercourſes, and to make ſuch Line Ditches as are therein deſcribed lawful Fences.* Private.

Paſſed Sept. 24, 1777.

CHAP. L.

An ACT *to oblige certain Perſons therein deſcribed to take the Oaths of Abjuration and Allegiance.*

Paſſed at Princeton, Oct. 6, 1777.

WHEREAS it is highly reaſonable that all the Subjects of this State, and more eſpecially neceſſary that thoſe who are employed in the Diſtribution of Juſtice, ſhould manifeſt their Fidelity and Allegiance to the Government by taking and ſubſcribing the Oaths of Abjuration and Allegiance appointed by a certain Act, intitled, † *An* Act *for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, in the Year of our Lord One Thouſand Seven Hundred and Seventy-ſix. Preamble.

Sect.

* See *Allinſon*, Chap. DLXXXIX. † Chap. II.

Perſons required to take the Oaths of Abjuration and Allegiance.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That no Counſellor, Solicitor, Proctor or Attorney, at Law, ſhall be permitted to plead in any Cauſe, or to make any Motion, or obtain a Rule in any Court within this State, until he ſhall have taken and ſubſcribed the ſaid Oaths of Abjuration and Allegiance, or, if one of the People called *Quakers*, Affirmations to the Effect thereof; and that every Perſon who ſhall be returned to ſerve on any Grand or Petit-Jury in any Court of Law within this State, after the Publication of this Act, ſhall, before he is ſworn or affirmed on ſuch Jury, take and ſubſcribe the ſaid Oaths, or, if one of the People called *Quakers*, the Affirmations of Abjuration and Allegiance, unleſs ſuch Perſon ſhall have previouſly taken and ſubſcribed the ſame before ſome Juſtice of the Peace or other competent Authority: And if any Perſon having been duly ſummoned to attend as a Juror at ſuch Court, ſhall neglect or refuſe ſo to attend, or having appeared, ſhall refuſe to take and ſubſcribe the ſaid Oaths or Affirmations of Abjuration and Allegiance if called thereto as a Grand or Petit-Juror, not having previouſly taken the ſame as aforeſaid, he ſhall, for every ſuch Offence, be fined by the Court at their Diſcretion, in any Sum not leſs than *Five Pounds*, nor more than *Twenty Pounds*. PROVIDED ALWAYS, That ſuch Court may remit any ſuch Fine for Non-Appearance on ſatisfactory Cauſe being ſhewn to them, within ſuch Time as they ſhall direct and appoint. And, for the more eaſy and effectual Recovery of ſuch Fines, the Clerk of the Court in which the ſame ſhall be awarded, ſhall deliver to the Sheriff of the County a certified Liſt of the Names of ſuch Delinquents, mentioning the Sum or Fine awarded againſt each of them; and ſuch Sheriff is hereby directed to notify every ſuch Delinquent of the Fine ſo awarded, either perſonally by himſelf, or his lawful Deputy, or by a written Notice left at the Houſe or Place of Abode of ſuch Delinquent; and if ſuch Fine ſhall not be paid to the Sheriff within twenty Days after ſuch Notification, ſuch Sheriff ſhall, and he is hereby directed to levy the ſame by Diſtreſs and Sale of ſo much of the Goods and Chattels of ſuch Delinquent as ſhall be ſufficient for that Purpoſe; and for the Collection of ſuch Fines the Sheriff ſhall retain in his Hands *One Shilling* in the *Pound* on the Sums by him collected.

Jurors not taking them, to be fined.

Clerk of the Court, his Duty.

Sheriff's Duty.

2. AND WHEREAS it is of the laſt Moment to a free and independent State, that the riſing Generation ſhould be early inſtructed in the Principles of publick Virtue, and duly impreſſed with the amiable Ideas of Liberty and Patriotiſm, and at the ſame Time inſpired with the keeneſt Abhorrence of deſpotick and arbitrary Power: AND WHEREAS publick Teachers and Inſtructors may be greatly inſtrumental in tincturing the youthful Mind with ſuch Impreſſions, either in Favour of a juſt and equal Adminiſtration, or of a ſlaviſh Submiſſion to lawleſs Rule, as in their riper Years are not eaſily obliterated, and are, for that Reaſon, important Objects of legiſlative Attention, BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That every Schoolmaſter or Uſher in this State, who ſhall not, within two Months after the Publication of this Act, take and ſubſcribe the ſaid Oaths, or, if one of the People called *Quakers*, the Affirmations of Abjuration and Allegiance, before ſome proper Officer herein after mentioned, ſhall, for every Week after the Expiration of the ſaid two Months that he continues to keep School, or teach as an Uſher, until he ſhall take and ſubſcribe the ſaid Oaths or Affirmations,

Schoolmaſters to take the Oaths.

Affirmations, forfeit the Sum of *Six Pounds*; to be recovered by Action of Debt or otherwiſe, before any Juſtice of the Peace, with Coſts of Suit, by any Perſon who will ſue for the ſame; and applied one Half to the Uſe of the Perſon who ſhall ſue for the ſame, and the other Half to be paid to the Overſeer of the Poor, for the Uſe of the Poor of the Diſtrict where the Offence was committed. Forfeiture for Neglect.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That every Judge of the Inferior Court of Common Pleas, and every Juſtice of the Peace, ſhall be, and they are hereby ſeverally empowered and required to adminiſter the aforeſaid Oaths and Affirmations to any Perſon or Perſons within their reſpective Counties, who ſhall appear and apply to take the ſame: And every ſuch Judge and Juſtice of the Peace ſhall, and he is hereby enjoined to keep a Roll with the ſaid Oaths and Affirmations fairly written for ſuch Perſons to ſubſcribe; and every ſuch Judge and Juſtice of the Peace ſhall, at every Court of General Quarter Seſſions of the Peace, return to the Clerk of the Court a Liſt of the Names and Additions of the Perſons who have ſo as aforeſaid taken and ſubſcribed the ſaid Oaths and Affirmations before him; and the Clerk is hereby enjoined to enter ſuch Names and Additions in a general Liſt to be kept for that Purpoſe, mentioning alſo the Time when, and before whom, ſuch Oaths were taken and ſubſcribed. Judges, &c. to adminiſter the Oaths and Affirmations. County Clerk's Duty.

CHAP. LI. *An* Act *to encourage the making of Salt at the* Pennſylvania *Salt-Works, in the State of* New-Jerſey. Private.

Paſſed Oct. 7, 1777.

CHAP. LII. *An* Act *to exempt a Number of Men, to be employed at* Mount-Hope *Furnace, and the Forges thereunto belonging, and the* Hibernia *Furnace, all in the County of* Morris, *from actual Service in the Militia, under the Reſtrictions and Regulations therein mentioned.* Private—Repealed by Chap. CXXVI.

Paſſed Oct. 7, 1777.

The Number of Men exempted at *Mount-Hope* Furnace, &c. were not to exceed fifty, and at *Hibernia* not to exceed twenty-five.

CHAP. LIII. *An* Act *to incorporate the Battalions of* Newark *and* Acquackanonck, *in the County of* Eſſex, *into one Battalion.* Obſolete.

Paſſed Oct. 7, 1777.

The Purpoſe of this Act being anſwered, it may be conſidered as obſolete, and unneceſſary to be repeated.

CHAP. LIV. *An* Act *to exempt twelve Men, to be employed at the* Sharpſborough *Iron-Works, in the County of* Suſſex, *from actual Service in the Militia, under the Reſtrictions and Regulations therein mentioned.* Private—Repealed by Chap. CXXVI.

Paſſed Oct. 10, 1777.

CHAP. LV. *An* Act *for erecting Salt-Works, and manufacturing Salt, within the State of* New-Jerſey. Repealed by Chap. LXXVIII.

Paſſed Oct. 10, 1777.

By this Act Commiſſioners were appointed for purchaſing a Tract of Land on the Sea-Coaſt, convenient for the Purpoſe of manufacturing Salt, for erecting Buildings thereon, and for procuring the neceſſary Materials and Implements for carrying on the Manufacture; but the Buſineſs being unexpectedly delayed, and great Numbers of private Works erected, the Deſign was dropped, and the Law ſoon after repealed.

Obſolete.

CHAP. LVI. *An Act for raiſing ſeveral Companies of Artillery, and alſo two Companies of Horſe, in Addition to the three Companies heretofore embodied in this State.*

Paſſed Oct. 10, 1777.

The Companies here referred to being raiſed and directed to be completed and kept up by the Militia Act, Chap. CCXLII—The Repetition of the Act may be here diſpenſed with—The Companies of Horſe in the ſeveral Counties are as follows, *viz.* one in each of the Counties of *Eſſex*, *Monmouth*, *Somerſet*, *Morris* and *Hunterdon*. And two additional Companies are now directed by Law to be formed in the Counties of *Middleſex* and *Burlington* by Chap. CCXLII and CCCXIX—In each of the Counties of *Eſſex*, *Monmouth* and *Hunterdon*, there is one Company of Artillery.

CHAP. LVII.

* *An* ACT *to oblige the Treaſurer of the State of* New-Jerſey *to give Security for the due Execution of his Office, and to preſcribe the Mode in which the ſame Security ſhall be taken.*

Paſſed Oct. 10, 1777.

Preamble.

WHEREAS it is of great Importance to the publick Service, and to the Intereſt of this State, that the publick Monies ſhould be properly ſecured;

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Treaſurer of this State, who now is or hereafter ſhall 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, to His Excellency the Governor, or to the Commander in Chief of this State for the Time being, and to his Succeſſors and Aſſigns, in the Sum of *Twenty Thouſand Pounds* lawful Money of *New-Jerſey*, with Condition in the Words or to the Effect following, *that is to ſay*,

Treaſurer to give Bond.

Condition thereof.

The Condition of this Obligation is ſuch, That if the above bounden does well, truly and faithfully execute the Office of Treaſurer of the State 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 hereafter ſhall be, committed to his Charge; and ſhall deliver up all the publick Monies in his Hands, together with all Inſtruments of Writing belonging to, and for the Uſe of,*

* This Act ſupplies and virtually repeals Chap. DXCVII, in *Allinſon*.

of, the State, to his Succeſſor in Office; then the above Obligation to be void, otherwiſe to be and remain in full Force and Virtue.

Which Bond ſhall be executed before the Vice-Preſident of the Council for the Time being, or one of the Juſtices of the Supreme Court of this State, and be depoſited in the Secretary's Office, there to be ſafely kept for the Purpoſes aforeſaid.

Legiſlature to be Judges of the Sufficiency of his Bond.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Council and the General Aſſembly ſhall be ſeverally, and they are each of them hereby authorized to be Judges of the Sufficiency of the Bond ſo to be given by the Treaſurer; 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 Treaſurer to give ſuch further Security as by the ſaid Council and Aſſembly ſhall be approved of as good, and to procure a new Bond in the Manner and for the Purpoſes aforeſaid.

In caſe of the Treaſurer's Death, *&c.* with whom his Accounts are to be ſettled.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That, when and as often as any Treaſurer of this State ſhall ceaſe to hold his Office by Death or otherwiſe, it ſhall and may be lawful for ſuch Treaſurer, or his Heirs, 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 State 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, if living, and, if he be dead, to his Heirs, Executors or Adminiſtrators.

In caſe of Miſbehaviour, Governor to proſecute.

4. 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 and 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.

The fifth Section, which declared the Bonds given by *Richard Smith* and *John Stevens*, junior, before the paſſing of this Act good and effectual, is obſolete.

Expired—ſupplied by Chap. CLXXVIII.

CHAP. LVIII. *A Supplement to an* Act, *intitled*, * *An* Act *for regulating the Election of the Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners of the State of* New-Jerſey.

Paſſed Oct. 11, 1777.

CHAP.

* Chap. XXX.

Repealed—supplied by Chap. LXXV.

CHAP. LIX. *An Act to explain the Law and Conſtitution of the State of* New-Jerſey, *as to the quartering of, and furniſhing of Carriages for, the Army in the Service of the United States of* North-America; *and for making ſome further Proviſion for the ſame.*

Paſſed Oct. 11, 1777.

Obſolete.

CHAP. LX. *An Act for defraying ſundry Incidental Charges.*

Paſſed Oct. 11, 1777.

At a GENERAL ASSEMBLY begun at Trenton the twenty-eighth Day of October, and adjourned to and continued at Princeton until the twelfth Day of December 1777, the following Laws were paſſed.

SESSION SECOND—SITTING FIRST.

Repealed by Chap. CXLVI.

CHAP. LXI. *An Act to procure certain Articles of Clothing for the Uſe of the* New-Jerſey *Regiments on the Continental Eſtabliſhment.*

Paſſed Nov. 25, 1777.

This Act ſuperſeded the Reſolutions of Council and Aſſembly, which appointed Commiſſioners in the ſeveral Counties to purchaſe Blankets for the Uſe of the Army, and directed them to deliver into the Hands of the Commiſſioners herein appointed the Blankets by them procured—Thoſe appointed in each County by this Act were authorized to purchaſe and collect Coats, Waiſtcoats, Breeches, Shirts, Shoes, Stockings, Hats and other Articles of Clothing, or the Materials for making and manufacturing them; for which Purpoſe they were directed to apply to every Family in Rotation, where they conceived ſuch Articles might be ſpared; to impreſs Blankets, (a certain Quota whereof was aſſigned to be furniſhed by each County) and to fix the Price of them; to employ Workmen to make or manufacture the Materials by them procured, and to grant them while ſo employed Exemption from military Duty; to deliver the Clothing to *Alexander Chambers*, of *Trenton*, who was appointed Receiver-General thereof by the Act, to be diſpoſed of as ſhould be directed by the Legiſlature, or in their Receſs by the Governor; and to draw on the Treaſury for £. 150 each, for theſe Purpoſes: They were alſo allowed a Guard in dangerous Places, *&c.* The Act was limited to one Year, and thence to the End of the next Sitting of the General Aſſembly thereafter.

Obſolete.

* CHAP. LXII. *A ſupplemental* Act *to an Act, intitled,* † *An* Act *for recovering the Arrearages of the* Ten Thouſand Pounds *Tax, and for other Purpoſes therein mentioned.*

Paſſed Nov. 25, 1777.

The Act to which this is a Supplement, not having been ſeaſonably printed, this Act was paſſed to give more Time for the Performance of the Duties enjoined in the recited Act.

CHAP.

* See another Supplement to the recited Act, Chap. XCVII. † Chap. XLVI.

CHAP. LXIII. *An* Act *for the Support of Government of the State of* New-Jerſey, *to commence the fourteenth Day of* October *One Thouſand Seven Hundred and Seventy-ſeven, and to end the ſecond* Tueſday *in* October *One Thouſand Seven Hundred and Seventy-eight; and to diſcharge the publick Debts and contingent Charges thereof.* Obſolete.

Paſſed Nov. 27, 1777.

CHAP. LXIV. *An* Act *to procure a Return of the Election of a Sheriff of the County of* Monmouth. Obſolete.

Paſſed Nov. 28, 1777.

The Judges of the Election in the County of *Monmouth* having refuſed to certify the Election of a Sheriff for the ſaid County, the Certificate of ſix Freeholders was by this Act declared to be ſufficient to entitle the Sheriff choſen at the ſaid Election to a Commiſſion.

CHAP. LXV. * *An* Act *to exempt two Men to be employed at the Paper Mill belonging to* William Shaffer, *in the County of* Middleſex. Private.

Paſſed Dec. 2, 1777.

CHAP. LXVI. *An* Act *to continue and amend an Act, intitled, An* † Act *for conſtituting a Council of Safety.* Expired.

Paſſed Dec 8, 1777.

C H A P. LXVII.

‡ *An* ACT *to exempt* Iſaac Collins, *and four Workmen, to be employed in his Printing-Office, from actual Service in the Militia.*

Paſſed Dec. 9, 1777.

WHEREAS it is abſolutely neceſſary that the Laws of this State ſhould, from Time to Time, be printed with all poſſible Diſpatch after paſſing the ſame: AND WHEREAS *Iſaac Collins*, who is appointed to print the ſaid Laws, hath repreſented to the Legiſlature, that he cannot carry the ſaid Buſineſs into Execution, or fulfil his Contract to print and publiſh a weekly News-Paper in this State, unleſs he and the Workmen, neceſſarily employed therein, are exempted from actual Service in the Militia. Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid *Iſaac Collins*, and any Number of Men, not exceeding four, to be employed by him at his Printing-Office, ſhall be, and they hereby are exempted from actual Service in the Militia during the Time they ſhall be ſo employed; provided that the Men ſo exempted be furniſhed Exemption.

* The Exemption here meant was from actual Service in the Militia, unleſs the County was invaded.

† Chap. XL.

‡ This Act is in its Nature a private Act; but as it was paſſed to forward the Buſineſs of the State, and Mr. *Collins* is ſtiled Printer to the State in the Preamble to Chap. LXV, it becomes of publick Concern, and is inſerted here.

with Arms, Ammunition and Accoutrements, as directed by the Act, intitled, * *An* Act *for the better regulating the Militia*; and that they be ſubject to be called into actual Service on a Call of the Militia when the County in which they are employed ſhall be actually invaded.

No Tax being levied on Exempts by the preſent Militia Law, the laſt Proviſo, which ſubjected the Men exempted as aforeſaid to a Tax, is omitted.

Repealed by Chap. CLXXV.

CHAP. LXVIII. *An* Act *for regulating and limiting the Prices of ſundry Articles of Produce, Manufacture and Trade, and to prevent foreſtalling, regrating and engroſſing.*

Paſſed Dec. 11, 1777.

This Act gave Place to another of the ſame Nature paſſed *March* 31, 1778, intitled, *An* Act *for regulating and limiting the Price of Labour and of ſundry Articles of Produce, Manufacture and Trade, and to prevent foreſtalling, regrating and engroſſing*, which of Courſe repealed the firſt Act; and continued in Force until *June* 22, 1778, when it was ſuſpended for a limited Time, and was afterwards further ſuſpended from Time to Time, and at Length totally repealed *December* 21, 1779, by Chap. CLXXV; but as that Chapter is ſuſpended without excepting the repealing Clauſe, it is again revived and in Force; although nothing is here publiſhed of either but the Title, both becauſe the laſt-mentioned Act never was publiſhed among the printed Acts, and becauſe it is preſumed the Matter will be taken up by the Legiſlature, and that both theſe Regulation Acts will be repealed.

Obſolete.

CHAP. LXIX. *An* Act *to revive and continue ſeveral Courts of Juſtice in this State, and to confirm the Proceedings of the Inferior Court of Common Pleas, and Court of Quarter Seſſions of the Peace, for the County of* Hunterdon.

Paſſed Dec. 11, 1777.

The holding of ſome of the Courts of Juſtice in the State having been prevented or interrupted by the Vicinity of the Enemy, *&c.* ſince the paſſing of Chap. XXXIX, and the Court of Common Pleas, and Court of General Quarter-Seſſions of the Peace, for the County of *Hunterdon*, having been neglected to be opened at the proper Time, this Act was paſſed to revive and continue the Proceedings in the firſt Caſe, and to confirm them in the other, and need not be tranſcribed. See ſundry other Acts of this Kind, Chap. IV, XXVIII, XXXIX, LXXX.

Repealed by Chap. CXXVI.

CHAP. LXX. *An* Act *to exempt a Number of Men from actual Service in the Militia, to be employed in the manufacturing of Salt and Iron, within the State of* New-Jerſey.

Paſſed Dec. 11, 1777.

By the above Act one Man at each Salt-Works for every 500 Gallons the boiling Veſſels held, and three Men at each Forge and Bloomary, and twelve Men at each Furnace, were exempted from actual Service in the Militia, unleſs their County was invaded.

Obſolete.

CHAP. LXXI. *An* Act *to empower the Treaſurer to pay out a certain Sum of Money in his Hands, for the Purpoſe of exchanging ragged and torn Bills, to other Purpoſes.*

Paſſed Dec. 11, 1777.

* Chap. XX.

By

By the thirteenth Section of Chap. DXCI, in *Allinſon*, the Sum of *Twenty-five Thouſand Pounds* was directed to be retained in the Treaſury for the Purpoſe of exchanging ragged and torn Bills of the Money to be emitted by that Law, which Sum of Money the Treaſurer was by this Act directed to ſign and pay out for the Purpoſes of the State.

CHAP. LXXII. *An* Act *for defraying ſundry Incidental Charges.* Obſolete.

Paſſed Dec. 11, 1777.

CHAP. LXXIII. *A ſupplementary* Act *to an Act, intitled,* * *An* Act *to explain and amend an Act, intitled,* † *An* Act *for the better regulating the Militia, and the* ‡ *Supplemental Act thereto.* Repealed by Chap. LXXXIV.

Paſſed Dec. 12, 1777.

At a GENERAL ASSEMBLY begun at Trenton on the eleventh Day of February, and adjourned to Princeton on the fourth Day of April, and continued there until the eighteenth Day of April, 1778, the following Laws were paſſed.

SESSION SECOND—SITTING SECOND.

CHAP. LXXIV. *An* Act *to divorce* Ebenezer Stiles, *of the County of* Morris, *from his Wife.* Private.

Paſſed at Trenton, Feb. 21, 1778.

CHAP. LXXV.

An ACT *for the better regulating the Quartering of Soldiers, and furniſhing of Carriages, Horſes and other Neceſſaries, for the Army.*

Paſſed March 24, 1778.

WHEREAS by the twenty-ſecond Section of the Conſtitution of this State, it is ordained and declared, "That the Common "Law of *England*, as well as ſo much of the Statute Law as have been "heretofore practiſed in this Colony, ſhall ſtill remain in Force until "they ſhall be altered by a future Law of the Legiſlature, ſuch Parts only "excepted as are repugnant to the Rights and Privileges contained in "the Charter." AND WHEREAS by the Common Law, the Petition of Rights, and the Statute of the 31ſt of *Charles* II. all heretofore practiſed in *New-Jerſey*, no Officer, civil or military, nor other Perſon whatſoever, ſhould preſume to place, quarter or billet, any Soldier upon any Subject of the Realm, without his Conſent: AND WHEREAS by the Statute of the 29th of *George* II. ſince that Time alſo practiſed in this State, all Militia Officers, and Juſtices of the Peace holding military Offices, are prohibited Preamble.

* Chap. XLIV. † Chap. XX. ‡ Chap. XXXII.

prohibited from billeting or placing Soldiers upon any Subject without his Conſent, upon Penalty of being caſhiered and rendered incapable of holding any military Employment whatſoever. And all military Officers and Soldiers are prohibited from impreſſing for themſelves Saddles, or forcing Horſes from the Owners; but Authority is given in and by the ſaid Statute to the Juſtices to quarter and billet Soldiers, where it may be neceſſary, in Inns, Livery-Stables, Ale-houſes, Victualling-houſes, and all Houſes of Perſons ſelling ſtrong Liquors by Retail; but in no private Houſes whatſoever; and alſo to provide Carriages for the Troops in their Marches: AND WHEREAS notwithſtanding ſuch are the Conſtitution and Law of this State, divers military Officers and Soldiers, Quarter-Maſters, Commiſſaries, and their Agents, have moſt grievouſly oppreſſed the good Subjects of this State, in unlawfully quartering Soldiers in their private Houſes, and impreſſing and taking from them their Carriages, Horſes, Servants, and other Effects: For the Prevention whereof in future, and that no Perſon may plead Ignorance of the Law;

Penalty for quartering Soldiers, *&c.* contrary to Law.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That no military Officer, or other Perſon whatſoever, excepting thoſe empowered by this Act, ſhall hereafter preſume to place, quarter or billet, any Officer or Soldier upon any of the Inhabitants of this State, or to impreſs or take from him or her any Horſe, Carriage, Saddle, or other Effects, without his or her Conſent firſt obtained; and that every military Officer and other Perſon offending herein, ſhall, for every ſuch Offence, pay unto the Party aggrieved, together with the Damages ſuſtained, the Sum of *Fifty Pounds*, to be recovered with Coſts of Suit, by Action of Debt in any Court where the ſame may be cognizable.

Troops to be quartered in Taverns, Out-houſes, *&c.*

2. AND BE IT FURTHER ENACTED, That whenever it ſhall be neceſſary, during the preſent juſt and unavoidable War, for any of the Troops in the Service of the United States, or the Militia of this State, to be quartered in or marched through any County in this State, or any Part thereof, it ſhall and may be lawful for every Juſtice of the Peace within ſuch County, City, or Town-corporate, upon Application of the Officer commanding ſuch Troops or Militia, and his ſpecifying their Number, provided the Barracks, if any there be in ſuch Place, be not ſufficient or proper to accommodate them, to quarter and billet them and their Officers in Taverns, Victualling-houſes, the Houſes of Perſons retailing ſtrong Liquors, and alſo in Barns and other Out-houſes fitting for the Purpoſe; and if the ſaid Taverns, Houſes, Barns and Out-houſes, be not ſufficient to contain and accommodate the ſaid Troops and Militia, then the ſaid Juſtice is hereby empowered to contract and agree with the Owners or other Perſons having the Care of empty Houſes or publick Buildings not in immediate Uſe, and, after ſuch Agreement, therein to quarter and billet ſuch and ſo many of the ſaid Soldiers, as he ſhall think proper; and ſuch Juſtice is hereby directed to certify under his Hand to the Legiſlature of this State, at their then next Sitting, the Sum ſo agreed to be paid for each of ſuch empty Houſes and publick Buildings, in order that Proviſion may be made for the Payment thereof. And if any Owner or other Perſon having the Care of any ſuch empty Houſes or publick Buildings ſhall happen to be abſent, and cannot in Seaſon be come at, then, and in ſuch Caſe only, it ſhall and may be lawful for ſuch Juſtice to quarter and billet ſuch Soldiers there-

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in without the Knowledge or Approbation of the Owner or other Perſon having the Care thereof; and the ſaid Juſtice ſhall certify to the Legiſlature aforeſaid, ſuch Sum as he ſhall deem a reaſonable Compenſation for the Uſe of each Houſe and publick Building ſo taken up and occupied.

In Caſes of Emergency, Dwelling-houſes may be uſed.

3. AND IT IS HEREBY FURTHER ENACTED, That if all the ſaid Houſes and other Buildings ſhall not be ſufficient to contain and accommodate the ſaid Troops, then, and in ſuch Caſe only, it ſhall and may be lawful for ſuch Juſtice of the Peace to quarter and billet the remaining Part thereof in Dwelling-houſes, Barns and other Out-houſes of ſuch Perſons in his Neighbourhood, as he ſhall judge moſt proper: PROVIDED ALWAYS, and it is hereby Declared and Enacted, That it ſhall and may be lawful for the commanding Officer of any ſmall Detachment, or ſcouting Party, in Caſes of Emergency, to quarter and billet, for a ſhort Space of Time, ſuch Detachment or Scout in any Houſes or Buildings as aforeſaid.

Carriages may be impreſſed.

4. AND IT IS HEREBY FURTHER ENACTED, That in caſe Carriages ſhall be wanted for tranſporting the Baggage, Proviſions and warlike Stores of ſuch Troops, or any Stores or Proviſions belonging to the Continental Army or Militia, or for removing any Sick or Wounded of either, it ſhall and may be lawful for ſuch Juſtice of the Peace, upon Application of any ſuch commanding Officer, and his ſpecifying the Number of Carriages ſo wanted, to iſſue Orders, ſigned with his Name, to ſuch and ſo many of the Conſtables of the County in which he lives, or, where the Caſe is urgent, and there ſhall happen to be no Conſtable or Conſtables near, then to ſuch and ſo many Non-commiſſioned Officers or Privates of the Militia as he ſhall think proper; requiring each of them to procure or impreſs of ſuch Perſons as in the ſaid Order ſhall be for that Purpoſe named, ſo many of the ſaid Carriages, with ſufficient Teams and Drivers, as the ſaid Juſtice ſhall think proper in the ſaid Order to direct; and the ſame to have and deliver, at ſuch Time or Times, Place or Places, as the Service ſhall require: PROVIDED ALWAYS, That none of the ſaid Carriages, Teams or Drivers, ſhall be kept or detained in the Service more than ſix Days at any one Time, unleſs it be with the Conſent of the Owners.

Expreſſes, who may impreſs Horſes for them.

5. AND WHEREAS Horſes for Expreſſes are frequently wanted, BE IT ENACTED, That whenever His Excellency the Governor ſhall ſtand in Need of an Horſe for an Expreſs, and cannot otherwiſe procure one in Seaſon, it ſhall and may be lawful for him to iſſue an Order to any Conſtable or Militia Officer to impreſs one for the Purpoſe; and when any military Officer ſhall be in Need of an Horſe for an Expreſs, and cannot procure one for Hire, it ſhall and may be lawful for any Juſtice of the Peace, at his Diſcretion, on Application of ſuch Officer, to iſſue an Order to any Conſtable of the County in which he lives, and if no Conſtable can be had in Seaſon, then to any Non-commiſſioned Officer or Private of the Militia, who is hereby directed to pay Obedience thereto, commanding him forthwith to procure or impreſs from any Perſon reſiding in the Neighbourhood, ſome ſuitable Horſe for the Purpoſe, and the ſame to deliver to the Officer ſo in Need thereof: PROVIDED ALWAYS, That this Power ſhall not, in either Caſe, extend to impreſs the Horſe of any publick Officer who has but one.

Conſtables to produce Accounts.

6. AND IT IS HEREBY FURTHER ENACTED, That whenever any Conſtable ſhall have performed any Service, which by this Act he is required to perform, he ſhall produce an Account thereof to the Collector of the County in which he lives, certified to be juſt by the Perſon who granted the Order; and ſuch County Collector ſhall, out of the publick Money in his Hands, pay ſuch Account, and take a Receipt for the Sum ſo paid.

Neceſſaries for the Army, when not to be purchaſed, how to be procured.

7. AND WHEREAS it may in ſome Places happen, by Reaſon of the Diſaffection or ſordid Diſpoſitions of thoſe who may have Proviſions, Provender and Firewood to ſpare, that a ſufficient Supply for the Troops or Militia, and the Horſes belonging to ſuch Troops or Militia, quartered in or marching through ſuch Places, cannot be procured without compulſory Means; BE IT THEREFORE FURTHER ENACTED, That when it ſhall ſo happen that Neceſſaries for the Troops and Horſes in the Service of the United States cannot be purchaſed by the proper Perſon or Perſons for that Purpoſe employed, it ſhall and may be lawful for any Juſtice of the Peace of the County where ſuch Caſe ſhall happen, on Application to him for that Purpoſe made, to iſſue an Order or Orders, under his Hand, to ſuch Perſon or Perſons employed as aforeſaid to procure ſuch Neceſſaries, to ſeize and take whatever ſhall be wanted for the Uſe of ſuch Troops or Militia, and can, in the Opinion of ſuch Juſtice, after he has examined the ſame, be ſpared by the Owner or Owners thereof; and ſuch Juſtice ſhall aſcertain and fix the Prices to be given for the Articles ſo taken; which Order ſhall be a ſufficient Warrant for taking the ſame, provided the Officer applying as aforeſaid doth then pay the Price ſo regulated, any Law, Uſage or Cuſtom, to the contrary notwithſtanding.

Troops damaging Houſes, *&c.* accountable.

8. AND WHEREAS the Troops heretofore ſtationed in and paſſing through this State, and the Militia, have wantonly done great Damage to many of the Inhabitants in whoſe Houſes they have been quartered; and it is, in moſt Caſes, impoſſible for the Owners or Poſſeſſors of ſuch Houſes to fix or prove the Treſpaſs againſt the Perſon or Perſons who committed the ſame, which has been attended with the moſt pernicious Conſequences to the Community: For remedying of which for the future, BE IT FURTHER ENACTED, That when any Company, or Part of a Company, ſhall be lawfully quartered in the Dwelling-houſe or Out-houſe of any Inhabitant of this State, or in any publick Building, and ſhall do any Damage to ſuch Dwelling-houſe, Out-houſe, publick Building or their Appurtenances, or to the Fences, Fruit-trees, or ornamental Trees planted near, or adjoining thereto, and ſuch Party and every of them ſhall neglect or refuſe to inform the Owner or Occupier of ſuch Houſe, or the Perſon or Perſons having Charge of ſuch publick Building, of the Name or Names of the Perſon or Perſons who did ſuch Damage, then the Officer having Command of the Party doing ſuch Damage, ſhall be liable to pay to the Perſon or Perſons injured ſuch Sum of Money as ſhall be awarded for the ſaid Damage by the Juſtice who quartered the ſaid Troops or Militia, and two reputable Freeholders of the Neighbourhood, under Oath, (one of whom to be choſen by the Party injured, and the other by ſuch Officer; or, if he ſhall neglect or refuſe to nominate one after Notice given him for that Purpoſe, then the Party injured ſhall nominate both,) or any two of them; which Sum may be recovered by Action of Debt, with Coſts of Suit, in any Court where the ſame is cognizable; and ſuch Officer,

Officer, after Payment of the ſame, may deduct it from the Pay or Bounty of ſuch Party of Men.

Where there is no Juſtice, military Officer to act in his Room.

9. AND BE IT FURTHER ENACTED, That where it ſhall happen that there is no Juſtice of the Peace reſiding within the Townſhip, nor in any other in the County within two Miles of the Place where he may be wanted under this Act, it ſhall and may be lawful for the neareſt Field-Officer, or Captain of the Militia of the County, being a Freeholder, to perform all and ſingular the Duties in this Act required of a Juſtice of the Peace.

Perſons furniſhing Carriages, *&c.* to receive Pay or Certificates.

10. AND BE IT FURTHER ENACTED, That every Officer, who ſhall apply for and obtain Horſes, Teams or Carriages under this Act, ſhall, at or before the Time he diſcharges the ſame, either pay to the Owners or Drivers of ſuch Horſes, Teams or Carriages, ſuch Sum as ſhall be a reaſonable Compenſation for the Uſe or Services required or performed, or ſhall date, ſign and deliver to ſuch Owner or Driver a proper Certificate of the ſame, with an Order on the Quarter-Maſter or Commiſſary in whoſe Department it may be, to pay the ſame on Demand; and if ſuch Officer ſhall neglect or refuſe either to pay as aforeſaid, or to give ſuch Certificate and Order, he ſhall forfeit and pay the Sum of *Six Pounds* to any Perſon who will proſecute for the ſame by Action of Debt, before any Juſtice of the Peace of this State, and alſo be liable to pay the Owner of ſuch Horſe, Team, Carriage and Driver, a reaſonable Compenſation for the Service performed.

Perſons not receiving Payment from Commiſſaries, *&c.* to be paid by the State.

11. AND BE IT FURTHER ENACTED, That if the Perſon or Perſons holding ſuch Certificates and Orders ſhall not receive Payment thereof on preſenting them to the Quarter-Maſter or Commiſſary, or other Perſon to whom they are directed, then and in ſuch Caſe they ſhall be allowed by this State ſuch Compenſation for the Uſe or Services of their Horſes, Teams, Carriages and Drivers, as the Legiſlature ſhall, on examining their Accounts for the ſame, think juſt and equitable; which Accounts, however, ſhall ſeverally, before they are preſented to the Legiſlature, be examined and certified to be true by the Juſtice who iſſued the Order for impreſſing the Articles therein charged for, and be annexed to the Certificates and Orders herein before directed to be given.

Penalty on the Military for reſiſting the Execution of the civil Law.

12. AND IT IS HEREBY FURTHER ENACTED, That if any military Officer ſhall at any Time reſiſt, or cauſe to be reſiſted, any Sheriff or other civil Officer in the Execution of his Office, or ſhall neglect or refuſe, on being lawfully required, to deliver up to the civil Authority any Perſon under his Command, who ſhall have offended againſt this Act, or any other Law of this State, he ſhall forfeit the Sum of *Three Hundred Pounds;* and in caſe any Private or common Soldier ſhall reſiſt any ſuch civil Officer in the Execution of his Office, he ſhall forfeit the Sum of *Thirty Pounds;* which Forfeitures ſhall be ſeverally recovered, with Coſts of Suit, by any Perſon that will ſue for the ſame in any Court where the Action ſhall be cognizable; one third Part whereof ſhall belong to the Proſecutor, and the other two Thirds ſhall be paid to the Collector of the County where the Offence is committed, and by him to the Treaſurer of the State, for the Uſe of the ſame.

13. AND

Part of an Act repealed.

13. AND IT IS HEREBY FURTHER ENACTED, That the Act, intitled, † *An Act to explain the Law and Conſtitution of the State of* New-Jerſey, *as to the Quartering of, and furniſhing of Carriages for, the Army in the Service of the United States of* North-America, *and for making ſome further Proviſion for the ſame*, ſhall be, and is hereby repealed.

Obſolete.

CHAP. LXXVI. *An Act to raiſe a Fund by Taxation for diſcharging the Debts, and defraying the neceſſary Expences of the State of* New-Jerſey.

Paſſed March 26, 1778.

This was the firſt Tax-Act paſſed after the Revolution. No particular Quota was affixed to or laid on any of the Counties, no Materials for ſettling any ſuch Quota being at that Time in Poſſeſſion of the Legiſlature, other than the Proportions fixed in *Allinſon*, Chap. CCCCXCV; which, on Account of the depopulated and empoveriſhed State of ſome of the Counties, would have been very diſproportionate; but a fixed or limited Sum was laid on Certainties, and a definite Rate on the Pound Value of Eſtates, which was *Two Shillings* in the eſtimated Pound Value: In which Eſtimation horned Cattle were valued at *Fifteen Shillings*, Horſes at *Twenty Shillings*, and Hogs at *Two Shillings* each Head; improved Lands at one twentieth Part, and unimproved Lands at one thirtieth Part of their real ſaleable Value; and all Mortgages, Bonds, Bills and Notes upon Intereſt (excepting Monies loaned to the United States) at one thirtieth Part of the Principal. Great Complaints were made of the Inequality of the Aſſeſſments made under this Act, and the Mode has not been repeated.

CHAP. LXXVII.

An ACT *to repeal the ſecond and third Sections of an Act, intitled,* * *An* Act *for completing the four Battalions of this State in the Continental Service, ſo far as they relate to the hiring of Subſtitutes.*

Paſſed March 28, 1778.

Preamble.

WHEREAS the ſecond and third Sections of the Act, intitled, An Act for completing the four Battalions of this State in the Continental Service, paſſed the twenty-eighth Day of May, One Thouſand Seven Hundred and Seventy-ſeven, have, on Experience, been found prejudicial, and are not likely to anſwer the good Purpoſes by them intended;

Repeal.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid ſecond and third Sections of the Act, intitled, An Act for completing the four Battalions of this State in the Continental Service, paſſed the twenty-eighth Day of May, One Thouſand Seven Hundred and Seventy-ſeven, as far as they relate to the hiring of Subſtitutes, be, and they hereby are henceforward repealed and made void.

CHAP.

† Chap. LIX.

* Chap. XXIX.

CHAP. LXXVIII.

An ACT *to repeal an Act, intitled,* * *An* Act *for erecting Salt-Works, and manufacturing Salt, within the State of* New-Jerſey.

Paſſed March 28, 1778.

Preamble. WHEREAS the great Scarcity of Salt in this and the neighbouring States, induced the Legiſlature to paſs an Act, on the tenth Day of *October* laſt, for purchaſing a ſuitable Tract of Land, erecting Salt-Works thereon, and procuring Materials and Implements for manufacturing that neceſſary Article: AND WHEREAS from various Cauſes the Execution of the ſaid Act hath been delayed; and the great Number of private Works erecting, as well as already erected, promiſing an ample Supply of Salt, ſo as to render a publick Works unneceſſary;

Repeal. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That the Act, intitled, *An* Act *for erecting Salt-Works, and manufacturing Salt, within the State of* New-Jerſey, paſſed the tenth Day of *October*, One Thouſand Seven Hundred and Seventy-ſeven, be, and it hereby is repealed.

Private. CHAP. LXXIX. † *An* Act *to exempt four Men, to be employed at the Powder Mill belonging to* Jonas Phillips *and* Joſeph Lindſly, *in the County of* Morris.

Paſſed March 31, 1778.

Partly repealed by Chap. CLXVI. Partly obſolete. CHAP. LXXX. *An* Act *to revive and continue the Proceſs and Proceedings of the Courts of Common-Pleas and General Quarter-Seſſions of the Peace for the County of* Bergen, *and to alter the Place of holding the ſame.*

Paſſed April 1, 1778.

The Place at which the Courts were directed to be held by this Act having been found inconvenient, it was altered by Chap. CLXVI, to a Houſe at *Paramus*, which being burnt by the Enemy, a temporary Gaol is now built by Chap. CCI, and the Proceſs of the Courts being revived, the Remainder of the Act may be conſidered as obſolete.

Obſolete. CHAP. LXXXI. *An* Act *for the ſpeedy and effectual recruiting of the four* New-Jerſey *Regiments in the Service of the United States.*

Paſſed April 3, 1778.

The Field Officers of each Regiment, and the Juſtices of the Peace within the Bounds thereof were appointed Commiſſioners for putting this Act in Execution. They were directed to divide the Regiment into Claſſes of 18 Men each, and to detach by Lot one Man from each Claſs (which did not furniſh a Volunteer within ten Days) who, in caſe of Refuſal to go, was finable by the Commiſſioners of the Regiment, or a Majority of them, in any Sum not exceeding £. 300; the Remainder of the Claſs was again to be allotted, and, in caſe the Perſon allotted ſhould refuſe to ſerve, he was to be amerced as before, and the Allotment to be

* Chap. LV.

† The Exemption here meant was from actual Service in the Militia, unleſs the County was invaded.

made on the Remainder, and the Proceſs to continue, until one ſhould be allotted, who was diſpoſed to ſerve, or until the whole was allotted.—Each Perſon entering voluntarily, or detached, was entitled to a Bounty of 40 *Dollars*, a Blanket, a Hunting Frock, a Pair of Cloth Breeches, a Hat, a Shirt, a Pair of Stockings, and a Pair of Shoes, on being muſtered and approved; and on the firſt Day of *October*, a Regimental Coat, a Shirt, a Pair of Stockings, and a Pair of Shoes, beſides Pay and Rations. Perſons appointed for each County to pay the Bounty were empowered to borrow a certain Sum of Money for that Purpoſe on the Credit of the State, and to give Notes with Intereſt at 6 *per Cent*, payable at the Expiration of ſix Months or one Year, in the Option of the Lender. Thoſe exempted from Allotment were ſubjected to a Tax.

Expired.

CHAP. LXXXII. * *An* Act *for conſtituting a Council of Safety.*

Paſſed April 4, 1778.

This Council conſiſted of twenty-three Perſons, any five being a Quorum, whereof the Governor, or in his Abſence the Vice-Preſident of the Council, was Preſident.—Their Powers were pretty extenſive, the Chief of which were, to act as a Board of Juſtices in criminal Matters; to fill up vacant military Offices; to apprehend diſaffected Perſons, and commit them to Gaol, without Bail or Mainpriſe, and to remove them from Gaol to Gaol; to call out ſo many of the Militia as might be neceſſary for carrying their Orders into Execution, or for their Guard, who were compellable to ſerve; to ſend the Wives and Children of Fugitives with the Enemy into the Enemy's Lines; to cauſe Offenders to be tried in any County in the State; to cauſe Perſons refuſing to take the Oaths to Government to be committed to Gaol, or to ſend them (if willing) within the Enemy's Lines; to make any Houſe or Room a legal Gaol; to commit diſaffected Perſons to Gaol, until the Releaſe of Citizens kidnapped by the Enemy; to negociate Exchanges of theſe diſaffected Perſons for the Subjects of the State detained by the Enemy; to erect Beacons; to diſarm the diſaffected; to relieve wounded Soldiers; to ſupply Priſoners, *&c.* It was limited to the End of the next Sitting thereafter, but continued by Chap. XCI, to the End of the Seſſion.

Expired.

CHAP. LXXXIII. *An* Act *for granting a Bounty upon Wool, Flax and Hemp, raiſed and ſold within the State of* New-Jerſey.

Paſſed at Princeton, April 14, 1778.

By this Act a Bounty of *One Shilling* per lb. was given for any Quantity of Sheep's Wool, *Nine-pence* per lb. for clean well dreſſed Flax, and *Four-pence* per lb. for Hemp, raiſed and ſold by any Inhabitant of the State. It was limited to two Years, and from thence to the End of the next Sitting of the General Aſſembly.

C H A P. LXXXIV.

Supplied and repealed by Chap. CCXLII.

† *An* ACT *for the regulating, training and arraying of the Militia.*

Paſſed April 14, 1778.

The ſixtieth or laſt Section of this Act only remains in Force, which is as follows:

Sect.

* See Chap. XXII, XL, XCI. † See two Acts ſupplementary to this, Chap. CLII, CXCV.

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

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

Paſſed April 17, 1778.

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

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

Paſſed April 18, 1778.

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

C H A P. LXXXVII.

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

Paſſed April 18, 1778.

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

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

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

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

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

Form of the Precept.

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

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

Jurors, their Qualification.

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

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

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

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

Witneſſes, their Qualification.

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

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

Form of the Inquiſition.

County, ſſ.

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

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

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

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

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

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

Commiſſioners to ſell perſonal Eſtates, forfeited, &c.

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

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

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

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

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

Commiſſioners may examine an Oath, *&c.*

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

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

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

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

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

* Chap. II.

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

Real Eſtates to be leaſed.

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

Proviſo.

Tenants to be reſponſible for Rents.

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

* See Chap. CXXII, and CCLXIX.

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

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

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

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

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

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

Fees allowed Juſtices, *&c.*

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

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

Forfeitures for Neglect of Duty.

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

Commiſſioners to keep Books, *&c.*

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

Their Commiſſions.

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

And take the Oaths of Abjuration.

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

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

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

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

Paſſed April 18, 1778.

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

SESSION SECOND—SITTING THIRD.

CHAP. LXXXIX.

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

Paſſed June 17, 1778.

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

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

CHAP.

CHAP. XC. *An* ACT *to empower certain Commiſſioners therein named, to take Poſſeſſion of and leaſe out the* Andover *Iron-Works, in the County of* Suſſex. Obſolete.

Paſſed June 20, 1778.

By this Act Commiſſioners were appointed for taking Poſſeſſion of, and leaſing theſe Works and their Appurtenances for the Term of three Years, for the Purpoſe of making Iron to be converted into Steel; the Rent was to be paid into the Treaſury for the Uſe of the Owners of the Works; and a Power of ouſting the then Poſſeſſors was given to the Commiſſioners. The Act was paſſed in Compliance with a Recommendation of Congreſs, and a Requeſt of the Board of War, *&c.* in conſequence of the Refuſal of the Owners to rent them to a Perſon nominated by a Reſolution of the Legiſlature of *March* 13, 1778.

CHAP. XCI. *An* ACT *to continue and amend an Act, intitled,* * *An* ACT *for conſtituting a Council of Safety.* Expired.

Paſſed June 20, 1778.

Limited to the End of the next Sitting of General Aſſembly—The Amendment made to the recited Act was to give the Preſident of the Council of Safety a Power to grant Exemptions from military Duty.

CHAP. XCII.

An ACT *for encouraging the Manufacture of Paper in the State of* New-Jerſey.

Paſſed June 20, 1778.

IN order to encourage and promote the Manufacture of Paper in this State, for the Purpoſes of Printing and Education, and for other Uſes; Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That at each and every Mill or Works, erected or to be erected and carried on in this State, for the Purpoſe of Manufacturing Paper, there be exempted, from actual Service in the Militia, four Men beſides the Owner or Occupier; which Exempts ſhall be employed only and ſolely at ſuch Mill or Works, under the Regulations and Reſtrictions herein expreſſed. Men exempted.

2. AND IT IS HEREBY FURTHER ENACTED, That the ſaid Men ſhall be armed and accoutred, and ſhall attend monthly Muſters, and regimental Reviews, in the Companies and Regiments or Battalions within the Bounds of which they are ſeverally employed; and ſhall moreover be † taxed as other Exempts, agreeably to the Directions of the Act, intitled, *An* Act *for the regulating, training and arraying, of the Militia,* paſſed the fourteenth Day of *April* laſt, but ſhall not be ſubject to any Call into actual Service, unleſs the County in which they are employed as aforeſaid ſhall be invaded. Conditions thereof.

This Act in Effect ſuperſedes Chap. LXV.

* Chap. LXXXII. See alſo Chap. XXII, XL.
† Exempts are not ſubject to any Tax by the preſent Milita Law.

Expired. CHAP. XCIII. *An* Act *to prohibit the Exportation of Proviſions from the State of* New-Jerſey.

Paſſed June 20, 1778.

This Act was limited to the 15th Day of *November* 1778—Revived *November* 26th 1778, by Chap. CX, and continued to the End of the next Sitting thereafter. See alſo Chap. XIII, CLX, CLXXXI, and CCXVII.

Expired. CHAP. XCIV. *An* Act *to ſuſpend, for a limited Time, the Operation of an Act, intitled,* * An *Act* for regulating and limiting the Price of Labour, and of ſundry Articles of Produce, Manufacture and Trade, and to prevent Foreſtalling, Regrating and Engroſſing.

Paſſed June 22, 1778.

The Suſpenſion in this Act referred to, was limited to the End of the next Sitting of the General Aſſembly—Further ſuſpended *October* 17th, 1778, by Chap. CII, under certain Conditions until the End of the next Sitting thereafter, when it was again taken up, and ſuſpended until the adjacent States ſhould enact and put in Execution Laws of a ſimilar Import. The recited Act is now repealed by Chap. CLXXV.

Supplied—Repealed by Chap. CLXXX. CHAP. XCV. *An* Act *for collecting, adjuſting and ſettling, the publick Accounts.*

Paſſed June 22, 1778.

By this Act a Committee, conſiſting of one Member of the Council, and two Members of the Aſſembly, were appointed to adjuſt and ſettle the publick Accounts.

At a GENERAL ASSEMBLY held at Princeton, from the ninth Day of September to the eighth Day of October, 1778, the following Laws were paſſed.

SESSION SECOND—SITTING FOURTH.

Partly obſolete, and partly repealed, and ſupplied by Chap. CLXVIII. CHAP. XCVI. *An* Act *to revive and continue the Proceſs and Proceedings returnable to and depending in the Supreme Court of Judicature of this State, and to aſcertain the Times and Places of holding the ſaid Court.*

Paſſed Sept. 24, 1778.

The Proceſs and Proceedings in the Supreme Court being revived, for the Revival and Continuance of which the firſt Section was intended, that may now be conſidered as obſolete: And the ſecond Section is repealed by Chap. CLXVIII. This Act was limited to the End of the next Seſſion of General Aſſembly, but made perpetual by Chap. CLVII, and now ſupplied by Chap. CLXVIII.

Obſolete. CHAP. XCVII. *A ſupplemental* Act *to an Act, intitled,* † *An* Act *for recovering the Arrearages of the* Ten Thouſand Pounds *Tax, and for other Purpoſes therein mentioned.*

Paſſed Oct. 1, 1778.

This

* See Chap. LXVIII.

† Chap. XLVI. See alſo Chap. LXII.

This Act was deſigned merely to extend the Time of Performance of the official Duties, in the recited Act required, to a farther Period.

CHAP. XCVIII.

An ACT *for the Eaſe and Relief of ſuch Perſons as are ſcrupulous of taking an Oath, with the Ceremony of touching and kiſſing the Book of the Goſpels, by allowing that of holding up the Hand in Lieu thereof.*

Paſſed Oct. 1, 1778.

FORASMUCH as many well-diſpoſed Perſons, Inhabitants and Subjects of this State, and zealouſly attached to the Government thereof, as eſtabliſhed under the Authority of the People, profeſs to entertain religious Scruples againſt taking an Oath with the Ceremony of touching and kiſſing the Book of the Goſpels, and that they cannot, conſiſtently with a good Conſcience, conform thereto, whereby, as no other is deemed and admitted legal, they are excluded from many eſſential Privileges of Society, and are liable to frequent Impriſonment and grievous Fines, by Proceſs of Contempt iſſuing out of the Courts of Law, to the manifold Diſtreſs of themſelves and Families, the State as well as Individuals being in the mean Time deprived of their Evidence. And foraſmuch as the Ceremony of holding up the Hand in making Oath, which ſuch Perſons pray may be allowed them inſtead of the uſual one, hath no Tendency to derogate from the Solemnity or Obligation of an Oath, and ſuch Indulgence is agreeable to the Spirit and Principles of the Conſtitution of this State: Therefore, Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the paſſing of this Act, any and every Perſon within this State, who ſhall be permitted or required, upon any lawful Occaſion, to take an Oath in any Caſe where, by any Law of this State, an Oath is allowed or required, ſhall and may be permitted to take the ſame with the Ceremony of lifting up the Hand, inſtead of that of touching and kiſſing the Book of the Goſpels; and an Oath ſo taken ſhall be deemed and adjudged, and is hereby Enacted and Declared to be of ſuch and the ſame Force and Effect, to all Intents and Purpoſes, in all Courts of Juſtice, and other Places where an Oath is lawfully allowed or required within this State, as if the ſame had been taken with the uſual Ceremony; and all Perſons who are or ſhall be authorized or required to tender and adminiſter an Oath, ſhall be, and are hereby authorized and required, on Requeſt of the Party to be ſworn, to adminiſter the ſame accordingly. Oath, the Ceremony of taking it.

2. AND, for the obviating of all Doubts which otherwiſe might ariſe, whether in any Caſe wherein by any future Act of the General Aſſembly of this State, an Oath ſhall be allowed or required, the ſame may be taken as aforeſaid, unleſs in ſuch Act expreſs Proviſion be made for that Purpoſe; BE IT ENACTED *by the Authority aforeſaid*, That in all Caſes wherein by any Act of the General Aſſembly, hereafter to be made, an Oath ſhall be allowed or required, the ſame ſhall, on the Requeſt of the Party to be ſworn, be taken with the Ceremony of holding up Doubts obviated.

up the Hand, inſtead of that of touching and kiſſing the Book of the Goſpels, although no Proviſion for that Purpoſe ſhall in ſuch Act be made.

Who puniſhable for Perjury.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Perſon, ſworn as aforeſaid, ſhall teſtify that which, if ſworn in the uſual Manner, would have amounted to Perjury, ſuch Perſon ſhall to all Intents and Purpoſes be deemed guilty of Perjury; and, being thereof legally convicted, ſhall ſuffer accordingly.

CHAP. XCXIX.

* *An* ACT *for apprehending and delivering up to Juſtice all Perſons reſiding or taking Refuge in this State, charged with Crimes committed in any other of the United States, and for other Purpoſes therein mentioned.*

Paſſed Oct. 2, 1778.

Preamble.

WHEREAS in the Articles of Confederation and Perpetual Union between theſe United States, it is among other Things expreſsly ſtipulated and ſet forth, That if any Perſon guilty of or charged with Treaſon, Felony, or other high Miſdemeanor in any State, ſhall flee from Juſtice, and be found in any of the United States, he ſhall on Demand of the Governor or executive Power of the State from which he fled, be delivered up and removed to the State having Juriſdiction of his Offence: AND WHEREAS no Perſon or Department in this Government is empowered to carry this Part of the ſaid Confederation into Execution;

Mode of apprehending Perſons charged with Treaſon, &c. in another State.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That whenever any Perſon guilty of or charged with Treaſon, Felony, or other high Miſdemeanor, in any of theſe United States, ſhall flee into, or be found within this State, and be demanded in Manner as in the ſaid Confederation is as aforeſaid ſet forth, the Governor for the Time being ſhall be, and he is hereby empowered, by and with the Advice of the Privy Council, five whereof to be a Quorum, on Affidavit being made, or Depoſitions being produced to him for that Purpoſe, to require, by Proclamation or otherwiſe, as may then ſeem beſt, ſuch Perſon to be apprehended and ſecured in the Gaol of the County, where he ſhall belong, if an Inhabitant of this State; or if an Inhabitant of any of the other States, then in the Gaol of the County where he ſhall be apprehended. And all Judges, Juſtices of the Peace, Sheriffs, Conſtables and others, the good People of this State, are hereby authorized and required to aſſiſt, ſo far as may be in their Power, to carry ſuch Proclamation or Order into Execution, and ſuch Offender to apprehend, or cauſe to be apprehended and ſecured as aforeſaid, until the next Court of General Quarter Seſſions of the County where he ſhall be ſo ſecured: PROVIDED NEVERTHELESS, That if he ſhall acknowledge himſelf to be the Perſon charged and demanded as aforeſaid, or ſhall requeſt to be immediately removed to the State where he is ſuppoſed to have offended as aforeſaid, the Sheriff of the County where he is as aforeſaid impriſoned, ſhall immediately inform the Governor of ſuch Confeſſion or Requeſt, who ſhall thereupon iſſue an

Proviſo.

* See a Supplement to this Act, Chap. CXCIII.

an Order to the ſaid Sheriff for the Removal of ſuch Offender, or ſuppoſed Offender, and proceed therein in all Reſpects as herein after is ſet forth, which Order the ſaid Sheriff is hereby authorized and required to execute.

Sheriff's Duty, &c.

2. AND IT IS HEREBY FURTHER ENACTED, That the ſaid Sheriff, in caſe the ſaid Offender or ſuppoſed Offender ſhall not be removed as aforeſaid, ſhall lay before the then next Court of General Quarter-Seſſions to be holden in the County, the Proclamation or Order iſſued by the Governor as aforeſaid, and inform the Court that the Perſon therein deſcribed, or ſuppoſed to be deſcribed, is in his Cuſtody, ready to be brought before them for Examination: Whereupon the ſaid Court ſhall ſend for and examine ſuch Perſon, in order to diſcover whether he is in Reality the Perſon deſcribed in the ſaid Proclamation or Order; and if upon ſuch Examination they ſhall be of Opinion that he is, then and in ſuch Caſe they ſhall without Delay certify the ſame to the Governor, under their Hands and Seal; who ſhall, upon the Receipt of ſuch Certificate, write to and inform the Governor or executive Power of the State who demanded the ſaid Offender, or ſuppoſed Offender, where they may ſend for and take Delivery of him; and ſhall alſo iſſue an Order to the Sheriff having him in Cuſtody as aforeſaid, to deliver him accordingly; which Order ſuch Sheriff is hereby authorized and required to execute: But if the ſaid Court ſhall, after taking the ſaid Examination, be of Opinion that the ſaid Priſoner is not the Perſon deſcribed or intended to be deſcribed in the ſaid Proclamation or Order, or who was meant or intended to be charged and demanded by the State who exhibited the Charge and made the Demand aforeſaid, they ſhall immediately and without Coſts releaſe and diſcharge him from his ſaid Confinement.

And Governor's.

Perſons guilty of Crimes in this State, to be tried.

3. AND WHEREAS it may ſo happen that ſome Offenders from other States, demanded as aforeſaid, may have committed ſome high Crime or Miſdemeanor within this State, previous to their being apprehended in Conſequence of ſuch Demand; BE IT THEREFORE FURTHER ENACTED, That no Perſon who ſhall have committed any high Crime or Miſdemeanor within this State, ſhall be ſent from the ſame as above directed, before he is tried therefor, and puniſhed purſuant to Law, any Thing in this Act or the Confederation above recited to the contrary notwithſtanding.

Other States may ſend Criminals through this State.

4. AND WHEREAS it may in ſome Caſes be neceſſary for ſome of the other States, in Compliance with the Article of Confederation above-mentioned, to ſend Criminals through this State; BE IT THEREFORE FURTHER ENACTED, That whenever any State in the Union ſhall have Occaſion to ſend a Criminal or Criminals through this State to any other State for the Purpoſe aforeſaid, it ſhall and may be lawful for them ſo to do, and that all ſuch Criminals ſhall, whilſt in or paſſing through this State, be deemed the lawful Priſoners of the Officer or Officers, Perſon or Perſons, having them in Charge, as fully to all Intents and Purpoſes as they would have been the Priſoners of any Officer or Officers of this State, had they been by him or them arreſted and confined for any Crime committed within this State.

CHAP. C.

An ACT *to alter the Place of holding the Inferior Courts of Common-Pleas, and General Quarter-Seſſions of the Peace, for the County of* Middleſex.

Paſſed Oct. 2, 1778.

Preamble.

WHEREAS the City of *Perth-Amboy*, the Place where the Inferior Courts of Common-Pleas and General Quarter-Seſſions of the Peace for the County of *Middleſex* have been heretofore held, is, from its Situation, in an extreme Part of the County, inconvenient to the Inhabitants thereof, in attending their Buſineſs at the ſaid Courts: AND WHEREAS the City of *New-Brunſwick* is, in other Reſpects, equally advantageous, and is much more central and convenient for the Purpoſe aforeſaid;

Time and Place of holding the Courts.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the paſſing of this Act, the ſaid Inferior Courts of Common-Pleas and General Quarter-Seſſions of the Peace, for the ſaid County of *Middleſex*, ſhall be opened and held at the Courthouſe, or other convenient Place, in the City of *New-Brunſwick*, in the ſaid County, of the four uſual Terms in the Year, *that is to ſay*, The third *Tueſday* in *January*, the firſt *Tueſday* in *April*, the third *Tueſday* in *July*, and the ſecond *Tueſday* in *October*, during the Continuance of this Act, any Law, Uſage or Cuſtom to the contrary in anywiſe notwithſtanding.

This Act was limited to one Year, and from thence to the End of the next Sitting of the General Aſſembly; but was further continued by Chap. CLXXII, and CCXXXIII, and is now made perpetual by Chap. CCLXXXVIII.

Private.

CHAP. CI. *An* Act *for the Relief of* John Striker, *Collector of the Townſhip of* Hillſborough, *in the County of* Somerſet, *reſpecting the Loſs of a Sum of publick Money by Fire.*

Paſſed Oct. 5, 1778.

Expired.

CHAP. CII. *An* Act *further to ſuſpend the Operation of an Act, intitled,* * *An* Act *for regulating and limiting the Price of Labour, and of ſundry Articles of Produce, Manufacture and Trade, and to prevent Foreſtalling, Regrating and Engroſſing.*

Paſſed Oct. 7, 1778.

This Suſpenſion was to continue until the End of the next Sitting of the General Aſſembly, unleſs in the mean Time the Legiſlatures of *New-York*, *Pennſylvania* and *Delaware*, ſhould reſpectively paſs Laws, for carrying into Effect the Regulation of Prices agreed on by the Convention at *New-Haven* in *January* 1778. The recited Act was further ſuſpended by Chap. CXIII, and now repealed by Chap. CLXXV.

CHAP.

* See the Title of this Act at Chap. LXVIII. See alſo Chap. XCIV, CXIII, CLXXV.

CHAP. CIII.

An ACT *to prevent the farming out of publick Offices, or tranſferring by Deputation the Powers annexed and incident to them; and for other Purpoſes therein mentioned.*

Paſſed Oct. 8, 1778.

WHEREAS no Perſon who holds an Office in this State, under an Appointment of the Joint-Meeting, is, by the Conſtitution, authorized to let or farm out ſuch Office, or to depute any Perſon to execute the ſame in his Behalf or Stead; and it being not only reaſonable, but a great Security againſt Mal-practices, that every Perſon holding an Office, and in whom the Truſt thereof is repoſed, ſhould reſide within this State, and execute ſuch Office; and alſo, that every Perſon, holding an Office which relates to a County only, ſhould reſide within ſuch County; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That each and every Perſon holding, or who ſhall hereafter hold, any Office in this State, under an Appointment of the Joint-Meeting, ſhall reſide within this State, and execute ſuch Office, except the Surrogate-General, who ſhall be at Liberty to employ or appoint a Deputy or Deputies, and alſo that every Perſon holding an Office, the Authority and Duties of which relate to a County only, ſhall reſide within ſuch County; and if any Perſon holding, or who ſhall hereafter hold any Office as aforeſaid, ſhall at any Time preſume to let, farm out or transfer ſuch Office, or any Part thereof, to any Perſon or Perſons whatſoever, he ſhall for ſuch Offence forfeit the Sum of *Five Hundred Pounds*, to be recovered with full Coſts of Suit, by any Perſon who will ſue for the ſame, one Half to the Proſecutor, and the other Half to the Treaſurer, for the Uſe of the State, and ſhall moreover be liable to be removed from his Office, by the Council, on an Impeachment of the Aſſembly, as provided and ſet forth in the Conſtitution. Conditions on which publick Offices may be held. Forfeiture.

2. AND WHEREAS *Charles Pettit*, Eſquire, late Secretary of this State, did, in the Month of *March* laſt, at the Time he accepted an Employment in the Department of the Quarter-Maſter General of the Armies of the United States, and before his Reſignation of the Office of Secretary, appoint *Bowes Reed*, Eſquire, to execute, by Deputation, the ſaid Office of Secretary, under him, the ſaid *Charles Pettit*; and Doubts may ariſe concerning the Validity of the ſeveral Acts, Matters and Things done in Virtue of and under ſuch Deputation; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That each and every Act, Matter and Thing done, performed and executed, by the ſaid *Bowes Reed*, under and in Virtue of the afore-mentioned Deputation, ſhall be, and they are hereby declared and enacted to be, as good and available in Law and in Equity, as if they had been done, performed and executed, by the ſaid *Charles Pettit* himſelf. Doubts obviated.

3. AND IT IS HEREBY FURTHER ENACTED, That if any Secretary of this State ſhall at any Time neglect or refuſe to iſſue a Commiſſion to any Secretary neglecting his Duty, &c. what to forfeit.

any Perſon elected to any Office within this State, requiring a Commiſſion from the Governor, or ſhall take Fees for any Commiſſion where by Law he is not entitled to Fees, or, where he is entitled to Fees, ſhall take more than by Law he is entitled to take, he ſhall for every ſuch Offence forfeit the Sum of *Fifty Pounds*, to be recovered with Coſts of Suit by any Perſon who will ſue for the ſame, one Half to the Proſecutor, and the other Half to the Treaſurer, for the Uſe of the State.

Mode of reſigning Offices.

4. AND WHEREAS it is highly expedient and proper, that every Officer reſigning an Office, ſhould make the Reſignation to the Department of Government from which the Office is derived, and whoſe Duty it is to ſupply the Vacancy when deemed neceſſary; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That in every Caſe in which any Officer, holding an Office under the Appointment of the Joint-Meeting, ſhall be deſirous of reſigning ſuch Office, the Reſignation ſhall be made during the Sitting of the Legiſlature, and to the Members thereof in Joint-Meeting, by ſuch Officer in Perſon attending for that Purpoſe, or by Letter or other Writing under his Hand, addreſſed to the Joint-Meeting; and that no Reſignation made in any other Way, or pretended to be made, ſhall be taken or deemed as valid or authentick, or in anywiſe allowed as an Application for a Diſcharge from Office.

Expired.

CHAP. CIV. *An* Act *to continue an Act, intitled,* * *An* Act *for eſtabliſhing a Court of Admiralty and Cuſtomhouſes within the State of* New-Jerſey.

Paſſed Oct. 8, 1778.

Limited to the End of next Sitting. The Act now in Force, *for regulating and eſtabliſhing Admiralty Juriſdiction*, may be ſeen Chap. CCXC. See alſo Chap. CXV.

Repealed by Chap. CCCXVII.

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

Paſſed Oct. 8, 1778.

See Appendix, No. 5.

Although the above Act be repealed; yet as it is ſtill available for the Puniſhment of Offences committed during its Continuance in Force, it is inſerted at large in the Appendix. See Chap. CXXIII, CLXXXIV, CCXXXIV, CCLXXIII, CCLXXXIII, and CCCXVII, on the ſame Subject.

Expired.

CHAP. CVI. *A ſupplementary* Act *to the Act, intitled,* † *An* Act *for regulating Roads and Bridges.*

Paſſed Oct. 8, 1778.

This Act was paſſed merely for the Purpoſe of raiſing the Fines and Forfeitures in the Road-Act, which, by the Depreciation of the Continental Currency, had become inadequate. It was limited to one Year, and from thence to the End of the next Sitting of the General Aſſembly thereafter.

Obſolete.

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

Paſſed Oct. 8, 1778.

CHAP.

* Chap. VII. † *Allinſon*, Chap. DLXXXIX.

CHAP. CVIII.

An ACT *for authorizing Perſons elected Sheriffs and Coroners to act in their reſpective Offices before they are commiſſioned.*

Paſſed Oct. 8, 1778.

AS Sheriffs and Coroners derive their Authority immediately from the People, their Commiſſions being only Teſtimonials under the Great Seal of the State of their having been duly elected into Office; and as ſome Time muſt neceſſarily intervene between their Election and obtaining their Commiſſions; Preamble.

BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That each and every Sheriff and Coroner hereafter elected ſhall, on the Receipt of ſuch Certificate of his Election as ſhall be neceſſary for obtaining a Commiſſion from the Governor or Vice-Preſident of the Council, purſuant to the Conſtitution and Laws of this State, be, and he is hereby authorized and empowered to act in and execute ſuch his Office of Sheriff or Coroner as fully to all Intents and Purpoſes as he will be after he has received his Commiſſion. PROVIDED ALWAYS, That he applies for the ſame within one Month after his Election. Enacting Clauſe. Proviſo.

At a GENERAL ASSEMBLY held at Trenton, from the twenty-ſeventh Day of October to the twelfth Day of December 1778, the following Laws were paſſed.

SESSION THIRD—SITTING FIRST.

CHAP. CIX.

* *An* ACT *to authorize and empower the Delegates of the State of* New-Jerſey, *in Congreſs, to ſubſcribe and ratify the Articles of Confederation and Perpetual Union between the ſeveral States.*

Paſſed Nov. 20, 1778.

WHEREAS Articles of Confederation and Perpetual Union between the States of *New-Hampſhire*, *Maſſachuſetts-Bay*, *Rhode-Iſland* and *Providence Plantations*, *Connecticut*, *New-York*, *New-Jerſey*, *Pennſylvania*, *Delaware*, *Maryland*, *Virginia*, *North-Carolina*, *South-Carolina* and *Georgia*, ſigned in the General Congreſs of the ſaid States by the Honourable *Henry Laurens*, Eſquire, their Preſident, have been laid before the Legiſlature of this State to be ratified by the ſame, if approved: AND WHEREAS, notwithſtanding the Terms of the ſaid Articles of Confederation and Perpetual Union are conſidered as in divers Reſpects unequal and diſadvantageous to this State, and † the Objections to ſeveral Preamble.

T of

* For the Articles of Confederation ſee Appendix, No. 11.
† Theſe Objections are inſerted at large on the Journals of Aſſembly, *June* 15, 1778.

of the ſaid Articles lately ſtated and ſent to the General Congreſs aforeſaid, on the Part of this State, are ſtill viewed as juſt and reaſonable, and ſundry of them as of the moſt eſſential Moment to the Welfare and Happineſs of the good People thereof, yet under the full Conviction of the preſent Neceſſity of acceding to the Confederacy propoſed, and that every ſeparate and detached State-Intereſt ought to be poſtponed to the general Good of the Union; and moreover, in firm Reliance that the Candour and Juſtice of the ſeveral States will, in due Time, remove, as far as poſſible, the Inequality which now ſubſiſts;

Delegates authorized to ſubſcribe and ratify Articles, *&c.*

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Honourable *John Witherſpoon*, *Abraham Clark*, *Nathaniel Scudder* and *Elias Boudinot*, Eſquires, Delegates repreſenting this State in the Congreſs of the United States, or any one or more of them, be, and they hereby are authorized, empowered and directed, on Behalf of this State, to ſubſcribe and ratify the ſaid Articles of Confederation and Perpetual Union between the ſeveral States aforeſaid.

Articles ſubſcribed to be concluſive.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid Articles of Confederation and Perpetual Union, ſo as aforeſaid ſubſcribed and ratified, ſhall thenceforth become concluſive as to this State, and obligatory thereon.

Expired.

CHAP. CX. *An* Act *to revive and continue an Act, intitled,* * *An* Act *to prohibit the Exportation of Proviſions from the State of* New-Jerſey.

Paſſed Nov. 26, 1778.

Limited to the End of the next Sitting.

CHAP. CXI.

An ACT *to confirm certain private Laws paſſed in* New-Jerſey *previous to the preſent Conſtitution.*

Paſſed Nov. 26, 1778.

Preamble.

WHEREAS, by the twenty-firſt Section of the Conſtitution of the State of *New-Jerſey*, it is declared, "That all the Laws of this Province, contained in the Edition lately publiſhed by Mr. *Allinſon*, ſhall be and remain in full Force, until altered by the Legiſlature of this Colony:" AND WHEREAS in the ſaid Edition nothing more than the Titles of private Acts are inſerted, by Reaſon whereof Doubts may ariſe, whether thoſe private Acts are in Force;

Enacting Clauſe.

BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That all private Acts heretofore paſſed into Laws by the Legiſlature of *New-Jerſey*, the Titles whereof are inſerted in Mr. *Allinſon*'s Edition, ſuch excepted as have become obſolete, or have been previous to the preſent Conſtitution diſallowed by the King of *Great-Britain* in Council, or have been repealed by ſubſequent Acts of the Legiſlature, or have expired by their own Limitation, are hereby declared to be and remain in full Force; and

* Chap. XCIII. See alſo Chap. XIII, CLX, CLXXXI, and CCXVII.

and all Acts, Matters and Things, done or tranſacted purſuant to the true Intent and Meaning of ſuch Laws, are hereby declared to be good and valid to all Intents and Purpoſes whatſoever.

CHAP. CXII. * *An* Act *for the Support of Government of the State of* New-Jerſey, *to commence the thirteenth Day of* October *One Thouſand Seven Hundred and Seventy-eight, and to end the ſecond* Tueſday *in* October *One Thouſand Seven Hundred and Seventy-nine; and to diſcharge the publick Debts and contingent Charges thereof.* Obſolete.

Paſſed Nov. 28, 1778.

CHAP. CXIII. *An* Act *further to ſuſpend the Operation of an Act, intitled,* † *An* Act *for regulating and limiting the Price of Labour and ſundry Articles of Produce, Manufacture and Trade, and to prevent Foreſtalling, Regrating and Engroſſing.* Obſolete.

Paſſed Dec. 3, 1778.

The Nature of this Suſpenſion was ſtated at Chap. XCIV; but the recited Act being repealed, this has of Courſe become obſolete.

CHAP. CXIV. *An* Act *to raiſe the Sum of* One Hundred Thouſand Pounds *by Taxation, for diſcharging the Debts, and defraying the neceſſary Expences of the State of* New-Jerſey. Obſolete.

Paſſed Dec. 5, 1778.

CHAP. CXV. ‡ *An* Act *for inſtituting a Court of Admiralty, and for directing the Mode of appointing Cuſtomhouſe Officers in the State of* New-Jerſey. Repealed partly by Chap. CCXC, and partly by Chap. CCXCIII, and ſupplied by both.

Paſſed Dec. 5, 1778.

CHAP. CXVI.

An ACT *for amending and maintaining the Cauſeway over the Great Cedar Swamp, in the Upper Precinct of the County of* Cape-May, *known by the Name of the* Great Cedar Swamp Bridge.

Paſſed Dec. 7, 1778.

WHEREAS a Number of the Inhabitants of the County of *Cape-May*, have, by their Petition, ſet forth, that the Cauſeway over the Great Cedar Swamp, in the Upper Precinct of ſaid County, known by the Name of the *Great Cedar Swamp Bridge*, is out of Repair; and that there is no Law for repairing and maintaining the ſame, and praying the Interpoſition of the Legiſlature for Relief; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That the ſaid Cauſeway ſhall be repaired, amended and maintained, at the Charge and Expence of the Inhabitants of the ſaid County of *Cape-May*, in the ſame Manner and under the ſame Regulations as the Bridges requiring the Labour of Artificers in the Counties of *Middleſex, Monmouth,* Cauſeway, how to be repaired.

* See a Supplement to this Act, Chap. CXXXIV.
† See the Title of this Act, at Chap. LXVIII. See alſo Chap. XCIV, CII, CLXXV.
‡ See Chap. VII, CIV.

mouth, *Somerſet*, *Eſſex*, *Bergen*, *Morris*, *Hunterdon* and *Suſſex*, are directed to be rebuilt, repaired and amended, in and by the twenty-eighth, twenty-ninth, thirtieth, and thirty-firſt Sections of an Act of the General Aſſembly, intitled, * *An* Act *for regulating Roads and Bridges*, paſſed the eleventh Day of *March*, One Thouſand Seven Hundred and Seventy-four.

Sections of a former Act to extend, *&c.*

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid twenty-eighth, twenty-ninth, thirtieth and thirty-firſt Sections of the above recited Act, and every Matter, Clauſe and Thing in the ſaid Sections contained, ſo far as they reſpect the building, repairing and amending of Bridges, ſhall be deemed and taken to extend, and they are hereby declared to extend, to the Cauſeway over the Great Cedar Swamp, in the County of *Cape-May* aforeſaid, known by the Name of the *Great Cedar Swamp Bridge*, any Clauſe, Matter or Thing in the ſaid Act to the contrary notwithſtanding.

The above Act ſupplies and ſuperſedes or virtually repeals Section 44th of Chap. DLXXXIX, in *Allinſon*.

Obſolete.

CHAP. CXVII. *An* Act *for recovering the Arrears of certain Taxes.*

Paſſed Dec. 8, 1778.

Theſe Arrears were due in Virtue of Chap. CCCCXCV, in *Allinſon*, and of Chap. LXXVI, of this Collection; alſo in Virtue of Chap. XX, LXXXI, and LXXXIV, by which Taxes were laid on Exempts.

Private.

CHAP. CXVIII. *An* Act *for the Relief of* John Barber *and* Caleb Farley, *Purchaſers of certain Lands ſold by* John Barnes, *late Sheriff of the County of* Hunterdon.

Paſſed Dec. 8, 1778.

Repealed by Chap. CXXIX, before its Expiration.

CHAP. CXIX. *An* Act *for augmenting the Fees of Sheriffs and Conſtables, and for raiſing the Fines to which they are liable for Neglect or Refuſal of Duty.*

Paſſed Dec. 9, 1778.

The above Act was paſſed ſolely to keep Pace with the Depreciation of the Continental Currency—and was limited to one Year, and from thence to the End of the next Sitting of the General Aſſembly. Sundry other Acts were paſſed from Time to Time for raiſing Fines and Fees of Officers and others, ſee Chapters CVI, CXXIX, CXXXV, CLXII, CLXXXI, CLXXXII, CXCVIII, *&c.*

CHAP. CXX.

An ACT *for the Encouragement of Education.*

Paſſed Dec. 10, 1778.

Preamble.

WHEREAS, ſince the Commencement of the preſent War with *Great-Britain*, the Inſtruction and Improvement of Youth, ſo eſſential to the Proſperity of every Community, hath been greatly interrupted,

* *Allinſon*, Chap. DLXXXIX.

rupted, and in many Parts totally prevented by the Neceſſity of ſubjecting Inſtructors, as well as Scholars, to military Duty: AND WHEREAS it hath ever been the wiſe Policy of well-regulated Governments to embrace every favourable Opportunity of extending Encouragement to the Means of Education: Therefore,

Maſters or Teachers of publick Schools exempted from actual Service in the Militia, on certain Conditions.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the paſſing of this Act, each and every Maſter or Teacher of a publick School, wherein common School-Learning is taught, in any Village, Town or Neighbourhood of any Part of this State, who ſhall be actually and *bona fide* employed in that Calling, and have under his Care and Tuition any Number of Scholars or Pupils not leſs than fifteen, ſhall be entitled to an Exemption from actual Service in the Militia, on producing to the Juſtices of the County where ſuch Maſter or Teacher is to be employed, in any of their Seſſions, proper Teſtimonials of his moral Character, and a Certificate from ſome one Juſtice of the Peace of the County, of his having taken the Oaths of Allegiance and Abjuration preſcribed in an Act, intitled, * *An Act for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix, and ſubmitting to an Examination of his Knowledge and of his Skill in Teaching, before ſuch Perſon or Perſons as the ſaid Juſtices ſhall appoint; and on the Report of ſuch Examination, receiving a Certificate of Approbation, ſigned by ſaid Juſtices in Seſſion, or any three of them by Order; which Certificate ſhall be a ſufficient Proof of ſuch Exemption, and ſhall be available to every Purpoſe thereof, during the Time the ſaid Maſter ſhall actually continue in ſuch Calling in any Part of the ſaid County, with ſuch Number of Scholars or Pupils as aforeſaid, and no longer. PROVIDED ALWAYS, That ſuch Exemption ſhall not be underſtood to operate, or take effect, until the Certificate aforeſaid ſhall be ſhewn to the Captain or commanding Officer of the Company, within the Bounds of which the Perſon holding the ſame may reſide. AND PROVIDED ALSO, That ſuch Exemption ſhall not be extended to excuſe any ſuch Maſter or Teacher from furniſhing himſelf with ſuitable Arms, Accoutrements and Ammunition, agreeably to the Law of this State for the regulating, training and arraying of the Militia, or from ſerving in Arms when the whole Militia of the County, in which he reſides, are called into Service.

Proviſoes.

A Maſter of a publick School or Academy to be entitled to an Exemption.

2. AND IT IS HEREBY FURTHER ENACTED, That each and every Maſter or Teacher of any publick School or Academy, in which the learned Languages and liberal Sciences are taught, and who ſhall have under his Tuition any Number of Students not leſs than fifteen, regularly and from Day to Day attending the ſame, ſhall be entitled to an Exemption in like Manner as is ſet forth in the laſt preceding Section of this Act, under the like Conditions and Reſtrictions; and ſhall moreover be entitled to a like Exemption for an Uſher or Aſſiſtant in every Caſe where the Number of Students in his Care, and actually attending as aforeſaid, ſhall amount to twenty-five or upwards.

If guilty of Fraud, to be deprived of Exemption, and ſubject to a Fine.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That if any Maſter or Teacher, exempted as aforeſaid, ſhall, by Fraud, Colluſion, feigned Entry, or by any indirect Means whatever, pretend to have under his

* Chap. II.

his Tuition a greater Number of Scholars or Students than do ſtatedly and from Day to Day attend thereon, and ſhall by that Means endeavour to evade and defeat the good Intentions of this Act, and to impoſe upon thoſe whoſe Right and Duty it may be to require his Service in Arms; each and every Perſon ſo offending, and being thereof legally convicted before any Juſtice of the Peace of the County, ſhall be wholly deprived of the Benefit of ſuch Exemption, and ſhall from thenceforth be liable to military Duty, in like Manner as if the ſame had not been granted; and ſhall moreover be ſubject to a Fine of *Six Pounds*, to be recovered by any Perſon who will ſue for the ſame, one Half to the Proſecutor, and the other to the Overſeers of the Poor of the Townſhip, Precinct or Ward, for the Uſe of the Poor thereof.

Not to be obliged to ſerve as Town Officer, &c.

4. AND BE IT ENACTED *by the Authority aforeſaid*, That no Maſter or Teacher of a publick School or Academy, ſo as aforeſaid exempted, ſhall be obliged to ſerve in any Town-Office which may interfere in any Degree with his Duty as an Inſtructor, or to ſerve on any Jury in any Caſe, criminal or civil.

Matriculated Perſons and Stewards of Colleges, &c. exempted.

5. AND BE IT ENACTED *by the Authority aforeſaid*, That beſides the Preſident, Profeſſors and Tutors of the Colleges Incorporate in this State already exempted by Law, each and every Perſon regularly matriculated and entered of any Claſs in either of the ſaid Colleges, and the Steward of each of the ſaid Colleges, with two Servants, ſhall, during their reſpective Continuance in the ſeveral Stations and Conditions aforeſaid, be exempted from actual Service in the Militia of this State, in every Inſtance excepting only in the Caſe mentioned in the ſecond Proviſo to the firſt Section of this Act. Proviſo. PROVIDED ALWAYS, That in order to entitle any of the Perſons above-mentioned to the Benefit of ſuch Exemption, the Faculty of the College to which they reſpectively belong, or any two of them, ſhall certify under their Hands to the Captain or commanding Officer of the Company within the Bounds of which ſuch College is ſituated, the Name of each Perſon ſo exempted, and that his Exemption is conformable to the Tenor and Proviſions of this Act.

Perſons giving Certificates thro' Favour or Colluſion, to be ſued.

6. AND BE IT ENACTED *by the Authority aforeſaid*, That if any ſuch Certificate ſhall be made and given through Favour or Colluſion to any Perſon not entitled thereto, according to the Meaning of this Act, the Perſons ſigning the ſame, and each and every of them, ſhall be ſubject to a Fine of *Thirty Pounds*, to be recovered, with full Coſts, by any Perſon who will ſue for the ſame, in any Court of Record having Cognizance of ſuch Suit, one Half to the Uſe of the Proſecutor, and the other Half to the Treaſurer, for the Uſe of the State; and the Certificate ſo given, ſhall, in ſuch Caſe, be void and of no Effect.

Expired.

CHAP. CXXI. *An* Act *to continue an Act, intitled,* * *An* Act *for regulating the Election of Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners of the State of* New-Jerſey.

Paſſed December 10, 1778.

Limited to the End of the next Sitting; but the recited Act was further continued by Chap. CXLIV.

CHAP.

* Chap. XXX. See alſo Chap. LVIII, CLXXVIII, CCXXXIX and CCCXXIV.

CHAP. CXXII.

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

Paſſed December 11, 1778.

Preamble.

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

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

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

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

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

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

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

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

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

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

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

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

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

Form

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

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

‡ Chap. II.

Form of the Precept for ſummoning the Jury.

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

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

Qualification of the Jurors.

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

Qualification of Witneſſes.

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

Form of the Inquiſition.

County, to wit,

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

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

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

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

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

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

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

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

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

9. AND

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

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

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

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

Real Eſtates, how to be diſpoſed of.

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

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

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

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

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

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

Commiſſioners to pay the Sums into the Treaſury.

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

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

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

Eſtates of Perſons pardoned to be ſubject to Forfeiture.

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

Proceſs

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

Demands againſt Offenders, how to be ſettled and paid.

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

Proviſo.

Former Settlements to be valid.

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

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

Commiſſioners to deſiſt paying Demands.

Judges' Fees.

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

Powers veſted in the Commiſſioners.

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

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

Lands to be ſold, ſubject to Leaſes.

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

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

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

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

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

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

Repealed by Chap. CCCXVII.

See Appendix, No. 6.

Paſſed Dec. 11, 1778.

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

CHAP.

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

Repealed by Chap. CCXIV.

CHAP. CXXIV. *An* Act *for appointing a Commiſſary of Priſoners for this State, and veſting him with certain Powers.*

Paſſed Dec. 12, 1778.

The State Commiſſariate is now aboliſhed, and all Priſoners put under the Direction of the Continental Commiſſary by Chap. CCXIV.

Obſolete.

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

Paſſed Dec. 12, 1778.

At a GENERAL ASSEMBLY held at Trenton, by a ſpecial Summons of the Speaker, from the twentieth Day of April to the twelfth Day of June 1779, the following Laws were paſſed.

SESSION THIRD—SITTING SECOND.

CHAP. CXXVI.

An ACT *to repeal five ſeveral Acts therein named, exempting certain Perſons employed in manufacturing Salt and Iron from military Duty.*

Paſſed May 22, 1779.

Enacting Clauſe.

BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That the Act, intitled, * *An* Act *to exempt ten Men, to be employed at the* Union *Salt-Works, in the State of* New-Jerſey, *from Service in the Militia,* paſſed the ſeventeenth Day of *March,* in the Year of our Lord One Thouſand Seven Hundred and Seventy-ſeven: The Act, intitled, † *An* Act *to exempt a Number of Men, to be employed at the Iron-Works at* Batſto *and* Mount-Holly, *in the County of* Burlington, *from actual Service in the Militia, under the Reſtrictions and Regulations therein mentioned,* paſſed the fifth Day of *June,* One Thouſand Seven Hundred and Seventy-ſeven: The Act, intitled, ‡ *An* Act *to exempt a Number of Men, to be employed at* Mount-Hope *Furnace, and the Forges thereunto belonging, and the* Hibernia *Furnace, all in the County of* Morris, *from actual Service in the Militia, under the Reſtrictions and Regulations therein mentioned,* paſſed the ſeventh Day of *October,* One Thouſand Seven Hundred and Seventy-ſeven: The Act, intitled, § *An* Act *to exempt twelve Men, to be employed at the* Sharpſborough *Iron-Works, in the County of* Suſſex, *from actual Service in the Militia, under the Reſtrictions and Regulations therein mentioned,* paſſed the tenth Day of *October,* One Thouſand Seven Hundred and Seventy-ſeven: And alſo the Act, intitled, ¶ *An* Act *to exempt a Number of Men from actual Service in the Militia, to be employed in the manufacturing of Salt and Iron within the State of* New-Jerſey, paſſed the eleventh Day of *December,* One

* Chap. XXVII. † Chap. XXXV. ‡ Chap. LII.
§ Chap. LIV. ¶ Chap. LXX.

One Thouſand Seven Hundred and Seventy-ſeven, be, and they hereby are ſeverally repealed.

CHAP. CXXVII. *An* Act *to confirm the Laſt Will and Teſtament of* George Brown, *late of the Townſhip of* Woodbridge, *in the County of* Middleſex, *deceaſed.* Private.

Paſſed May 24, 1779.

CHAP. CXXVIII. *An* Act *for veſting in* Moſes Tucker *a Title for certain Lands in the County of* Eſſex, *purchaſed of* Samuel Smith, *now a Fugitive with the Enemy.* Private.

Paſſed May 26, 1779.

CHAP. CXXIX. *An* Act *to amend an Act, intitled,* * *An* Act *for the better enabling the Judges and Juſtices of this Colony to aſcertain and tax Bills of Coſt, and for making Proviſion by Law for the Payment of the Services of the ſeveral Officers of the Colony, and for preventing the ſaid Officers from taking exorbitant Fees; and for other Purpoſes therein mentioned.* Expired.

Paſſed May 28, 1779.

The above Act was paſſed in ſome Meaſure to compenſate for the Depreciation of the Continental Currency, and was limited to one Year, and from thence to the End of the next Sitting of the General Aſſembly, and was ſuſpended before its Expiration by Chap. CLXXXV.

CHAP. CXXX. *An* Act *to prevent idle and diſorderly Perſons miſpending their Time at Publick Houſes, and for the Suppreſſion of other Immoralities.* Repealed by Chap. CCCXXV.

Paſſed May 28, 1779.

The above Act altered Chap. II, CLVIII, CCCCLXXII, of *Allinſon*, increaſed the Fines for the Offences therein ſpecified and Sabbath-breaking; profane Swearing and Drunkenneſs were finable without further Teſtimony, if committed within the View, in the Hearing or Preſence of a Juſtice. Playing Fives, Ninepins, Longbullets, or any ſimilar Game at a Tavern, or in the Highway, or on the Ground, or againſt the Houſe of any Perſon without Leave, was alſo puniſhable by Fine, *&c.*

CHAP. CXXXI. *An* Act *for veſting the Eſtate of* William Alexander, *Earl of* Stirling, *within this State, in Truſtees, to diſcharge by the Sale thereof, or of ſo much as may ſuffice, the Debts and Incumbrances affecting the ſame, and to convey to him the Remainder, if any be.* Private.

Paſſed May 31, 1779.

CHAP. CXXXII. † *An* Act *to embody, for a limited Time, One Thouſand of the Militia of this State, for the Defence of the Frontiers thereof.* Obſolete.

Paſſed June 2, 1779.

The Men raiſed by this Act ſerved until the fifteenth *December* following. Each County's Proportion of theſe Men was fixed by the Act;

* *Allinſon*, Chap. CCX.

† See a Supplement to this Act, Chap. CXLVIII. See alſo Chap. CCV, CCXI, CCXXXVI, CCLI, and CCC, on the ſame Subject.

each Regiment was divided into Claſſes (including in ſuch Claſſes the taxable Owners of Eſtates, who had no Male Repreſentative, and all Male Free Inhabitants of 21 Years old and upwards only;) each Claſs to furniſh one Man, who was allowed a Bounty of *Fifty Dollars;* if they neglected, the Field-Officers to hire a Subſtitute for them, and the Claſs to be aſſeſſed. If Subſtitutes could not be procured for any Claſs, ſuch Claſs to be aſſeſſed at the average Sum given for Subſtitutes in the County, and the Money paid into the Treaſury. This average Money never was all aſſeſſed and paid forward, ſo that large Sums are ſtill due to the State, in Virtue of this Act, from ſome of the Counties.

Expired. CHAP. CXXXIII. *An* Act *to amend an Act, intitled,* * *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; and to ſuſpend the Operation of one other Act therein mentioned.*

Paſſed June 8, 1779.

This Act was paſſed merely on Account of the Depreciation of the Continental Currency—By it the Sum cognizable before a ſingle Juſtice of the Peace was raiſed to *Fifty Pounds*—The Fees attending the Cauſes were augmented, and the *Ten Pound* Act was ſuſpended—It was limited to one Year, and from thence to the End of the next Sitting of the General Aſſembly. It was partly ſuſpended by Chap. CLXXXV, before its Expiration.

Obſolete. CHAP. CXXXIV. *A ſupplementary* Act *to an Act, intitled,* † *An* Act *for the Support of Government of the State of* New-Jerſey, *to commence the thirteenth Day of* October, *One Thouſand Seven Hundred and Seventy-eight, and to end the ſecond* Tueſday *in* October, *One Thouſand Seven Hundred and Seventy-nine; and to diſcharge the publick Debts and contingent Charges thereof.*

Paſſed June 8, 1779.

By this Act an Addition was made to the Salaries of the Officers of Government, *&c.* on Account of the Depreciation of the Continental Currency.

CHAP. CXXXV.

An ACT *to amend an Act, intitled,* ‡ *An* Act *for the Settlement and Relief of the Poor.*

Paſſed June 8, 1779.

As this Act was paſſed merely on Account of the Depreciation, to augment the Penalty in Chap. DXC, Section 17th, of *Allinſon*, to *Six Pounds*, inſtead of *Ten Shillings*, and will probably be ſpeedily repealed, nothing but the Title is inſerted in this Collection.

CHAP.

* *Allinſon*, Chap. DCXXIII.
† Chap. CXII.
‡ *Allinſon*, Chap. DXC.

CHAP. CXXXVI.

An ACT *to amend an Act, intitled,* * *An Act ſubjecting Real Eſtates in the Province of* New-Jerſey *to the Payment of Debts, and directing the Sheriff in his Proceedings thereon.*

Paſſed June 8, 1779.

Preamble.

WHEREAS no Proviſion is made by the Act, intitled, *An Act ſubjecting Real Eſtates in the Province of* New-Jerſey *to the Payment of Debts, and directing the Sheriff in his Proceedings thereon*, for procuring a Title to the Purchaſer in caſe of the Death or other Diſability of the Sheriff after Sale and before a Deed is given, whereby many Inconveniencies have ariſen, and many more may ariſe; for Remedy whereof,

Mode of Proceeding in Caſes where former Sheriffs ſold Real Eſtates, and were diſqualified previous to their making Deeds.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That where it has already happened that any Sheriff has, by Virtue of the before recited Act, made Sale of any Hereditaments, Real Eſtate, Houſes and Lands to any Perſon or Perſons, and no Deed or Conveyance thereof has been made, and the Sheriff who made ſuch Sale is diſqualified by joining the Enemy, or by Death or other Diſability, from giving a Deed agreeable to ſuch Sale, that then it ſhall and may be lawful for the preſent or any ſucceeding Sheriff of the County where ſuch Sale was made, on receiving a Certificate from the Court of Common-Pleas of ſuch County, ſigned by the Clerk by Order of Court, ſetting forth that ſufficient Proof hath been made to the ſaid Court that ſuch Sale hath been fairly and legally made; and on Tender of the Purchaſe-Money, or if the Purchaſe-Money has been paid, or any Part thereof, then on Proof of ſuch Payment and Tender of the Reſidue, if any remains due, to make, ſeal, execute and deliver to the Purchaſer or Purchaſers, or to the Perſon or Perſons entitled by Law to receive the ſame, a good and ſufficient Deed and Conveyance of the Hereditaments, Real Eſtate, Houſes and Lands ſold as aforeſaid; and ſuch Conveyance ſo made is hereby declared good and valid in Law, and ſhall have the ſame Force and Effect as if the ſame had been made by the Sheriff who ſeized and ſold ſuch Hereditaments, Real Eſtate, Houſes and Lands.

How to proceed in the like Caſes in Future.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if it ſhall hereafter happen that any Sheriff ſhall make Sale of any Hereditaments, Real Eſtate, Houſes and Lands, and ſhall by Death, or other Diſability, be diſqualified from giving a Deed or Conveyance for the ſame agreeable to the before-recited Act, that it ſhall and may be lawful for any ſucceeding Sheriff of the ſame County, on receiving a Certificate from the Court of Common-Pleas of ſuch County, ſigned by the Clerk by Order of Court, ſetting forth that ſufficient Proof hath been made to the ſaid Court that ſuch Sale hath been fairly and legally made, and Tender of the Purchaſe-Money, or if the Purchaſe-Money or any Part thereof has been paid, then on Proof of ſuch Payment, and on Tender of the Reſidue, if any be, to make, ſeal, execute and deliver to the Purchaſer or Purchaſers, or to the Perſon or Perſons legally entitled to

* *Allinſon*, Chap. CLXXXVI.

to receive the ſame, a good and ſufficient Deed and Conveyance of the Hereditaments, Real Eſtate, Houſes and Lands ſo ſold; which Deed ſo given is hereby declared to be as good and valid, and ſhall have the ſame Force and Effect as if the Sheriff making ſuch Sale had executed and delivered the ſame, any Law to the contrary notwithſtanding.

Sheriffs made accountable.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That any Sheriff, receiving any Money by Virtue of this Act, ſhall be accountable for the Money ſo received to the Perſon entitled by Law to receive the ſame.

CHAP. CXXXVII.

An ACT *for calling out of Circulation, and for ſinking all Bills of Credit heretofore emitted in this State whilſt the ſame was a Colony.*

Paſſed June 8, 1779.

The greateſt Part of this Law is obſolete—What ſeems neceſſary to be inſerted here is as follows:

Sect. 2. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Bills of Credit ſhall paſs current, and continue to be a legal Tender, and ſhall be received as ſuch in all Payments, under the Penalties and Forfeitures deſcribed in the ſeveral Acts made for that Purpoſe, until the firſt Day of *September* next, and no longer, except in the Payment of Taxes, and all Clauſes in any former Law declaring the ſame to be a legal Tender from and after the above Date, is, and hereby are repealed and made void.

Repeal of Clauſes making ſaid Bills a legal Tender.

Bills of Credit, when irredeemable.

6. AND BE IT ENACTED *by the Authority aforeſaid*, That all ſuch Bills of Credit which ſhall not be brought into the Treaſury of this State on or before the ſaid firſt Day of *January* next, ſhall be for-ever after irredeemable.

Former Acts repealed.

7. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Act, intitled, * *An* Act *to ſettle the Quotas of the ſeveral Counties in this Colony for the levying Taxes*, paſſed the ſixth Day of *December*, One Thouſand Seven Hundred and Sixty-nine; and likewiſe an Ordinance of the late Provincial Congreſs of this State, for ſtriking the Sum of *Fifty Thouſand Pounds Five Shillings* in Bills of Credit, for the Purpoſes therein mentioned, and directing the Manner of ſinking the ſame, paſſed the twenty-eighth Day of *February*, One Thouſand Seven Hundred and Seventy-ſix, ſhall be, and they hereby are repealed.

CHAP. CXXXVIII.

Obſolete, except the 26th Section.

† *An* ACT *to raiſe the Sum of* One Million of Pounds *in the State of* New-Jerſey.

Paſſed June 8, 1779.

The Quotas of the Counties to be made proportionate.

Sect. 26. AND WHEREAS through the Neglect of the Collectors of ſome

* *Allinſon*, Chap. CCCCXCV. † See a Supplement to this Act, Chap. CLIX.

ſome of the Counties in this State, in not having tranſmitted the Duplicates of the Aſſeſſments to the Legiſlature, agreeably to the Directions of an Act, intitled, * *An Act to raiſe the Sum of* One Hundred Thouſand Pounds *by Taxation, for diſcharging the Debts and defraying the neceſſary Expences of the State of* New-Jerſey, paſſed *December* the fifth, One Thouſand Seven Hundred and Seventy-eight, and from other Cauſes, the Quotas laid upon the ſeveral Counties by this Act may be diſproportionate; BE IT THEREFORE FURTHER ENACTED, That if it ſhall appear, on the next Settlement of the Quotas of the ſeveral Counties, by a more clear and complete Account of the ſeveral Perſons, Articles and Things made rateable therein, that the Quota of any County, as laid in this Act, is greater than its juſt Proportion, the Surplus ſhall be credited to ſuch County in the Settlement of its next Quota.

CHAP. CXXXIX.

An ACT *to empower the Clerks of the ſeveral Counties to adminiſter the official and other neceſſary Oaths to certain Officers in ſuch Counties; and for procuring to the Secretary of the State, Returns of the Names of ſuch Officers.*

Paſſed June 9, 1779.

Preamble. WHEREAS it is proper that ſome fit Perſon in each County be authorized to qualify into Office the Officers herein after mentioned;

Clerks to adminiſter certain Oaths. *Sect.* 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That the Clerk of the Inferior Court of Common-Pleas and General Quarter-Seſſions, in each County within this State, for the Time being, ſhall be, and hereby is authorized and empowered to adminiſter the Oaths of Abjuration and Allegiance, ſet forth in an Act, intitled, † *An Act for the Security of the Government of* New-Jerſey, paſſed on the nineteenth Day of *September*, in the Year of our Lord One Thouſand Seven Hundred and Seventy-ſix; and alſo the uſual and legal Oaths of Office to all ſuch Judges of the Inferior Courts of Common-Pleas, Juſtices of the Peace, Sheriffs and Coroners, as have been or ſhall be elected or appointed to ſerve in and for ſuch County, and who are or ſhall be by Law entitled to take the ſame; and that no other Perſon or Perſons whatſoever ſhall preſume to qualify the ſaid Officers, or any of them into Office as aforeſaid, any Law, Uſage or Cuſtom, to the contrary notwithſtanding.

Clerks to enrol the Names of Perſons qualifying. 2. AND IT IS HEREBY FURTHER ENACTED, That the Clerk of each County ſhall enrol the Names of all the ſaid Officers by him qualified as aforeſaid, together with the Date of each Qualification, on Paper or Parchment, to be by him for that Purpoſe kept and filed among the Records of the Court; and ſhall alſo tranſmit the Name of each Officer by him ſo qualified, and the Date of ſuch Qualification, to the Secretary of the State, at or before the next Sitting of the Legiſlature, after

* Chap. CXIV. † Chap. II.

ſuch Qualification takes place, to be by him laid before the then next Joint-Meeting of the Council and Aſſembly.

Judges to qualify Clerks.

3. AND IT IS HEREBY FURTHER ENACTED, That any one of the Judges of the Inferior Court of Common-Pleas in any County within this State, ſhall be and hereby is authorized to qualify into Office as aforeſaid the Clerk of ſuch County; and the ſaid Clerk ſhall thereupon enrol his own Name, and the Date of ſuch his Qualification, in Manner as above ſet forth, and tranſmit a Copy of ſuch Enrolment to the Secretary as aforeſaid, at or before the next ſubſequent Meeting of the Legiſlature.

Clerks, how to enrol the Names of Officers of Government.

4. AND IT IS HEREBY FURTHER ENACTED, That the ſaid Clerks ſhall collect the Names of all ſuch Perſons as hold or have held any of the ſaid Offices, under the preſent Government, in the Counties where they reſpectively reſide, and enrol them as aforeſaid with the Office of each, and the Date when he was qualified into Office, or as nearly ſo as can be aſcertained, affixed to his Name, and tranſmit a Copy of ſuch Enrolment to the Secretary of the State, at or before the next Meeting of the Legiſlature, after the Publication of this Act.

Clerks neglecting their Duty, what to forfeit.

5. AND IT IS HEREBY FURTHER ENACTED, That if the Clerk of any County ſhall neglect or refuſe to perform any Service of him by this Act required, he ſhall, for every ſuch Offence, forfeit the Sum of *Ten Pounds*, to be recovered, with Coſts of Suit, by any Perſon that will ſue for the ſame, and applied to the Uſe of ſuch County.

Judges to adminiſter certain Oaths.

6. AND IT IS HEREBY FURTHER ENACTED, That each of the Judges of the Supreme Court ſhall be, and hereby is authorized to adminiſter the official and other neceſſary Oaths and Affirmations to any Perſon that ſhall hereafter be elected a Judge of the ſaid Court, Attorney-General, Clerk of the Supreme Court, or Secretary of the State, and alſo to any other Perſon to whom it may be neceſſary to adminiſter the Oaths or Affirmations of Abjuration or Allegiance in the ſaid Court; and each and any Member of the Council, for the Time being, ſhall be, and hereby is authorized to qualify into Office, as aforeſaid, any Perſon that ſhall hereafter be elected Governor of this State; PROVIDED ALWAYS, That it be done in Council, if the Legiſlature be then ſitting.

Proviſo.

Perſons elected in Joint-Meeting, neglecting to qualify, their Election to be void.

7. AND IT IS HEREBY FURTHER ENACTED, That if any Perſon elected to any Office by the Council and Aſſembly in Joint-Meeting, ſhall neglect or refuſe to qualify into ſuch Office, for and during the Space of two Months, after being informed of ſuch Election by any one of the Repreſentatives of the County in which he reſides, or by the Clerk of ſuch County, his ſaid Election ſhall thenceforth be void.

Doubts obviated.

8. AND WHEREAS ſome Doubts have ariſen, whether the Oaths of Office, adminiſtered ſince the ſecond *Tueſday* in *October*, in the Year of our Lord One Thouſand Seven Hundred and Seventy ſeven, by Virtue of any *Dedimus Poteſtatem* given by the Governor in the preceding Year, purſuant to the Act herein before-recited, are valid, or the Acts done and performed under them good in Law: For the Removal of which Doubts, BE IT ENACTED *by the Authority aforeſaid*, That all the ſaid Oaths adminiſtered as aforeſaid, ſhall be, and are hereby declared

clared to be good and ſufficient in Law; and that no Act, Matter or Thing, done by any Officer ſo qualified, ſhall, on Account of any ſuppoſed Defect in ſuch Qualification, be ſet aſide or adjudged illegal.

9. AND IT IS HEREBY FURTHER ENACTED, That ſo much of the Act herein before-recited, as authorizes the Governor to empower Perſons by *Dedimus Poteſtatem*, or otherwiſe, to adminiſter Oaths of Office, or any other Oaths, ſhall be and is hereby repealed. Part of an Act repealed.

CHAP. CXL.

An ACT *more effectually to apprehend and bring to Juſtice, Perſons charged with certain attrocious Offences againſt the Peace of the State.*

Paſſed June 9, 1779.

WHEREAS Murders, Robberies, and other daring and felonious Outrages have lately, and in divers Parts of this State, been perpetrated by ſundry diſaffected and deſperate Perſons, armed and aſſociating in Parties, to the great Annoyance and Impoveriſhment of the Inhabitants, and in utter Violation of the Laws and Peace of the Government: AND WHEREAS it is neceſſary to take vigorous and effectual Means for ſuppreſſing ſuch dangerous Combinations, and for the more ſpeedy and certain apprehending and bringing to Juſtice thoſe who are guilty of Crimes ſo heinous, as well as their Accomplices, Comforters and Abettors; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful to and for the Governor, or Commander in Chief for the Time being, by and with the Advice and Conſent of the Privy Council, to iſſue his Proclamation for apprehending and ſecuring any Perſon charged, on the Oath or Affirmation of one or more credible Witneſs or Witneſſes, with committing any ſuch Murder, Robbery, or other felonious Outrage and Violence upon the Perſon or Property of any of the good Subjects of this State; and in ſuch Proclamation to offer ſuch Reward as they the ſaid Governor or Commander in Chief, and Privy Council, may think proper, according to the Nature and Aggravation of the Crime, not exceeding the Sum of **Five Hundred Pounds* for any one Offender; which Reward ſhall be paid, on Conviction of the Party charged, to the Perſon or Perſons entitled thereto, by the Treaſurer of the State, out of any publick Money in his Hands, on a Warrant or Certificate ſigned by the Governor or Commander in Chief in Council for that Effect. Governor to iſſue Proclamations for apprehending Perſons guilty of Murder, &c.

2. AND IT IS HEREBY FURTHER ENACTED, That it ſhall and may be lawful to and for the ſaid Governor or Commander in Chief, by and with the Advice and Conſent of the Privy Council, as aforeſaid, to iſſue his Proclamation, offering a Reward, as aforeſaid, for apprehending and ſecuring any Perſon or Perſons charged, as aforeſaid, with aiding, abetting, comforting, harbouring or concealing any Perſon or Perſons who hath or have committed any of the Felonies above ſpecified and deſcribed, knowing And for ſecuring thoſe who are charged with ſecreting Villains.

* This Sum is limited by Chap. CCL, to £. 100.

knowing him or them to be guilty of ſuch Offence or Offences; which Reward ſhall be paid on Conviction of the Party charged, in the ſame Manner as is above provided.

A Reward to be offered for taking unknown Delinquents.

3. AND BE IT FURTHER ENACTED, That when any ſuch Murder, Robbery or other Felony, hath been or ſhall be committed by any Perſon or Perſons unknown, it ſhall and may be lawful for the Governor or Commander in Chief for the Time being, by and with the Advice and Conſent of the Privy Council, as aforeſaid, on the Oath or Affirmation of one or more credible Witneſs or Witneſſes, ſetting forth the Fact, and that the ſame was perpetrated by a Perſon or Perſons unknown, to iſſue his Proclamation, offering a Reward, as aforeſaid, for apprehending and ſecuring the Perſon or Perſons who may have committed the ſame; and any Perſon or Perſons who may have aided, abetted, comforted, harboured or concealed him or them, knowing him or them to be in ſuchwiſe guilty; which Reward ſhall in every Caſe be paid on Conviction, in Manner aforeſaid.

The above Act was limited to the End of the next Seſſion of General Aſſembly after the Paſſing; but is now revived, amended and made perpetual by Chap. CCL.

Repealed by Chap. CCXXXV.

CHAP. CXLI. *An* Act *for recruiting by voluntary Enliſtment the three Regiments of this State in the Service of the United States.*

Paſſed June 9, 1779.

Three Hundred and Sixty-five Men were directed to be enliſted by this Act; *Two Hundred and Fifty Dollars* Bounty was allowed to each Recruit by the State, over and above the Clothing, Lands, and *Two Hundred Dollars* Bounty, given by Congreſs.

CHAP. CXLII.

An ACT *to prevent Perſons from paſſing through this State without proper Paſſports.*

Paſſed June 10, 1779.

Preamble.

WHEREAS the Liberties of the United States may be greatly endangered, while Spies and other diſaffected Perſons are ſuffered to travel at large, and carry Intelligence to the Enemy; for preventing of which in this State,

No Perſon to paſs, except, &c.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the Publication of this Act, no Perſon or Perſons whatſoever, reſiding within this State, except the Members of the Legiſlature and publick Officers of Government, ſhall be permitted to paſs and repaſs through any Part of this State, other than the County in which he, ſhe or they reſide, without having a Commiſſion under this State, or the United States, or a Certificate from His Excellency the Governor, or from one of the Members of the Legiſlative-Council or General Aſſembly of the County in which he, ſhe or they reſide, or from one of the Juſtices of the Supreme Court, or one of the Judges of the Court of Common-

Common-Pleas or Juſtices of the Peace of ſuch County, certifying that the Bearer is an Inhabitant of the County of and a Perſon of good Repute, and generally eſteemed a Friend to the preſent Government, as eſtabliſhed under the Authority of the People; in which Certificate ſhall be inſerted the Name and Rank of the Perſon, and the Town and County in which he reſides; which Commiſſion or Certificate ſhall entitle the Bearer to travel in any Part of this State, except near the Enemy's Lines, where he ſhall not be permitted to travel without ſome apparent Buſineſs, conſiſtent with his Rank and Station, and the Good of the State.

Perſons not permitted to travel without Paſſports.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That no Perſon or Perſons whatſoever, not reſiding in, or being an Inhabitant of, this State, ſhall be permitted to paſs or repaſs through any Part of this State, without having and holding a Commiſſion under the United States, or without a Paſs from the Commander in Chief or other General Officer in the Army of the United States, or from the Governor or Commander in Chief, or one of the Delegates in Congreſs for the State in which ſuch Traveller uſually reſides, or from one of the Legiſlative or Executive Council of ſuch State, or being a non-commiſſioned Officer or Soldier without a Paſs or Furlough from ſome one of the Officers of the Regiment to which he or they may belong; which Commiſſion or Paſs ſhall entitle the Bearer to travel into or through this State, while behaving and conducting as becometh ſuch Traveller. PROVIDED ALWAYS, That nothing herein contained ſhall be taken or conſtrued to extend to the hindering any Perſon living in the adjoining Counties of the neighbouring States, not immediately in the Poſſeſſion of the Enemy, from paſſing into the next adjoining County in this State, having a Paſs from ſome one Juſtice of the Peace in the County to which he or ſhe may belong, provided ſuch Perſon do not attempt to paſs out of ſuch County without obtaining a Permiſſion or Paſſport agreeably to the Directions of this Act.

Proviſo.

Officers, &c. empowered to examine Travellers.

3. AND, in order to carry this Act into Effect, IT IS FURTHER ENACTED, That it ſhall and may be lawful for any Officer of this State, civil or military, in the Preſence of two or more Witneſſes, in a publick Manner to examine all Travellers whatſoever, and for all Innholders publickly to examine all ſuch as may put up at their Houſes, and for all Ferrymen and Drivers of publick Stages to examine all Paſſengers who may offer or deſire a Paſſage, and to detain and carry before ſome Juſtice of the Peace of the County all ſuch Perſon or Perſons who, upon ſuch Examination, ſhall not produce a Commiſſion, Certificate or Paſs, authorizing them to paſs as aforeſaid; and without which, by this Act, they are herein before denied Permiſſion to paſs and repaſs through any Part of this State. And each and every Perſon taken up and carried before a Juſtice of the Peace in any County of this State, purſuant to the Directions of this Act, who are denied Permiſſion to paſs as aforeſaid, ſhall, by ſuch Juſtice, be either committed to Gaol by a Mittimus, there to remain till duly diſcharged, or be obliged to return the directeſt Way to his Place of Reſidence, as the ſaid Juſtice, upon Examination of the Perſon apprehended, and hearing the Evidence produced, ſhall, in his Diſcretion, judge moſt proper. And the ſaid Juſtice of the Peace, who ſhall cauſe any Perſon to be committed to Gaol as aforeſaid, or any two Juſtices of the Peace of the ſame County, ſhall be and hereby are autho-

rized and empowered to diſcharge from Gaol any ſuch Perſon ſo apprehended and committed, who ſhall prove to the Satisfaction of ſuch Juſtice or Juſtices that he ought to be diſcharged upon his paying the Coſts accrued on taking up and committing ſuch Perſon, as the ſame ſhall be taxed by the Juſtice or Juſtices: And all Perſons apprehended and committed as aforeſaid, who ſhall not appear to be Spies from the Enemy, or otherwiſe guilty of any capital Offence, but ſhall otherwiſe be of doubtful or ſuſpicious Characters, ſhall be diſcharged from Confinement, upon paying the Coſt as aforeſaid, and alſo the Expence of a ſufficient Guard to conduct and remove ſuch Perſon or Perſons out of this State, the directeſt or ſecureſt Way towards his Place of Reſidence; which Guard the ſaid Juſtice or Juſtices are required to procure, upon receiving a Sum ſufficient to hire and ſupport the ſame, and to give a Paſs for that Purpoſe.

Boatman, &c. neglecting his Duty, to forfeit £. 20.

4. AND BE IT ENACTED *by the Authority aforeſaid*, That every Boatman or Ferryman who ſhall bring into this State, or over any Ferry within the ſame, any Perſon without a Paſſport as aforeſaid, and every publick Innkeeper or other Houſeholder who ſhall entertain any Perſon not having ſuch Paſſport, and all Stage-Drivers who ſhall grant a Paſſage to any ſuch Perſon, every ſuch Ferryman, publick Innkeeper, Houſeholder and Stage-Driver, ſo offending, contrary to the true Intent and Meaning of this Act, ſhall, for every ſuch Offence, forfeit and pay the Sum of *Twenty Pounds*; to be recovered in any Court of Record where the ſame may be cognizable, with Coſts of Suit, to be applied one Half to the Support of the Poor of the Townſhip where the Offence was committed, and the other Half to the Proſecutor. And all Officers civil and military within this State are hereby ſtrictly ordered and enjoined to give all needful Aid and Aſſiſtance for carrying this Act into Execution.

CHAP. CXLIII.

An ACT *for the Relief and Support of maimed and diſabled Officers, Soldiers and Seamen, and of the Widows and Children of ſuch as fall in Battle, or otherwiſe loſe their Lives in the military or Naval Service.*

Paſſed June 10, 1779.

Preamble.

WHEREAS the United States of *America* in Congreſs aſſembled, did, by their Reſolution bearing Date the twenty-ſixth Day of *Auguſt*, One Thouſand Seven Hundred and Seventy-ſix, declare and reſolve in the Words following, *to wit*,

'Whereas, in the Courſe of the preſent War, ſome commiſſioned and 'non-commiſſioned Officers of the Army and Navy, as alſo private Sol-'diers, Marines and Seamen, may loſe a Limb, or be otherwiſe ſo diſ-'abled as to prevent their ſerving in the Army or Navy, or getting their 'Livelihood, and may ſtand in Need of Relief:

'*Reſolved*, That every commiſſioned Officer, non-commiſſioned Of-'ficer and private Soldier, who ſhall loſe a Limb in any Engagement, or 'be ſo diſabled in the Service of the United States of *America*, as to ren-'der him incapable afterwards of getting a Livelihood, ſhall receive,

'during

'during his Life or the Continuance of ſuch Diſability, the one Half of 'his monthly Pay from and after the Time that his Pay as an Officer or 'Soldier ceaſes; to be paid by the Committee as hereafter mentioned:

'That every Commander of any Ship of War or armed Veſſel, com- 'miſſioned Officer, Warrant Officer, Marine or Seaman belonging to the 'United States of *America*, who ſhall loſe a Limb in any Engagement 'in which no Prize ſhall be taken, or be therein otherwiſe ſo diſabled 'as to be rendered incapable of getting a Livelihood, ſhall receive, dur- 'ing his Life or the Continuance of ſuch Diſability, the one Half of his 'monthly Pay from and after the Time that his Pay as an Officer or 'Marine, or Seaman ceaſes; to be paid as hereafter mentioned. But 'in caſe a Prize ſhall be taken at the Time ſuch Loſs of Limb or other 'Diſability ſhall happen, then ſuch Sum, as he may receive out of the 'net Profits of ſuch Prize, before a Dividend is made of the ſame, agree- 'able to former Orders of Congreſs, ſhall be conſidered as Part of his 'Half-pay, and computed accordingly:

'That every commiſſioned Officer, non-commiſſioned Officer, and 'private Soldier in the Army, and every Commander, Commiſſion Offi- 'cer, Warrant Officer, Marine or Seaman of any of the Ships of War 'or armed Veſſels belonging to the United States of *America*, who ſhall 'be wounded in any Engagement ſo as to be rendered incapable of 'ſerving in the Army or Navy, though not totally diſabled from get- 'ting a Livelihood, ſhall receive ſuch monthly Sum as ſhall be judged 'adequate by the Aſſembly or other Repreſentative Body of the State 'where he belongs or reſides, upon Application to them for that Pur- 'poſe, provided the ſame doth not exceed his Half-pay.

'Provided that no commiſſioned Officer, non-commiſſioned Officer 'and private Soldier in the Army, Commander, Commiſſion Officer, 'Warrant Officer, Marine or Seaman of any of the Ships of War or 'armed Veſſels belonging to the United States of *America*, who ſhall be 'wounded or diſabled as aforeſaid, ſhall be entitled to his Half-pay or 'other Allowance, unleſs he produce to the Committee or Officer ap- 'pointed to receive the ſame in the State where he reſides or belongs, 'or to the Aſſembly or Legiſlative Body of ſuch State, a Certificate from 'the Commanding Officer who was in the ſame Engagement in which 'he was ſo wounded, or in caſe of his Death, from ſome other Officer 'of the ſame Corps, and the Surgeon that attended him, or a Certificate 'from the Commander of the Ship of War or armed Veſſel engaged in 'the Action in which any Officer, Marine or Seaman received his 'Wound, and from the Surgeon who attended him, of the Name of 'the Perſon ſo wounded, his Office, Rank, Department, Regiment, Com- 'pany, Ship of War or armed Veſſel to which he belonged, his Office 'or Rank therein, the Nature of his Wound, and in what Action or 'Engagement he received it:

'That it be recommended to the ſeveral Aſſemblies or Legiſlative Bo- 'dies of the United States of *America*, to appoint ſome Perſon or Per- 'ſons in their reſpective States, who ſhall receive and examine all ſuch 'Certificates as may be preſented to them, and regiſter the ſame in a 'Book, and alſo what Support is adjudged by the Aſſembly or Legiſla- 'tive Body of their State to thoſe whoſe Caſe requires but a partial Sup- 'port, and alſo of the Payment from Time to Time of every Half-pay 'and other Allowance, and of the Death of ſuch diſabled Perſon, or 'ceaſing of ſuch Allowance, and ſhall make a fair and regular Report 'of the ſame quarterly to the Secretary of Congreſs or Board of War, 'where a ſeparate Record ſhall be kept of the ſame: 'That

'That it be recommended to the Aſſemblies or Legiſlative Bodies of 'the ſeveral States to cauſe Payment to be made of all ſuch Half-pay or 'other Allowances, as ſhall be adjudged due to the Perſons afore-named, 'on Account of the United States.

'Provided that all ſuch Officers and Soldiers that may be entitled to 'the aforeſaid Penſion, and are found to be capable of doing Guard or 'Garriſon Duty, ſhall be formed into a Corps of Invalids, and ſubject 'to the ſaid Duty; and all Officers, Marines and Seamen of the Navy 'who ſhall be entitled to the Penſion aforeſaid, and ſhall be found ca-'pable of doing any Duty on Board the Navy or any Department there-'of, ſhall be liable to be ſo employed.'

AND WHEREAS the ſaid United States in Congreſs aſſembled, did, by one other Reſolution bearing Date the twenty-fifth Day of *September*, One Thouſand Seven Hundred and Seventy-eight, declare and reſolve in the Words following, *to wit*,

'Whereas Congreſs, by a Reſolve paſſed on the twenty-ſixth Day of *Au-'guſt*, One Thouſand Seven Hundred and Seventy-ſix, made Proviſion for 'commiſſioned and non-commiſſioned Officers of the Army and Navy, 'as alſo for private Soldiers, Marines and Seamen, who ſhould thereafter 'loſe a Limb in any Engagement, or be otherwiſe ſo diſabled in the 'Service of the United States of *America*, as to render them incapable 'afterwards of getting a Livelihood: And whereas divers Officers and 'others have loſt Limbs and been otherwiſe diſabled, as aforeſaid, be-'fore the ſaid twenty-ſixth Day of *Auguſt*, to whom the like Relief ought 'equitably to be extended;

'*Reſolved*, That all Proviſions and Regulations contained in the ſaid 'Reſolve of the twenty-ſixth of *Auguſt*, One Thouſand Seven Hundred 'and Seventy-ſix, ſhall extend to all Perſons who loſt a Limb or were 'otherwiſe diſabled, as aforeſaid, in the Service of the United Colonies 'or States of *America*, before the ſaid twenty-ſixth of *Auguſt*, and ſince 'the Commencement of Hoſtilities on the nineteenth of *April*, One 'Thouſand Seven Hundred and Seventy-five.

'And whereas Doubts may ariſe, in ſome Caſes, whether certain Per-'ſons maimed or diſabled, and claiming Penſions, were at the Time in 'the Service of the ſaid Colonies or States; for removing the ſame,

'*Reſolved*, That every commiſſioned and non-commiſſioned Officer 'and private Man, who, ſince the Commencement of Hoſtilities, as 'aforeſaid, has been or hereafter ſhall be drawn forth for the common 'Defence, and not for the Service of any particular State, or who has 'turned out, or hereafter ſhall turn out voluntarily to oppoſe the Ene-'mies of the ſaid United Colonies or States, upon any ſudden Attack or 'Invaſion, or upon any Enterprize carried on under their Authority, 'and in ſuch Service has loſt or ſhall loſe a Limb, or has been or ſhall 'be otherwiſe diſabled, as aforeſaid, ſhall be entitled to the Penſion al-'lowed in the ſaid Reſolve of the twenty-ſixth of *Auguſt*, One Thouſand 'Seven Hundred and Seventy-ſix.

'Provided that any ſuch commiſſioned or non-commiſſioned Officer 'or private Man, being found capable of doing Guard or Garriſon Duty, 'ſhall be ſubject thereto, and ſerve in the Corps of Invalids when re-'quired, or on refuſing ſo to do ſhall be ſtruck off the Liſt of Penſioners, 'unleſs the Perſon ſo refuſing have a Family, or be otherwiſe peculiarly 'circumſtanced, and the Governor or Preſident and Council of the State 'he belongs to, or in which he reſides, are of Opinion an Exception 'ſhould be made in his Favour, and an Exemption granted him from

'ſuch

‘ ſuch Services, a Certificate of which Opinion he ſhall produce previous
‘ to his receiving his Penſion.

‘ And whereas it may happen that many Perſons maimed or diſabled,
‘ as aforeſaid, by Reaſon of their falling into the Hands of the Enemy,
‘ the Deaths of their Officers and Surgeons, or other Accidents, may not
‘ have it in their Power to procure the Certificates required by the afore-
‘ mentioned Reſolve to entitle them to their Penſions ;

‘ *Reſolved*, That in ſuch Caſes Application be made to the Governor
‘ or Preſident and Council of the State to which any Perſon maimed or
‘ diſabled, as aforeſaid, belongs, or in which he reſides, and upon ſhew-
‘ ing to him or them ſatisfactory Proof that he was maimed or diſabled,
‘ in the Manner before-mentioned, and producing his or their Certificate
‘ thereof, he ſhall be entitled to and receive a Penſion in like Manner as
‘ if he produced the Certificates required by the ſaid Reſolve.’

AND WHEREAS the Council and Aſſembly of this State are deſirous of carrying into Effect the equitable and benevolent Purpoſes intended by the ſaid Reſolutions ;

Courts to examine Certificates, *&c.*

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Courts of General Quarter-Seſſions of the Peace in the ſeveral Counties in this State, be, and they hereby are ſeverally authorized and directed to receive and examine all ſuch Certificates as may be preſented to them by Virtue of the before recited Reſolutions, and on Receipt thereof, and if the ſame ſhall be approved, to cauſe them to be regiſtered in a Book, to be kept for that Purpoſe by the Clerk ; and alſo to collect the Vouchers and to take Affidavits reſpecting the Circumſtances and proportional Diſability of ſuch Perſon or Perſons as have been or ſhall be wounded, maimed or diſabled in any Engagement, or otherwiſe diſabled in the Service, ſo as to be rendered incapable of ſerving in the Army or Navy of the United States, and partially, though not totally, diſabled from getting a Livelihood, and entitled to any Allowance by Virtue of the ſaid Reſolutions, and thereupon to adjudge what Allowance ought to be made to ſuch Perſon not totally diſabled, and whoſe Caſe requires only a partial Support ; and to cauſe an Entry, ſeparate from that of the Certificates to be made in ſaid Book, of ſuch adjudged Allowance.

Copy of the Regiſtry, *&c.* to be tranſmitted to the Speaker of the Aſſembly.

2. AND BE IT FURTHER ENACTED, That each of the ſaid Courts of Quarter-Seſſions ſhall cauſe a Copy of the Regiſtry of Certificates, certified by three of the Juſtices, and under the Seal of the Court, and alſo a Copy of the Entries of ſuch adjudged Allowance, certified by the Clerk, and alſo the Vouchers and Affidavits on which ſuch Adjudications were founded, to be tranſmitted to the Speaker of the Aſſembly at the next Sitting of the Legiſlature after the ſame were regiſtered, received and adjudged, that final Adjudication of ſuch proportional Allowance may be paſſed by the Legiſlature ; and a Copy thereof and of the Regiſtry of the Certificates be tranſmitted to the Board of War, agreeably to the before-recited Reſolutions, and thereupon Warrants ſhall iſſue to the Perſons entitled to ſuch adjudged Allowance, and alſo to thoſe entitled to Half-pay ; which Warrants ſhall be in the Words or to the Effect following, *videlicet*,

Form of a Warrant for Half-pay;

STATE of NEW-JERSEY, the Day of 17

THIS Warrant entitles the Bearer a wounded (or diſabled) Captain, late of Colonel Regiment of this State, in the Service of the United States, (or otherwiſe, as the Caſe may be) *or his Order, to receive Half-pay from the Day of One Thouſand Seven Hundred according to the Reſolutions of Congreſs; and to draw the ſame from the Treaſurer, for the Time being, quarterly, during his Life,* (or otherwiſe, as the Caſe may be)

Council-Chamber, 17 *By Order of the Houſe,* *Preſident.*
Houſe of Aſſembly, *By Order of the Houſe,* *Speaker.*

Or if for an adjudged Allowance, then the Warrant ſhall be in the Words, or to the Effect, following:

And for an adjudged Allowance.

STATE of NEW-JERSEY, the Day of 17

THIS Warrant entitles the Bearer a wounded (or diſabled) Soldier, late of Captain Company, in Colonel Regiment of this State, in the Service of the United States, or his Order in Virtue of the Reſolutions of Congreſs, and by Adjudication of the Legiſlature, to draw from the Treaſurer, for the Time being, the Sum of monthly, from the Day of One Thouſand Seven Hundred during the Continuance of his Diſability.

Council-Chamber, 17 *By Order of the Houſe,* *Preſident.*
Houſe of Aſſembly, *By Order of the Houſe,* *Speaker.*

The Treaſurer empowered to adminiſter an Oath;

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That when any Application ſhall be made, and an Order produced to the Treaſurer of the State, for the Time being, in Behalf of any Perſon in whoſe Favour a Warrant has been iſſued, entitling him or her to Half-pay or other Allowance, it ſhall and may be lawful for the ſaid Treaſurer to adminiſter an Oath or Affirmation to the Perſon preſenting ſuch Order, to the following Effect:

Form thereof.

I do ſolemnly ſwear (or affirm) that the Owner of the Warrant by me preſented for Payment is alive, (or otherwiſe, as the Caſe may be) *to the beſt of my Knowledge and Belief.*

And to pay Arrears after the Perſon's Death.

And if ſuch Warrant ſhall be preſented to the ſaid Treaſurer, after the Deceaſe of the Perſon in whoſe Favour the ſaid Warrant was iſſued, by or in Behalf of his or her Executors or Adminiſtrators, for the Arrears of Half-pay or other Allowance due to ſuch Perſon ſince his or her laſt Payment to the Time of his or her Deceaſe, the ſaid Treaſurer is hereby authorized to pay the ſame accordingly, inſerting in his Books the Time of ſuch Perſon's Deceaſe, that the ſame, together with an Account of the Payments that have been made, may be tranſmitted to the Secretary of Congreſs or Board of War, agreeably to the ſaid Reſolutions of Congreſs.

4. * AND WHEREAS Juſtice requires, that thoſe unfortunate Women and Children, who have loſt or may hereafter loſe their Huſbands or Fathers in the Service of their Country, ſhould receive a Compenſation in ſome Meaſure equivalent to the Benefits that would have reſulted to them

* The Reſolutions of Congreſs recommending this Meaſure, were publiſhed after the Paſſing of this Act.

them from the Care and Maintenance of ſuch Huſbands and Fathers; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That the Widow of every commiſſioned Officer, non-commiſſioned Officer or Private of the regular Forces or Militia of this State, and the Widow of every Commander of any Ship of War or armed Veſſel, commiſſioned Officer, Warrant Officer, Marine or Seaman, being an Inhabitant of this State, who, ſince * the nineteenth Day of *April*, One Thouſand Seven Hundred and Seventy-five, has fallen, or hereafter ſhall fall, in Battle, or otherwiſe loſe his Life while in the Service of this State, or of the United States, ſhall receive, during her Widowhood, one Half of the monthly Pay of her Huſband from the Time of his Death; and where ſuch Officer, non-commiſſioned Officer or Private of the Land or Naval Forces, or Militia of this State, in the Service of the United States, ſhall not leave a Widow, but ſhall leave an orphan Child or Children under the Age of eight Years, ſuch Child or Children collectively ſhall be entitled to receive one Half of the monthly Pay of their Father until they reſpectively attain the Age of eight Years, at which Age they ſhall ceaſe to be entitled to ſuch Allowance, or any Part thereof.

Widows or Children entitled to Half-pay.

5. PROVIDED ALWAYS, AND IT IS HEREBY ENACTED, That no Widow, Child or Children, ſhall be entitled to a Warrant to receive any Half-pay or other Allowance by this Act, unleſs a Certificate be produced to the Court of Quarter-Seſſions in the County where ſuch Widow or orphan Child or Children may reſide, by or in Behalf of ſuch Widow, Child or Children, from the Commanding Officer of the Regiment, Battalion, Ship of War or armed Veſſel, Corps, Company or Detachment in which the Huſband of ſuch Widow, or Father of ſuch orphan Child or Children ſerved, or to which he belonged at the Time of his Deceaſe, and from the Surgeon who attended him; or in caſe of the Death of ſuch Commanding Officer, from ſome other Officer of the ſame Corps, or from ſome commiſſioned Officer on Board ſuch Ship of War or armed Veſſel, particularly ſpecifying the Name of the Perſon ſo killed, and of the Regiment, Company, Ship of War or armed Veſſel to which he belonged, his Office, Rank or Department therein, and in what Action or Engagement he loſt his Life.

Widows or Children not to be entitled to a Warrant unleſs a Certificate be produced from the Commanding Officer, *&c.*

6. PROVIDED NEVERTHELESS, That if ſuch Land or Sea Officer or Private of the regular Forces or Militia, Marine or Seaman, ſhall have died in Captivity, or if any other like Accident may have rendered it impracticable to procure a Certificate in the regular Form as above-directed in this Act, it ſhall and may be lawful for the ſaid Court of General Quarter-Seſſions to admit as ſatisfactory, and accordingly to regiſter a Certificate under the Hands of any two or more credible Perſons who were Witneſſes to the Fact, and atteſted by their Oaths or Affirmations before any Juſtice of the Peace of any County in this State, ſetting forth the Time, Place and Manner, of the Death of ſuch Officer, Soldier or Seaman, with ſuch other attendant Circumſtances as may be of Uſe to aſcertain the Right of ſuch Widow, Child or Children, to the Relief made and given by this Act.

Any Officer, *&c.* dying in Captivity, *&c.* a Certificate to be admitted under the Hands of ſome credible Perſons, atteſted by their Oaths.

7. PROVIDED ALSO, AND IT IS HEREBY FURTHER ENACTED, That every ſuch Widow, or ſome Perſon on her Behalf, or on the Behalf of ſuch Child or Children, ſhall produce to the ſaid Court of Quarter-

Juſtices, *&c.* to certify that ſhe was the lawful Wife of ſuch Officer, *&c.*

* The Date of the firſt Action between the *Americans* and *Britiſh*.

ter-Seſſions a Certificate from two or more Juſtices of the Peace, or from the Overſeers of the Poor and two or more other reſpectable Perſons of the Townſhip, Precinct or Ward in which ſuch Widow, Child or Children reſpectively have a legal Settlement, or do inhabit or reſide, that ſuch Widow was in their Belief the lawful Wife and is the real Widow, and that ſuch Child or Children was or were the Child or Children of ſuch Land or Naval Officer or Soldier, Marine or Seaman, born in lawful Wedlock, and that ſuch Child or Children is or are under the Age of eight Years.

The Benefits of this Act extended to Militia-Men diſabled, *&c.* in the particular Service of this State.

8. AND WHEREAS ſome Officers and Privates of the Militia of this State may be maimed, diſabled or wounded in the particular Service of this State, and who may not, on that Account, be entitled to the Allowance in the before-recited Reſolutions mentioned, and who notwithſtanding have a juſt and equitable Claim to the Proviſion made by this Act for thoſe of the Militia of this State, who may ſuffer in the Service of the United States; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That the like Relief and Proviſion ſhall in every Reſpect be extended to them, and if they ſhall be killed or otherwiſe loſe their Lives in the particular Defence of this State, to their Widows or orphan Children, as is in and by the before-recited Reſolutions, or by this Act, directed, in Favour of thoſe who ſuffer in the Service of the United States. PROVIDED ALWAYS, That in order to entitle ſuch Officer, non-commiſſioned Officer or Private, or ſuch Widow or orphan Child or Children, to Half-pay, or other Allowance, by Virtue of this Act, they and each of them, or ſome Perſon or Perſons in their Behalf, ſhall produce to the Court of General Quarter-Seſſions of the Peace of the County wherein they may reſide, like Certificates authenticated in the ſame Manner as are directed in ſimilar Caſes by this Act.

Proviſo.

Clerks of the Quarter-Seſſions to keep ſeparate Regiſters of Certificates.

9. AND BE IT FURTHER ENACTED, That the ſaid Courts of Quarter-Seſſions of the Peace in the ſeveral Counties of this State ſhall cauſe diſtinct and ſeparate Regiſters to be kept by the Clerks of ſuch Courts, reſpectively, of all ſuch Certificates as may be to them produced, and by them approved, in Virtue of the Directions of the fifth, ſixth, ſeventh and eighth Sections of this Act; and alſo of the Allowance by them adjudged requiſite to be beſtowed on thoſe who may have been wounded or otherwiſe diſabled in the particular Service of this State, whoſe Caſes may require only a partial Support, together with the Affidavits and Vouchers on which the ſame was founded, to be tranſmitted to the Speaker of the Aſſembly, in like Manner, and under the ſame Authentications, and for the Purpoſes mentioned in the ſecond Section of this Act.

Former Relief to be deducted from the Payments due.

10. AND WHEREAS the Legiſlature and Council of Safety of this State have heretofore in many Inſtances given a temporary Relief to divers Perſons who may now become entitled to the ſtated Proviſion made by this Act; IT IS HEREBY FURTHER ENACTED, That all and every the Sums ſo granted ſhall be deducted from the Payments due, or to become due to thoſe to whom they were reſpectively granted.

Perſons forging Warrants, *&c.* what to ſuffer.

11. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Perſon applying for Relief or Proviſion by Virtue of the before-recited Reſolutions of Congreſs, or of this Act, ſhall forge, counterfeit,

terfeit, eraſe or alter any Certificate or Warrant, or ſhall procure the ſame to be forged, counterfeited, eraſed or altered, or ſhall unfairly or unduly obtain any Certificate in order to entitle him or her to any of the Allowances or Benefits of this Act, and ſhall produce ſuch Certificate or Warrant, or cauſe it to be produced for that Purpoſe, ſuch Certificate or Warrant ſhall, upon Diſcovery thereof, be null and void; and ſuch Perſon ſo applying for Relief ſhall be for-ever incapable of receiving any of the Benefits of this Act, and ſhall moreover be liable to the Pains and Puniſhments inflicted by Law on common and incorrigible Cheats, and puniſhed accordingly; and further, if able, ſhall make Reſtitution in double of what he or ſhe hath received, if any Thing he or ſhe may have received by Virtue of ſuch fraudulent Certificate or Warrant.

Wounded Officers, &c. capable of doing Guard-Duty, &c. to ſerve in the Corps of Invalids.

12. AND BE IT FURTHER ENACTED, That all maimed and wounded, and otherwiſe diſabled Officers and Soldiers either of the regular Forces or Militia of this State, who ſhall be entitled to any Allowance by Virtue of the before recited Reſolutions of Congreſs or of this Act, capable of doing Guard or Garriſon Duty, ſhall be ſubject thereto, and ſerve in the Corps of Invalids when required, or on refuſing ſo to do ſhall be ſtruck off the Liſt of Penſioners, unleſs particularly exempted and excuſed from ſuch Duty by the Governor and Privy Council; and the ſeveral Courts of Quarter-Seſſions are hereby required and enjoined particularly to ſpecify in the Returns to be by them tranſmitted to the Legiſlature in Virtue of this Act, what Perſons entitled to Relief as before directed may be capable of ſuch Duty.

Paymaſters of the Counties authorized to advance ſix Months Half-pay.

13. AND WHEREAS many Perſons entitled to Support by this Act may ſtand in Need of the ſame before the Legiſlature ſhall meet and determine the ſpecific Allowance to be made to ſuch Perſons; BE IT THEREFORE FURTHER ENACTED, That the Paymaſters of the reſpective Counties in this State, upon receiving a Certificate from the Court of Quarter-Seſſions of the County wherein ſuch Applicants may reſpectively reſide, ſigned by three of the Juſtices of the ſaid Court, and under the Seal of the Court, that ſuch Perſon or Perſons have been by them adjudged entitled to receive a Penſion either from this particular State or from the United States, ſhall thereupon advance any Sum, not exceeding ſix Months Half-pay, to ſuch Perſon or Perſons, or to any Perſon properly authorized in his, her or their Behalf; and the Receipt of ſuch Officer, Soldier, Seaman or Widow, or of ſome Perſon duly authorized in his, her or their Behalf, or in Behalf of ſuch Child or Children in whoſe Favour ſuch Application may be made, ſhall be a ſufficient Voucher to the ſaid Paymaſter for the Payment of ſo much Money in the Settlement of his Accounts; and the ſeveral Paymaſters ſhall be entitled to the ſame Commiſſions on all Monies by them paid out purſuant to the Directions of this Act, as are allowed to them on other Monies paid out in the particular Department to which they were appointed.

And to tranſmit fair Accounts to the Legiſlature.

14. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Paymaſters and each of them, be, and they hereby are required and enjoined to tranſmit fair and regular Accounts of the Monies by them appropriated to the Purpoſe of this Act, to the Legiſlature at their next Sitting.

15. AND BE IT FURTHER ENACTED, That the Clerks of the ſeveral

Clerks of the Counties, their Allowance for regiſtering Certificates.

Counties ſhall be allowed *Two Shillings* by the Sheet for every Sheet, conſiſting of ninety Words, contained in ſuch Regiſtry of Certificates, adjudged Allowance and Copy made as aforeſaid; and ſuch farther Accounts for extra Expences for Books and other Stationary as ſhall be deemed reaſonable upon producing their Accounts to, and the ſame being allowed by the Legiſlature.

Expired.

CHAP. CXLIV. *An* Act *to continue an Act, intitled,* * *An* Act *for regulating the Election of the Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners of the State of* New-Jerſey; *and to revive the Supplement thereto.*

Paſſed June 10, 1779.

Limited to the End of the firſt Sitting of the next Legiſlature.

Private.

CHAP. CXLV. *An* Act *to enable the Owners and Poſſeſſors of certain Meadows, lying within* Holmes's *Bank, in the Townſhip of* Hopewell, *in the County of* Cumberland, *to make, repair, and maintain a Road leading into the ſame, by a Tax on the ſaid Meadows.*

Paſſed June 10, 1779.

Repealed by Chap. CCLXXXII.

CHAP. CXLVI. *An* Act *to provide for the Clothing of the Quota of Forces raiſed or to be raiſed in this State, for the Service of the United States, and to repeal the Laws now in Force for that End.*

Paſſed June 11, 1779.

See a Supplement to this Act, Chap. CCIX.—See alſo CCLXX, and CCLXXXII. The Laws hereby repealed are Chap. LXI, and LXXXVI.

Private.

CHAP. CXLVII. *An* Act *to enable the Owners and Poſſeſſors of certain Meadows, in the Townſhip of* Newark, *in the County of* Eſſex, *to erect a Dam acroſs* Maple-Iſland *Creek; and for other Purpoſes therein mentioned.*

Paſſed June 11, 1779.

Obſolete.

CHAP. CXLVIII. *A Supplement to an* Act, *intitled,* † *An* Act *to embody, for a limited Time, One Thouſand of the Militia of this State, for the Defence of the Frontiers thereof.*

Paſſed June 11, 1779.

This Supplement was paſſed merely to extend the Time of meeting of the Field-Officers, for the Purpoſes mentioned in the recited Act.

CHAP.

* Chap. XXX. See alſo Chap. LVIII, CXXI, CLXXVIII, CCXXXIX, and CCCXXIV.

† Chap. CXXXII.

CHAP. CXLIX.

A ſupplementary ACT *to an Act, intitled,* * *An* Act *for the more eaſy and expeditious Recovery of Penalties on forfeited Recognizances, and for the Appropriation of the Monies ariſing from the ſame, and from Fines and Amercements, and for other Purpoſes therein mentioned.*

Paſſed June 11, 1779.

Preamble. WHEREAS the Act, intitled, *An Act for the more eaſy and expeditious Recovery of Penalties on forfeited Recognizances, and for the Appropriation of the Monies ariſing from the ſame, and from Fines and Amercements, and for other Purpoſes therein mentioned,* is found to be inadequate to the Purpoſes thereby intended; Therefore,

Mode of proceeding againſt Defaulters. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That if any Perſon whatſoever ſince the † ſecond Day of *July*, in the Year of our Lord One Thouſand Seven Hundred and Seventy-ſix, hath been bound, or at any Time hereafter ſhall be bound by any Recognizance to the State of *New-Jerſey*, or to the Commander in Chief thereof for the Time being, for the Uſe of the State, with Condition for his Appearance at the Seſſions of Oyer and Terminer and General Gaol Delivery, to be held in any County within the State, and ſuch Perſon hath not appeared, or ſhall not appear agreeably to the Condition of ſuch Recognizance, and ſuch his Default hath been or ſhall be recorded in the Minutes of the ſaid Courts, then it ſhall and may be lawful for the Supreme Court of Judicature of this State, on Motion of the Attorney-General, to award a Writ of *Scire Facias* againſt the Perſon or Perſons bound in ſuch Recognizance, to ſhew Cauſe why the Recognizance ought not to be forfeited, Judgment be entered againſt the Recognizor or Recognizors, and Execution or Executions iſſue thereon; and thereupon further to proceed as is in and by the firſt Section of the before-recited Act mentioned and directed, any Thing in the before-recited Law to the contrary notwithſtanding.

The ſecond Section is repealed by Chap. CCXCI.

County Collector, his Compenſation. 3. AND WHEREAS no Compenſation is made to the County Collector for his Service in the before recited Act; BE IT FURTHER ENACTED, That it ſhall and may be lawful for any County Collector to retain in his Hands *Four-pence* in the *Pound* on all Monies by him received and paid by Virtue of this or the before recited Act.

Perſons refuſing to act as Jurors to be fined. 4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for any Court of Law within this State, in their Diſcretion, to fine any Perſon for not attending as a Juror when duly ſummoned, not leſs than *Three Pounds* nor more than *Thirty Pounds*, to be applied to and for the Uſe of the County where ſuch Offence may happen, any former Law, Uſage or Cuſtom to the contrary notwithſtanding.

CHAP.

* Chap. XLIII. See alſo Chap. CCXCI.

† The Date of the Conſtitution.

Obſolete. CHAP. CL. *An Act to provide for the better Subſiſtence of the Troops of this State, in the Service of the United States.*

Paſſed June 11, 1779.

Proviſion was made by this Act for furniſhing certain Articles at moderate and ſtipulated Prices to the Troops of this State in the Continental Service, in order to make ſome Amends for the Depreciation of their Pay. The Articles were, Rum at *Seven Shillings and Six-pence* by the Gallon, or Country Spirits at *Five Shillings* by the Gallon, one Pint by the Week; one Half-Pound of Sugar, at *Two Shillings and Six-pence* by the Pound; one Ounce of Tea, at *Ten Shillings* by the Pound, or one Quarter of a Pound of Coffee, at *Two Shillings and Six-pence* by the Pound, or one Quarter of a Pound of Chocolate, at *Two Shillings and Six-pence* by the Pound; two Ounces of hard Soap, at *One Shilling and Three-pence* by the Pound; one Quarter of a Pound of Tobacco, at *Nine-pence* by the Pound; one Gill of Vinegar, at *Two Shillings* by the Gallon; one eighth of an Ounce of Pepper, at *Five Shillings* by the Pound, to each non-commiſſioned Officer and Private; and to each Officer, in Proportion to his Rank; but no Officer was entitled to draw more than two Rations in the Species. The Act was to continue until the United States in Congreſs aſſembled ſhould eſtabliſh ſome general Proviſion for the better Subſiſtence of the Army, in which the Troops of this State ſhould be included. Congreſs accordingly, by their Reſolutions of *Auguſt* 18th, 1779, made ſuch Proviſion by granting to the Officers, non-commiſſioned Officers and Privates of the Army, a certain pecuniary monthly Allowance for their Subſiſtence, over and above their Pay, when the Operation of this Act ceaſed. This Allowance being found inadequate, being in Continental Currency, which continued to depreciate, the Act was revived by Chap. CLXXXIII, to take Effect from the ſaid 18th Day of *Auguſt*; but the Pay of the Army being now directed to be diſcharged in Specie, it is again become obſolete.

Private. CHAP. CLI. *An Act to ſecure to the Owners and Poſſeſſors of ſuch Lands, lying in the Townſhips of* Woodbridge *and* Piſcataway, *in the County of* Middleſex, *the Encloſures of which have been deſtroyed in the Courſe of the preſent War, the Uſe and Benefit of the ſaid Lands, as Common of Paſture, under certain Regulations.*

Paſſed June 12, 1779.

Supplied and repealed by Chap. CCXLII. CHAP. CLII. *A ſupplementary* Act *to an Act, intitled,* * *An* Act *for the regulating, training and arraying the Militia.*

Paſſed June 12, 1779.

CHAP. CLIII.

An ACT *for the Removal of Criminals for their more ſafe Cuſtody; and for other Purpoſes therein mentioned.*

Paſſed June 12, 1779.

Preamble. WHEREAS the Vicinity of the Enemy's Lines to ſeveral of the Gaols in the State renders the ſafe keeping of the Priſoners confined therein precarious; *Sect.*

* Chap. LXXXIV. See alſo Chap. CXCV, CCXLII, and CCCXIX.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That whenever the Sheriff of any County in the State ſhall make Application to two of the Judges of the Inferior Court of Common-Pleas of the County, and on Oath declare, that he verily believes there is Danger of the Priſoners, confined in the Gaol of the ſaid County, falling into the Enemy's Hands if they are continued therein, and the ſaid Judges ſhall think the Removal of ſuch Priſoners neceſſary, it ſhall and may be lawful for the ſaid Judges, by Warrant under their Hands and Seals, to order the ſaid Priſoners removed, and re-committed to the Gaol of any other County in the State, where they can be ſafely kept until they are remanded, or legally diſcharged from Confinement; which Warrant is hereby declared a ſufficient Authority for the Sheriff, having ſuch Priſoners in Cuſtody, to remove them accordingly, and to the Sheriff or Gaoler of the County to which they ſhall be ſent, to receive and confine them, agreeably to the Directions thereof: And ſuch Sheriffs, Gaolers and Priſoners, are hereby reſpectively required to pay Obedience thereto. PROVIDED ALWAYS, That when the Danger ſhall ceaſe, or the Priſoners ſo removed ſhall be wanted for Trial, that then it ſhall and may be lawful for any two of the Judges of the Inferior Court of Common-Pleas of the County from which ſuch Priſoners were removed, by Warrant as aforeſaid, to remand ſuch Priſoners, and them to re-commit to the Gaol of the County where they were firſt committed; and ſuch Warrant of Remand and Re-commitment is hereby declared a ſufficient Authority to the Sheriff of the County from which the Priſoners were firſt removed, to bring back the Priſoners removed as aforeſaid, into the County, and to re-commit them agreeably to the Directions thereof: And ſuch Sheriff is hereby required to pay Obedience thereto.

Priſoners in Danger of falling into the Enemy's Hands to be removed.

Proviſo.

2. AND BE IT ENACTED *by the Authority aforeſaid,* That the Expence of removing and returning all criminal Priſoners, and alſo the Expence of maintaining ſuch Priſoners as may have been committed for treaſonable or felonious Offences, or other high Crimes or Miſdemeanors againſt the State, ſhall be paid for or made good by the State, on proper Vouchers therefor being produced to the Legiſlature at their next Sitting, after the ſame have been incurred. PROVIDED ALWAYS, That where any Priſoner ſo removed, ſhall have been committed for any Offences other than thoſe before ſpecified, the Expence of maintaining them ſhall be paid for by the County from which they were removed.

Expences of removing Criminals to be paid by the State.

Proviſo.

The third Section, which, on Account of the Depreciation of the Currency, allowed a Sheriff *Seven Shillings and Six pence* per Day, for victualling Criminal Priſoners, is repealed by Chap. CCLXXIX.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid,* That it ſhall and may be lawful for the Judges of the Inferior Court of Common-Pleas of the reſpective Counties in this State, or any two of them, from Time to Time, as Occaſion may require, to order and cauſe to be removed any Priſoner or Perſon on Parole or on Bail, reſiding near the Enemy's Lines, to any ſafe and interior Part of the State, and there to grant him ſuch Limits and Bounds as may be comfortable, and conſiſtent with the Safety of the State; and ſuch Bounds to alter, enlarge or diminiſh occaſionally.

Judges to remove Priſoners on Parole, &c.

Who are alſo empowered to remove diſaffected Perſons from near the Enemy's Lines.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Judges of the Inferior Court of Common-Pleas of any County in this State, lying on the Frontiers, or any two of them, from Time to Time, as Occaſion may require, by Warrant, under their Hands and Seals, to order or cauſe to be removed into the interior Parts of the ſame County, or into the interior Parts of the State, any Perſon reſiding near the Lines and ſuſpected of Diſaffection to the preſent Government, and to grant ſuch Limits or Bounds as may be comfortable to the Perſon ſo removed, and conſiſtent with the Safety of the State, and ſuch Limits to alter, enlarge or diminiſh, occaſionally; and alſo by Warrant, under their Hands and Seals, in like Manner to permit ſuch Perſon to return to the Place of his or her former Habitation, on Security being given to the ſaid Judges for his or her good and peaceable Behaviour by at leaſt ſix reputable and well-affected Freeholders reſiding in the Neighbourhood of his or her former Reſidence. PROVIDED ALWAYS, That no Perſon ſhall be removed as aforeſaid, unleſs Oath or Affirmation be made before any of the ſaid Judges by at leaſt ſix reputable and well affected Freeholders of the Neighbourhood in which he or ſhe may reſide, That they verily believe him or her to be inimical to the preſent Government, and that his or her Continuance near the Lines is dangerous to the Liberties of the State, or to the Safety of the well-affected Inhabitants.

Proviſo.

Perſons removed, breaking Parole, how to be puniſhed.

6. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That every Perſon ſo removed, who ſhall leave or return from the Place to which he or ſhe is limited or bounded as aforeſaid, or be found at any Place near the Enemy's Lines without Leave previouſly obtained for that Purpoſe by Warrant in Manner as before directed in this Act, ſhall be adjudged guilty of an high Offence and Miſdemeanor againſt this State, and, on Conviction thereof, ſhall be fined at the Diſcretion of the Court, before which he or ſhe ſhall be tried, in any Sum not exceeding *Five Hundred Pounds*, or impriſoned for any Term not above ſix Months; and ſhall, after ſatisfying the Judgment of the Court, be remanded to his or her former Bounds and Limits, unleſs on Permiſſion given as before directed.

Courts may apply for a Guard.

7. AND WHEREAS at the Seſſions of the Courts of Oyer and Terminer and General Gaol Delivery, Guards are frequently neceſſary for ſecuring the Criminals and protecting the Courts; BE IT THEREFORE FURTHER ENACTED *by the Authority aforeſaid*, That any two of the Judges of the Inferior Court of Common-Pleas of any County in this State, on Application to them made by the Courts of Oyer and Terminer and General Gaol Delivery then ſitting in the County, or by the Sheriff of the County, ſhall apply to the Colonel or Commanding Officer of each or any Regiment or Battalion of the Militia in the County, which Colonel or Commanding Officer ſhall thereupon detach from his Regiment or Battalion ſuch Number of Officers and Men as may in the Opinion of the ſaid Judges be adequate to the Service required, not exceeding at any Time two Claſſes, and for ſuch Time and by ſuch Reliefs as by the ſaid Judges ſhall be deemed proper. PROVIDED ALWAYS, That no Detachment, ſo ordered, ſhall continue longer than one Month at a Time in that Service; and the Militia ſo ſerving ſhall be entitled to the ſame Pay, Rations, Subſiſtence and Bounty, as if called out for any other Service, and ſhall receive the ſame in like Manner.

To be ordered by the Colonel.

Proviſo.

And paid as in other Caſes.

CHAP.

CHAP. CLIV. *An Act for defraying ſundry Incidental Charges.* Obſolete.

Paſſed June 12, 1779.

At a GENERAL ASSEMBLY held at Trenton, from the fifteenth Day of September to the ninth Day of October, 1779, the following Laws were paſſed.

SESSION THIRD—SITTING THIRD.

CHAP. CLV. *An Act to procure a Supply of Flour for the Uſe of the Army.* Obſolete.

Paſſed Sept. 27, 1779.

By this Act, paſſed at a Time when the Army was diſtreſſed for Proviſions, Commiſſioners were appointed in each County, who were directed to repair to every Perſon whom they ſuppoſed poſſeſſed of Wheat, within their Counties reſpectively, and having eſtimated the whole Quantity and the Quantity neceſſary for the Conſumption of the Family, to call the Owner to threſh, prepare, and carry to ſuch Place as the Commiſſioner ſhould appoint, one eighth Part of the Surplus, beyond what his own neceſſary Supply required; a Power of Impreſſment was given to the Commiſſioners, in Caſe the Owner refuſed to part with the Quantity required; but the Citizens of the State, convinced of the Diſtreſs of the Army, and of the Neceſſity of the Meaſure, furniſhed Supplies with ſuch Zeal and Alacrity, that in moſt Places it was found unneceſſary to reſort to that Mode of obtaining them.

CHAP. CLVI. *An Act for the Relief of* John Gill, *of the Townſhip of* Newtown, *in the County of* Glouceſter, *one of the Commiſſioners of the Loan-Office, reſpecting the Loſs of a Sum of publick Money taken by the Enemy.* Private.

Paſſed Sept. 30, 1779.

CHAP. CLVII. *An Act to continue an Act, intitled,* * *An Act to revive and continue the Proceſs and Proceedings returnable to, and depending in, the Supreme Court of Judicature of this State, and to aſcertain the Times and Places of holding the ſaid Court.* Obſolete.

Paſſed Oct. 2, 1779.

The recited Act being partly repealed by Chap. CLXVIII, and partly obſolete, this is of Courſe become obſolete alſo.

C H A P. CLVIII.

A Supplement to an Act, intitled, † *An Act to render certain Bills of Credit a legal Tender within this State, and to prevent the counterfeiting of the ſame and other Bills of Credit.*

Paſſed Oct. 5, 1779.

This Act, except the third Section, is repealed by Chap. CCXXXVIII, but

* Chap. XCVI. † Chap. III. See alſo Chap. X.

but is inſerted at large in the Appendix, No. 3, for the Reaſon aſſigned at Chap. III.——The third Section is as follows:

Counterfeiters, &c. how to be puniſhed.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That all and every Perſon and Perſons, who, from and after the Publication hereof, ſhall counterfeit or alter any of the aforeſaid Bills of Credit, by this Act made a legal Tender, or utter or paſs any Bill or Bills ſo counterfeited or altered, knowing the ſame to be ſo counterfeited or altered as aforeſaid, and be duly convicted thereof, ſhall be adjudged guilty of Felony, and be puniſhed with Death, in like Manner as Perſons convicted of counterfeiting or altering the former Bills of Credit of this State, and knowingly uttering the ſame, might or ſhould have been.

Obſolete.

CHAP. CLIX. *A ſupplementary* Act *to an Act, intitled,* * *An* Act *to raiſe the Sum of* One Million of Pounds *in the State of* New-Jerſey.

Paſſed Oct. 6, 1779.

By unforeſeen Accidents in ſome of the Counties, and unavoidable Delays in others, the Aſſeſſments made in the former were not valid, and no Aſſeſſments were made in the latter. This Act therefore was paſſed to remedy both theſe Defects.

Expired.

CHAP. CLX. *An* Act *to prohibit the Exportation of Proviſions from the State of* New-Jerſey.

Paſſed Oct. 7, 1779.

Limited to *January* 1ſt, 1780; continued afterwards by Chap. CLXXXI, to *April* 1ſt, do. agreeably to a Recommendation of Congreſs of *December* 15th, 1779; and afterwards revived and continued to *December* 1ſt, 1780, by Chap. CCXVII. See Chap. XIII, XCIII, CX.

Obſolete.

CHAP. CLXI. *An* Act *for defraying ſundry Incidental Charges.*

Paſſed Oct. 7, 1779.

Repealed by Chap. CCXXVI.

CHAP. CLXII. *A Supplement to an Act, intitled,* † *An* Act *the better to prevent the concealing of ſtray Cattle, Horſes and Sheep.*

Paſſed Oct. 9, 1779.

The above Act was paſſed merely to increaſe the Penalties in the recited Act on Account of the Depreciation.

Obſolete.

CHAP. CLXIII. *An* Act *to embody, for a limited Time, Four Thouſand of the Militia of this State, by voluntary Enliſtment.*

Paſſed Oct. 9, 1779.

This Law never took Effect. It was paſſed for the Purpoſe of reinforcing General *Waſhington*, to enable him to co-operate with Count *D'Eſtaing* againſt the common Enemy, and the Men directed to be raiſed were to continue in Service until the 15th Day of *December* thereafter; but, as no Joint-Expedition was undertaken at that Time in this Quarter, the Men never took the Field.

At

* Chap. CXXXVIII.

† *Allinſon*, Chap. CCV.

At a GENERAL ASSEMBLY begun

at Trenton the twenty-ſixth Day of October, and adjourned to, and continued at, Mountholly until the twenty-ſixth Day of December, 1779, the following Laws were paſſed.

SESSION FOURTH—SITTING FIRST.

CHAP. CLXIV. *An* Act *to divorce* Chriſtiana Saunders, *late* Longſtreet, *from her Husband* John Saunders. Private.

Paſſed at Mountholly, Nov. 16, 1779.

CHAP. CLXV. *An* Act *to diſſolve the Marriage of* William Gifford *with* Elizabeth *his Wife*. Private.

Paſſed Nov. 22, 1779.

CHAP. CLXVI.

An ACT *for altering the Place of holding the Inferior Court of Common Pleas, and Court of General Quarter Seſſions of the Peace, in and for the County of* Bergen, *and for repealing Part of the Act, intitled,* * *An* Act *to revive and continue the Proceſs and Proceedings of the Courts of Common Pleas, and General Quarter Seſſions of the Peace, for the County of* Bergen, *and to alter the Place of holding the ſame.*

Paſſed Nov. 29, 1779.

The firſt Section of this Law, removing the Courts to the Houſe of *Albert Hopper* at *Paramus*, (which was afterwards burnt by the Enemy) from the Houſe of *P. H. Van Allen* at *Pompton*, was virtually repealed by Chap. CCI, by which another Place was fixed for holding ſaid Courts, and is now ſupplied by Chap. CCLXVI.——The ſecond Section, containing the Repeal of a former Law, is as follows:

Sect. 2. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſecond Section of the Act, intitled, *An* Act *to revive and continue the Proceſs and Proceedings of the Courts of Common Pleas, and General Quarter Seſſions of the Peace, for the County of* Bergen, *and to alter the Place of holding the ſame*, paſſed the firſt Day of *April*, One Thouſand Seven Hundred and Seventy-eight, and every Clauſe, Matter and Thing, therein contained, ſhall be, and the ſame is hereby repealed. Part of the former Act repealed.

CHAP. CLXVII. *An* Act *for altering certain Parts of the Main Road, leading through the County of* Glouceſter *from* Salem *to* Burlington. Obſolete.

Paſſed Nov. 30, 1779.

The Road is, we preſume, completed by this Time. Part of the old Road was to be kept open for two Years after *May* 1ſt, 1780, unleſs the new Road ſhould within that Time be made fit for publick Uſe. That Time is expired, and the Road is now on the ſame Footing with other Roads in that County. See *Allinſon*, Chap. DLXXXIX.

* Chap. LXXX. See alſo Chap. CCI, and CCLXVI.

CHAP. CLXVIII.

An ACT *to alter the Place of holding the Supreme Court of Judicature of this State, and to aſcertain the Times for holding the ſame; and alſo to alter and aſcertain the Times of holding the Inferior Court of Common Pleas, and Court of General Quarter Seſſions of the Peace, for the County of* Hunterdon.

Paſſed Dec. 4, 1779.

Preamble.

WHEREAS by an Act, intitled, **An Act to revive and continue the Proceſs and Proceedings returnable to, and depending in, the Supreme Court of Judicature of this State, and to aſcertain the Times and Places of holding the ſaid Court*, paſſed at *Trenton* the twenty-fourth Day of *September*, One Thouſand Seven Hundred and Seventy-eight, it was enacted, that the Supreme Court of this State ſhould be held at the Court-houſe at *Hillsborough*, in the County of *Somerſet*, on the firſt *Tueſdays* in *April* and *September*, and at the Courthouſe in *Burlington* on the ſecond *Tueſdays* in *May* and *November* annually: AND WHEREAS ſundry Inconveniencies have accrued by the frequent Removals of the Records of the ſaid Courts from Place to Place; Therefore,

Supreme Court, where and when to be held.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the Paſſing of this Act, the Supreme Court of Judicature for this State ſhall be held at the Courthouſe at *Trenton*, in the County of *Hunterdon*, on the firſt *Tueſdays* in *April* and *September*, and on the ſecond *Tueſdays* in *May* and *November*; and the ſaid Terms ſeverally ſhall not continue leſs than three Days nor longer than eleven Days, excluſive of the intervening *Sunday*.

The ſecond Section, which directed two of the Terms of the Inferior Court of Common Pleas, and Court of General Quarter Seſſions of the Peace, for the County of *Hunterdon*, to be held at the ſame Time with the Supreme Court, is virtually repealed by Chap. CCCV.

The third Section, which directed that the Proceedings returnable at *Hillsborough* ſhould be returned to the ſaid Court at *Trenton*, is obſolete.

Part of the former Act repealed.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſecond Section of the Act, intitled, † *An Act to revive and continue the Proceſs and Proceedings returnable to, and depending in, the Supreme Court of Judicature of this State, and to aſcertain the Times and Places of holding the ſaid Court, is hereby repealed.*

The fifth Section limited the Continuance of the Act to one Year. It was further continued by Chap. CCXXX, and is now made perpetual by Chap. CCLXXXVII.

Private.

CHAP. CLXIX. *An Act for the Relief of* Joſhua Stout, *the Purchaſer of a certain Tract of Land, in the County of* Hunterdon, *of* Thomas Leonard, *now a Fugitive with the Enemy.*

Paſſed Dec. 8, 1779.

CHAP.

* Chap. XCVI. See alſo Chap. CCXXX, CCLXXXVII, and CCCV.

† Chap. XCVI.

CHAP. CLXX.

* *An* ACT *to veſt the Juſtices of the Supreme Court with Power to grant Proceſs to compel the Attendance of Witneſſes at Courts Martial.*

Paſſed Dec. 8, 1779.

Preamble. WHEREAS the United States in Congreſs aſſembled, by their Reſolution bearing Date the ſixteenth Day of *November*, in the Year of our Lord One Thouſand Seven Hundred and Seventy-nine, recommended that the Executive Authority of this State ſhould be veſted with the Power neceſſary to require and compel the Perſon or Perſons, whoſe Attendance ſhould be requeſted by the Judge-Advocate to appear and give Teſtimony in any Cauſe, depending before a Court-Martial: AND WHEREAS it is eſſential to the Adminiſtration of Juſtice, in ſuch Courts, that ſuch Power ſhould be veſted in ſome publick Officer;

Enacting Clauſe. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for any one of the Juſtices of the Supreme Court, upon Application to him made for that Purpoſe, by the Judge-Advocate of the Army of the United States, in the Diſcretion of ſuch Juſtice, to grant under his Hand, and the Seal of the Supreme Court, a Subpœna, directed to any Perſon reſiding in this State, requiring and commanding ſuch Perſon perſonally to be and appear before a Court-Martial to be held at a Time and Place to be ſpecified in ſuch Subpœna, then and there to give Teſtimony in a Cauſe depending before ſuch Court; and every Perſon to whom ſuch Proceſs is directed, who, after the ſame is ſerved on him, ſhall neglect or refuſe to pay Obedience thereto, ſhall, on being thereof legally convicted on Preſentment or Indictment, pay ſuch Fine as the Court before whom ſuch Conviction is had, ſhall, in their Diſcretion, adjudge, not exceeding *One Thouſand Pounds:* PROVIDED ALWAYS, That no ſuch Proceſs ſhall be in anywiſe obligatory, unleſs the Perſon to whom the ſame may be directed, ſhall, at the Time of the Service thereof, be tendered ſuch reaſonable Sum, for his Time and Expences in obeying the ſame, as the Juſtice granting the Proceſs ſhall, on due Conſideration of the Circumſtances and Ability of the ſaid Witneſs, direct, and certify under his Hand, on the back of ſuch Proceſs; AND PROVIDED ALSO, That no Perſon ſhall be compellable by any ſuch Proceſs to travel more than three hundred Miles from the Place of his uſual and cuſtomary Reſidence, nor to attend at ſuch Court more than ſeven Days. Proviſoes.

CHAP. CLXXI. *An* Act *granting unto* Henry Gueſt, *for a limited Time, the ſole Right of making and ſelling the Blubber by him lately invented.* Private.

Paſſed Dec. 14, 1779.

Limited to five Years.

CHAP. CLXXII. *An* Act *to continue an Act, intitled,* † *An* Act *to alter the Place of holding the Inferior Courts of Common Pleas, and General Quarter Seſſions of the Peace, for the County of* Middleſex. Expired.

Paſſed Dec. 15, 1779.

Limited

* See an Act to compel the Attendance of Witneſſes at Militia Courts-Martial, Chap. CCLX.
† Chap. C.

Limited to one Year, and from thence to the End of the next Sitting of the Aſſembly thereafter.

Repealed by Chap. CCLVII.

CHAP. CLXXIII. *An* Act *to prevent Engroſſing, Foreſtalling and Enhanceing the Prices of Produce, Manufacture and Merchandize, within this State.*

Paſſed Dec. 15, 1779.

Engroſſers and Foreſtallers were by the above Act finable in any Sum not exceeding £. 3000, on Conviction by Preſentment or Indictment.

CHAP. CLXXIV.

Obſolete, except Sect. 32.

An ACT *to raiſe the Sum of* Three Millions Three Hundred and Seventy-five Thouſand Pounds, *in the State of* New-Jerſey.

Paſſed Dec. 18, 1779.

The Quotas of the Counties to be made proportionate.

Sect. 32. AND WHEREAS through the Neglect of the Collectors of ſome of the Counties in this State in not having tranſmitted the Duplicates of the Aſſeſſments to the Legiſlature, agreeably to the Directions of an Act, intitled, * *An* Act *to raiſe the Sum of* One Million of Pounds *in the State of* New-Jerſey, paſſed the eighth Day of *June*, One Thouſand Seven Hundred and Seventy-nine, and from other Cauſes, the Quotas laid upon the ſeveral Counties by this Act may be diſproportionate; BE IT THEREFORE FURTHER ENACTED, That if it ſhall appear on the next Settlement of the Quotas of the ſeveral Counties, by a more clear and complete Account of the ſeveral Perſons, Articles and Things, made rateable therein, that the Quota of any County as laid in this Act, is greater than its juſt Proportion, the Surplus ſhall be credited to ſuch County in the Settlement of its next Quota.

CHAP. CLXXV.

Suſpended by Chap. CLXXXVII.

An ACT *for limiting the Prices of various Articles, and to prevent the Withholding from Sale the Neceſſaries of Life.*

Paſſed Dec. 21, 1779.

A Suſpenſion equivalent to a Repeal puts this Act on the Footing of repealed Acts, ſee Chap. CLXXXVII, and renders the Inſertion thereof at large unneceſſary.—The ſeventh Section, containing a Repeal of a former Act of like Tenor, is as follows:

Former Act repealed.

7. AND BE IT FURTHER ENACTED, That the Act, intitled, † *An* Act *for regulating and limiting the Price of Labour and of ſundry Articles of Produce, Manufacture and Trade, and to prevent Foreſtalling, Regrating and Engroſſing*, paſſed the thirty-firſt Day of *March*, One Thouſand Seven Hundred and Seventy-eight, and every Article and Clauſe therein contained, ſhall be, and hereby is repealed.

CHAP.

* Chap. CXXXVIII.
† Chap. LXVIII.

CHAP. CLXXVI. *An* Act *to enable the Owners and Poſſeſſors of Meadow, lying between* Mud-Creek *Sluice and* Wright's *Landing, bounding on* Salem-Creek, *in the County of* Salem, *to erect and keep in Repair the Dams, Banks, Sluices and other Waterworks, to open and keep clear the neceſſary Watercourſes, and to make ſuch Line-Ditches as are therein deſcribed lawful Fences.* Private.

Paſſed Dec. 22, 1779.

CHAP. CLXXVII. * *An* Act *to provide for the Payment of the ſeveral Officers of the Government of the State of* New-Jerſey, *to commence the thirteenth Day of* October, *One Thouſand Seven Hundred and Seventy-nine, and to end the ſecond* Tueſday *in* October, *One Thouſand Seven Hundred and Eighty, incluſive, and to diſcharge the publick Debts and other contingent Charges thereof.* Obſolete.

Paſſed Dec. 23, 1779.

CHAP. CLXXVIII.

† *An* ACT *for regulating the Election of Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners of the State of* New-Jerſey; *and alſo to direct the Election of Delegates to repreſent the ſaid State in the Congreſs of the United States.*

Paſſed Dec. 24, 1779.

WHEREAS the Laws made for regulating the Election of Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners of this State, will expire at the End of this Sitting of the Legiſlature; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That all Elections of Repreſentatives to ſerve in the ſaid Council and General Aſſembly ſhall be held at the Place of holding the Courts of General Quarter-Seſſions of the Peace in the ſeveral Counties reſpectively; except in the County of *Hunterdon*, where they ſhall be held at the late Dwellinghouſe of *John Ringo*, now *Henry Merſhon*'s, in *Amwell;* and the ſaid Council and Aſſembly ſhall ſeparately meet at ‡*Trenton* on the ſecond *Tueſday* next after the Day of Election: PROVIDED NEVERTHELESS, That if the Enemy ſhall happen to be in Poſſeſſion of, or ſo near, any of the Places above deſcribed as to render it improper or unſafe to hold the Election thereat, then, and in every ſuch Caſe, the Sheriff of the County, and if there ſhall be no Sheriff, then the Firſt Judge of the Court of Common Pleas, and if there ſhall be no ſuch Judge, then the Clerk of the Peace, ſhall appoint ſome other Place for holding the ſame; and ſhall advertiſe the Inhabitants of ſuch County thereof, in Manner as is ſet forth in the twentieth Section of this Act. Elections, where to be held. Proviſo.

* See Chap. CCXXVII, by which this Act is altered.

† See a Supplement to this Act, Chap. CCXXXIX. See alſo Chap. CCLXXXIV, and CCCXXIV.

‡ See Chap. CCLXXXIV, by which farther Proviſion is made in caſe the Enemy ſhould be in Poſſeſſion of *Trenton*, or its Vicinity.

Inhabitants entitled to vote, to chooſe Judges.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Inhabitants of each County, entitled to vote for Repreſentatives in the ſaid Council and General Aſſembly, when met at the Place of Election, ſhall, between the Hours of ten in the Forenoon and twelve at Noon, chooſe three judicious Freeholders to preſide as Judges of the Election; who, when ſo choſen, ſhall ſeverally take the following Oath or Affirmation, *videlicet:*

I Do ſwear (or, if one of the People called *Quakers*, affirm) *that I will truly and impartially ſerve as one of the Judges of this Election, and in all Reſpects, according to the beſt of my Judgment, do my Duty therein purſuant to Law.*

Commiſſioner of Appeal, to be Inſpector alſo.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the Commiſſioner of Appeal in Matters of Taxation in each Townſhip, whoſe Name as ſuch ſtands foremoſt in the Town Record, ſhall, during the Time he ſo ſtands Commiſſioner, be Inſpector alſo, and ſerve as ſuch at the Election of Repreſentatives for the Purpoſes aforeſaid; and in caſe he ſhall happen to be ſick or unable to attend ſuch Election, the Commiſſioner of Appeal next named as aforeſaid ſhall attend and ſerve in his Stead: PROVIDED ALWAYS, That he take Care timely to inform ſuch next named Commiſſioner of ſuch his Sickneſs or Inability.

Proviſo.

Clerk to furniſh the Sheriff with a Copy of the Names of the Commiſſioners of Appeal.

4. AND, in order that the Judges of the Elections, when choſen and qualified as aforeſaid, may know with Certainty who are entitled to ſerve as Inſpectors, BE IT ENACTED *by the Authority aforeſaid*, That the Clerk of each Townſhip ſhall, within ten Days after the annual Town-Meeting, furniſh the Sheriff of the County in which he lives with a Copy of the Names of all the Commiſſioners of Appeal within his Townſhip in the Order in which they ſtand upon the Town Record; which Copy the Sheriff ſhall take Charge of and deliver to the Judges of the Election when they are choſen and qualified as aforeſaid: And the ſaid Town Clerk ſhall alſo, within the ſame ten Days, deliver a like Copy to the Commiſſioner of Appeal firſt named as aforeſaid within his own Townſhip.

Commiſſioner of Appeal to attend at the Place of Election.

5. AND BE IT FURTHER ENACTED, That every Commiſſioner of Appeal in each County, required to ſerve as Inſpector, ſhall attend at the Place of Election by eleven of the Clock in the Forenoon of the Day on which it is to be held; and, immediately after the Judges are choſen and qualified as aforeſaid, ſhall take the following Oath or Affirmation, *videlicet:*

I Do ſwear, (or, if one of the People called *Quakers*, affirm) *that I will duly and impartially ſerve as one of the Inſpectors of this Election; that I will neither receive, nor aſſent to the receiving, the Vote of any Perſon who, I ſhall have Reaſon to think, is not by the Conſtitution of this State entitled to vote in this Election.*

Inſpector ſet up as a Candidate, *&c.* the Judges to appoint another in his Stead.

6. AND BE IT FURTHER ENACTED, That if any Inſpector ſhall happen to be ſet up as a Candidate for the Council or General Aſſembly, or for the Office of Sheriff or Coroner; or in caſe the Commiſſioner of Appeal of any Townſhip, required as aforeſaid to ſerve as Inſpector, ſhall neglect or refuſe to ſerve; then, and in every ſuch Caſe, the Judges

of

of the Election ſhall appoint ſome proper Perſon to ſerve in the Stead of him ſo diſqualified, neglecting or refuſing: And the Perſon ſo appointed ſhall immediately take the Oath or Affirmation above provided for Inſpectors to take.

Judges and Inſpectors to chooſe Clerks of the Election.

7. AND IT IS HEREBY FURTHER ENACTED, That the ſaid Judges and Inſpectors, when qualified as aforeſaid, ſhall, between the Hours of Ten in the Morning and One in the Afternoon, chooſe, by Plurality of Voices, at leaſt three fit Perſons to ſerve as Clerks of the Election; whoſe Buſineſs it ſhall be to take down in Writing the Name of each Candidate, and alſo the Name and Place of Abode of each Elector.

Clerks to take an Oath or Affirmation.

8. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Clerks of the Election, appointed as above directed, ſhall ſeverally, before they proceed to Buſineſs, take the following Oath or Affirmation, *videlicet:*

I Do ſwear, (or if one of the People called *Quakers*, affirm) *that I will truly and impartially ſerve as one of the Clerks of this Election; that I will not enter the Name of any Elector until his Vote has been received and approved by the Inſpectors; nor wilfully omit to enter the Name of any Elector whoſe Vote ſhall have been received and approved by the Inſpectors.*

Candidates to be nominated by Perſons entitled to vote, &c.

9. AND BE IT ENACTED *by the Authority aforeſaid*, That every Candidate ſhall be nominated by ſome Perſon who is entitled to vote, and enrolled by the Clerks as a Candidate for the Council or Aſſembly, Sheriff or Coroner, agreeably to ſuch Nomination, before any Vote ſhall for him be delivered in; and the Names of the Candidates ſo enrolled ſhall be wrote in fair Characters under the Word Council or Aſſembly, Sheriff or Coroner, agreeably to ſaid Nomination and Enrollment, and fixed up in full View at the Door of the Houſe where the Election is held: And if any Perſon ſhall ſtand as a Candidate for both Departments, his Name ſhall be entered accordingly, and in like Manner wrote on the Paper fixed up at the Door as aforeſaid; and no new Candidates ſhall be ſet up or enrolled after three of the Clock in the Afternoon of the firſt Day of the Election.

Perſons objected againſt, their Votes not to be received, &c.

10. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Perſon ſhall be objected againſt by any of the Inſpectors, his Vote ſhall not be received until he ſhall have taken the Oaths of Abjuration and Allegiance preſcribed by an Act, intitled, * *An Act for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix; and likewiſe, if required, the following Oath or Affirmation, *videlicet:*

Qualification of Voters.

THAT I verily believe that I am twenty-one Years of Age, and worth Fifty Pounds *lawful Money clear Eſtate in this State; and that I am and have been for one whole Year laſt paſt an Inhabitant of this County.*

Perſons offering any Fee, &c. what to forfeit.

† 11. AND BE IT FURTHER ENACTED, That if any Perſon ſhall, at any ſuch Election, give, offer or promiſe, any Fee or Reward, Victuals,

* Chap. II.

† By Chap. CCXXXIX, all the Fines and Forfeitures in this Act are reduced to one tenth Part of the Sums herein expreſſed.

als, Drink or other Entertainment, or by any undue Influence at any Time endeavour to prevail on any Perſon to vote for him or for any other Perſon, he ſhall, for every ſuch Offence, forfeit the Sum of *Fifty Pounds* lawful Money of this State, to be recovered, with Coſts of Suit, by any Perſon that will ſue for the ſame, in any Court of Record where the ſame may be cognizable; one Moiety of which Forfeiture ſhall belong to the Proſecutor, and the other Moiety ſhall be paid to the Collector of the County where the Offence is committed, to be applied for the Uſe of ſuch County.

Perſons voting for Fee, *&c.* what to forfeit.

12. AND BE IT FURTHER ENACTED, That if any Perſon ſhall vote for Fee or Reward at any Election to be holden for the Purpoſes aforeſaid, he ſhall, for every ſuch Offence, forfeit and pay the Sum of *Fifty Pounds* Money aforeſaid, to be recovered and applied as above directed.

Perſons propagating any falſe Report, *&c.* what to forfeit.

13. AND IT IS HEREBY FURTHER ENACTED, That if any Perſon ſhall maliciouſly or adviſedly propagate any falſe Report concerning any Perſon who ſhall ſtand a Candidate at ſuch Election with a View to prevent his being elected, or that ſhall have an evident Tendency to produce that Effect, he ſhall, for every ſuch Offence, forfeit the Sum of *Five Hundred Pounds*, to be recovered and applied in Manner aforeſaid.

Elections to be by Ballot.

* 14. AND BE IT ENACTED *by the Authority aforeſaid*, That all future Elections of Repreſentatives to ſerve in the Council and General Aſſembly of this State, and of Sheriffs and Coroners, to be held in the Counties of *Bergen*, *Somerſet*, *Burlington*, *Glouceſter*, *Salem*, *Hunterdon* and *Suſſex*, ſhall be by Ballot; and that every Elector in ſuch Counties ſhall openly and in full View of all the Inſpectors deliver his Vote or Ticket to the Inſpector of his own Townſhip, who, on Receipt thereof, ſhall, with an audible Voice, pronounce the Name and Place of Abode of ſuch Elector; and then, if no Objection be made to the Vote, put the Ticket immediately into the Election Box.

Elector to deliver his Vote to the Inſpector.

Elections to be by *Viva Voce*.

15. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That all future Elections of Repreſentatives to ſerve in the Council and General Aſſembly of this State, and of Sheriffs and Coroners, in the Counties of *Eſſex*, *Middleſex*, *Monmouth*, *Cape-May*, *Morris* and *Cumberland*, ſhall be by *Viva Voce*.

Sheriff to provide a Box, *&c.* to be delivered to the Judges.

16. AND, to the End that there may be no Delay of the Election for Want of a Box in ſuch Counties where the Votes are taken by Ballot, BE IT ENACTED *by the Authority aforeſaid*, That the Sheriff of each of the ſaid Counties ſhall provide a good and convenient Box with a Lock and Key thereto, and deliver the ſame to the Judges of the Election as ſoon as they are choſen and qualified as aforeſaid; and in caſe the Election ſhall happen to be adjourned, the ſaid Box, with the Tickets locked up therein, ſhall be kept by ſuch Perſon as a Majority of the Inſpectors ſhall for that Purpoſe appoint; and the Key ſhall be kept by ſome one of the Judges till the Election ſhall be again opened: And at the Cloſe of every Election the Box containing the Tickets ſhall, in the Preſence of the Inſpectors, be opened by one of the Judges of the Election, and all the Tickets therein contained taken out by him one at a Time; who ſhall call out diſtinctly, while the Ticket is yet in his Hand, the Names contained

At the Cloſe of the Election the Box to be opened by one of the Judges, *&c.*

* By Chap. CCCXXIV, all future Elections during the War are directed to be held *Viva Voce*.

tained therein and to what Appointment, and then deliver the ſame to one of the other Judges for Inſpection, to be by him delivered to the next Judge, who ſhall file it. And the Clerks ſhall ſeverally enter in diſtinct Columns all the Names contained in each Ticket, and the Appointment therein ſet forth; and, when this is done, the Number of Votes for each Candidate ſhall be carefully caſt up, and then, by one of the Judges of the Election, diſtinctly and with an audible Voice be publickly declared unto the People: PROVIDED ALWAYS, That if any Ticket delivered in as aforeſaid ſhall contain more Names than it ought to contain, or otherwiſe appear to be fraudulent, it ſhall be rejected as utterly void.

Clerks to enter the Names contained in each Ticket.

Proviſo.

17. AND IT IS HEREBY FURTHER ENACTED, That the Judges of each Election, choſen and qualified as aforeſaid, ſhall have full Power to adjourn the Election, from Time to Time, as Occaſion may require; and alſo to cloſe the ſame when the Votes or Tickets of all the Electors preſent are delivered in, or a reaſonable Time for that Purpoſe ſhall have been allowed: PROVIDED ALWAYS, That it ſhall and may be lawful for the Judges of the Election for the County of *Eſſex* to adjourn the Poll from the County Courthouſe in *Newark* to *Elizabeth-Town*, at any Time they may think proper during ſuch Election. AND PROVIDED ALSO, That it ſhall and may be lawful for the Majority of the Judges and Inſpectors of the County of *Hunterdon*, to adjourn the Election from the Place appointed for holding the ſame, to *Abraham Bonnell*'s Tavern, and to *Pennington*, if they ſhall judge the ſame neceſſary. AND PROVIDED ALSO, That it ſhall and may be lawful for the Majority of the Judges and Inſpectors of the County of *Suſſex*, to adjourn the Election from the Place appointed for holding the ſame, to *Oxford* and *Hardiſton*, if they ſhall judge the ſame neceſſary. *

Judges to adjourn the Election, and to cloſe the ſame.

Proviſoes.

18. AND BE IT ENACTED *by the Authority aforeſaid*, That when the Election is over the Judges, and at leaſt three of the Inſpectors, ſhall deliver, under their Hands and Seals, one Certificate thereof to the Perſon elected to ſerve in Council, and one to each of the Perſons elected to ſerve in General Aſſembly; the Certificate for the Member of Council, ſhall run in the following Manner, *videlicet:*

When the Election is over, the Judges, *&c.* to deliver a Certificate to the Perſon elected to ſerve in Council, *&c.*

WE do hereby certify to all whom it may concern, that at an Election this Day held in the County of (or if it hath been held more Days than one, then at an Election in the County of begun on the Day of this Inſtant, and ended this Day) *A. B. was duly elected to repreſent the ſaid County in the Council of this State, during the enſuing Year, as Witneſs our Hands,*

Judges and Inſpectors of the Election.

And the Certificates for the Members of the Aſſembly ſhall run in the ſame Manner, ſave only that the Word *Aſſembly* ſhall be uſed inſtead of the Word *Council.*

* By Chap. CCXXXIX and CCCXXIV the Judges and Inſpectors are authorized to adjourn the Election from the Place appointed for holding it to other Places in moſt of the Counties.

And to the Perſon elected to ſerve as Sheriff, *&c.*

19. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Judges, and at leaſt three of the Inſpectors, ſhall deliver, under their Hands and Seals, one Certificate to the Perſon who ſhall be elected to ſerve as Sheriff, and one to each of the Perſons who ſhall be elected to ſerve as Coroners, which Certificate ſhall run in the following Manner, *videlicet:*

To His Excellency the GOVERNOR, *or the Honourable the* VICE-PRESIDENT *of the* LEGISLATIVE-COUNCIL, *of the State of* NEW-JERSEY:

WE do hereby certify, that at an Election held this Day in the County of (or if it has been held more Days than one, then at an Election in the County of begun on the Day of this Inſtant, and ended this Day) *A. B. was duly elected to ſerve as Sheriff*, (or as one of the Coroners) *of the ſaid County for the enſuing Year.*

In caſe of Neglect or Removal, ſome Perſon to fill up the Vacancy, *&c.*

20. AND BE IT FURTHER ENACTED, That if any Perſon, choſen as aforeſaid to ſerve in the ſaid Council or General Aſſembly, ſhall neglect or refuſe to take his Seat purſuant to ſuch Election, or ſhall die or remove out of the County he was elected to repreſent, or be expelled from his Seat by a Vote of the Department to which he ſhall belong, then, and in every ſuch Caſe, ſome Perſon ſhall be elected to fill up the Vacancy; and when it ſhall happen to be a Member of Council that is to be ſo elected, the Preſident or Vice-Preſident of the Council, and when a Member of the Aſſembly, then the Speaker of the Houſe, ſhall iſſue a Warrant to the Sheriff of the County where ſuch Member is to be elected, requiring him forthwith to ſet up Advertiſements in eight of the moſt publick Places in the County, fourteen Days at leaſt before the Day of Election, informing the People where and when the ſame is to be held; and the Commiſſioners of Appeal within ſuch County, required as aforeſaid to ſerve as Inſpectors at the annual Election, ſhall attend and ſerve as ſuch at this, under the ſame Oaths or Affirmations which at the annual Election they are required to ſerve under; and the Judges and Clerks of this Election ſhall be choſen in like Manner as the Judges and Clerks of annual Elections are above directed to be choſen, and ſhall ſerve under the ſame Qualifications; and the Election ſhall, in all Reſpects, be carried on as annual Elections are above directed to be carried on, and Return thereof made in Manner aforeſaid.

Seats of Members of the Legiſlature elected Delegates in Congreſs, to be vacated.

21. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Seat of every Member of either Branch of the Legiſlature who ſhall be elected a Delegate to repreſent this State in the Congreſs of the United States, and ſhall accept the ſaid Appointment, or ſhall neglect or refuſe to determine, and inform the Houſe to which he belongs, whether he accepts of ſuch his Appointment, for the Space of three Days after the Election if preſent, or for the Space of ten Days after Notification of ſuch Election if abſent, is hereby declared to be vacated; and a Warrant ſhall thereupon iſſue for the Election of ſome Perſon to fill up ſuch Vacancy in Manner directed by the twentieth Section of this Act: PROVIDED ALWAYS, That no Member of the Legiſlature ſhall ſit or vote in either Houſe as a Member, after having been elected to repreſent this State in Congreſs as aforeſaid, until he ſhall have determined not to accept ſuch Appointment, and ſhall have informed the Houſe to which he belongs, of ſuch his Determination: AND PROVIDED ALSO,

Proviſo.

ALSO, That if any Perſon being a Delegate in Congreſs from this State, ſhall be elected to a Seat in either Branch of the Legiſlature, and ſhall thereupon take his Seat in the Department to which he ſhall be ſo elected, his Seat in Congreſs is hereby declared to be vacated.

Sheriff refuſing to ſerve, the Clerk to advertiſe a new Election.

22. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Sheriff, choſen as aforeſaid in any of the Counties of this State, ſhall refuſe to ſerve, or ſhall neglect to apply for his Commiſſion, within one Month after his Election, or ſhall die or remove out of the County in which he was elected, before the Term of his Office is expired, then, and in ſuch Caſe, the Clerk of the County ſhall immediately advertiſe a new Election in the ſame Manner in which the Sheriff is directed to advertiſe by the twentieth Section of this Act, which Election ſhall, in every Reſpect, be conducted agreeably to the Directions therein contained.

Judges guilty of Partiality, *&c.* what to forfeit.

23. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Perſon choſen and qualified as aforeſaid, and preſiding as Judge of any Election, ſhall be guilty of Partiality, or attempting in an undue Manner to influence ſuch Election, or ſhall neglect or refuſe to perform any of the Duties required of him by this Act, he ſhall forfeit the Sum of *One Hundred Pounds* lawful Money; and if any Commiſſioner of Appeal or other Perſon, ſerving as Inſpector, ſhall neglect or refuſe to perform any of the Duties required of him by this Act, or be guilty of manifeſt Partiality, or of attempting in an undue Manner to influence ſuch Election, he ſhall forfeit the Sum of *Fifty Pounds* like Money, which Forfeitures ſhall be ſeverally recovered and applied in Manner before directed by this Act.

Clerk neglecting to ſerve, what to forfeit.

24. AND BE IT FURTHER ENACTED, That if any Perſon appointed and qualified as aforeſaid, to ſerve as Clerk of any Election, ſhall neglect or refuſe to ſerve, or ſhall enter the Name of any Perſon as a Voter, whoſe Vote or Ticket ſhall not have been received and approved by the Inſpectors, or wittingly omit to enter the Name of any Voter whoſe Vote or Ticket ſhall have been received and approved by the Inſpectors, he ſhall, for every ſuch Offence, forfeit the Sum of *Fifty Pounds* Money aforeſaid, to be recovered and applied in Manner as before directed.

The twenty-fifth Section, which fixed the Wages of the Clerks and Inſpectors at *Six Pounds* per Day each, is repealed and ſupplied by Chap. CCXXXIX.

Town-Clerk neglecting his Duty, what to forfeit.

26. AND BE IT FURTHER ENACTED, That if any Town-Clerk ſhall neglect or refuſe to furniſh the Sheriff of the County in which he lives with a Copy of the Names of the Commiſſioners of Appeal within his Townſhip, as above directed, or to perform any other Duty by this Act required of him, he ſhall, for every ſuch Neglect or Refuſal, forfeit the Sum of *Thirty Pounds* Money aforeſaid, to be recovered and applied in Manner aforeſaid.

Sheriff neglecting his Duty, what to forfeit.

27. AND BE IT FURTHER ENACTED, That if any Sheriff, in any of the Counties in this State, ſhall neglect or refuſe to perform any of the Services by this Act required of him, he ſhall, for every ſuch Neglect or Refuſal,

Refuſal, forfeit the Sum of *One Hundred Pounds* Money aforeſaid, to be recovered and applied in Manner aforeſaid.

Reſidence of Members, &c. removed to avoid the Enemy, how to be fixed.

28. AND BE IT ENACTED *by the Authority aforeſaid*, That the proper Reſidence of every Member of the Council and General Aſſembly, who hath removed from his ſtated Home to avoid the Enemy, ſhall be deemed to be in the County where he uſually reſided before ſuch Removal, unleſs ſuch Perſon ſhall ſettle and take up a fixed Reſidence in ſome other County, with a Deſign not to return to his former Reſidence, whenever he can do the ſame with Safety.

Members elected, to take the Oaths or Affirmations of Abjuration and Allegiance.

29. AND IT IS HEREBY FURTHER ENACTED, That every Perſon who ſhall hereafter be elected a Member of the Council and General Aſſembly of this State, ſhall, before he takes his Seat in either of the ſaid Departments, take and ſubſcribe the Oaths or Affirmations of Abjuration and Allegiance, preſcribed in an Act, intitled, * *An* Act *for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix; and alſo the Oath preſcribed in the twenty-third Section of the Conſtitution of this State, excepting only that the Word *State* ſhall be ſubſtituted inſtead of *Colony* in the ſame; and likewiſe if a Member of the Council, the following Oath or Affirmation, *videlicet:*

I as a Member of the Council for the County of do ſwear, (or, if one of the People called *Quakers*, affirm) *that I am, and have been for one whole Year next before my Election, a Freeholder and Inhabitant of the ſaid County; and that, to the beſt of my Knowledge and Belief, I am worth* One Thouſand Pounds *Proclamation Money, within the ſame County;* or if to avoid the Enemy he has removed out of the County which he is choſen to repreſent, then he ſhall take the following Oath or Affirmation:

I as a Member of the Council for the County of do ſwear, (or, if one of the People called *Quakers*, affirm) *that I am, and have been for one whole Year next before my Election, a Freeholder in the ſaid County, and alſo a Reſidenter in the ſame, agreeably to the Definition of a Reſidenter contained in an Act of Aſſembly of this State, intitled*, An *Act* for regulating the Election of the Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners, of the State of *New-Jerſey*, and to direct the Election of Delegates to repreſent the ſaid State in the Congreſs of the United States; *and, to the beſt of my Knowledge and Belief, I am worth* One Thouſand Pounds *Proclamation Money within the ſame County;* and if a Member of the Aſſembly, then the following Oath or Affirmation:

I as a Member of General Aſſembly for the County of do ſwear, (or, if one of the People called *Quakers*, affirm) *that I am, and have been for one whole Year next before my Election, a Freeholder and Inhabitant of the ſaid County, and, to the beſt of my Knowledge and Belief, am worth* Five Hundred Pounds *Proclamation Money, in Real and Perſonal Eſtate, in the ſame County;* or if he is removed out of the County he is choſen to repreſent, to avoid the Enemy, then he ſhall take the following Oath or Affirmation:

I

* Chap. II.

I as a Member of General Aſſembly for the County of do ſwear, (or, if one of the People called Quakers, *affirm) that I am, and have been for one whole Year next before my Election, a Freeholder and Reſidenter in the ſaid County, agreeably to the Definition of a Reſidenter, contained in an Act of Aſſembly of this State, intitled,* An *Act* for the regulating the Election of the Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners, of the State of *New-Jerſey*, and to direct the Election of Delegates to repreſent the ſaid State in the Congreſs of the United States; *and, to the beſt of my Knowledge and Belief, am worth* Five Hundred Pounds *Proclamation Money, in Real and Perſonal Eſtate, in the ſame County.*

And to adminiſter the ſaid Oaths, &c. to their Fellow-Members.

30. AND BE IT FURTHER ENACTED, That any Perſon elected as aforeſaid, to ſerve as a Member of either Branch of the Legiſlature, ſhall have full Power and Authority, when a Quorum of Perſons elected to that Department are met together, to tender and adminiſter the ſaid Oaths and Affirmations, as the Caſe may require, to any or all his Fellow-Members.

Proviſo.

31. AND IT IS HEREBY FURTHER ENACTED AND PROVIDED, That Nothing in this Act contained, ſhall prevent the Majority of the Judges and Inſpectors of any County to adjourn the Election of ſuch County from the Place where the ſame ſhall be opened, to any other Place in the ſame County, if an Invaſion or Incurſion of the Enemy ſhould make ſuch Adjournment neceſſary.

Council and Aſſembly to chooſe Delegates to repreſent this State in Congreſs.

32. AND WHEREAS no expreſs Proviſion has been made by any Law of this State, reſpecting the Mode of appointing, or the Qualifications of Delegates to repreſent this State in the Congreſs of the United States: BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That the Council and Aſſembly, in Joint-Meeting, at the firſt Sitting of the Legiſlature after the annual Election, and at any other Time whenever the ſame may be neceſſary, elect and chooſe any Number of Delegates, not leſs than three nor more than ſeven, to repreſent this State in the Congreſs of the United States, and ſhall agree upon the Form of the Credentials to be given them of their Appointment; which Credentials, ſigned by the Chairman of the Joint-Meeting, ſhall authorize the ſaid Delegates to ſit and vote on the Part of this State, in the Congreſs of the United States, during the enſuing Year, unleſs within that Time ſuperſeded by a new Appointment.

The thirty-third and thirty-fourth Sections, which deſcribed the Qualifications of Perſons choſen Delegates, the Value of the Property they muſt poſſeſs, and pointed out the Oaths to be by them taken before they took their Seats, are repealed and ſupplied by Chap. CCXXXIX. No Perſon was capable of being elected a Delegate by this Act, unleſs he had been a Freeholder within the State for three Years, and an Inhabitant for ſeven Years, and was poſſeſſed of Real and Perſonal Property to the Amount of £. 2000.

CHAP.

CHAP. CLXXIX.

An ACT *to empower the Juſtices of the Peace for the County of* Somerſet *to commit Offenders to Gaol in any of the neighbouring Counties.*

Paſſed Dec. 24, 1779.

Preamble.

WHEREAS the Courthouſe and Gaol of the County of *Somerſet* was lately burned by the Enemy: AND WHEREAS the Juſtices and choſen Freeholders in and for the ſaid County, by their Memorial preſented to the Legiſlature, have ſet forth, that they are deſtitute of a convenient and ſafe Place to confine any Offender or Offenders againſt the Laws of this State; praying that a Law may be paſſed to authorize the Juſtices of the Peace to commit ſuch Offenders to Gaol, in any of the neighbouring Counties;

Offenders, where to be committed.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That when any Offender or Offenders ſhall be convened before any Juſtice of the Peace, for the County aforeſaid, charged with any Crime or Offence for which the Juſtices, by Law, are required to commit or impriſon ſuch Offender or Offenders, in every ſuch Caſe, it ſhall and may be lawful for the Juſtice, before whom ſuch Offenders ſhall be brought, and he is hereby authorized and empowered, to iſſue his Warrant of Commitment to any Conſtable of ſuch County, directing him to convey ſuch Criminal or Criminals, Offender or Offenders, to the Sheriff or Gaolkeeper of either of the Counties of *Middleſex*, *Hunterdon* or *Morris*, as the Juſtice in his Warrant ſhall direct; and ſuch Sheriff or Gaoler, to which ſuch Offender or Offenders ſhall be ſent, is hereby directed and required to confine him, her or them, in cloſe Cuſtody, until remanded back by legal Authority to the ſaid County of *Somerſet*, or until he, ſhe, or they, be from thence diſcharged by due Courſe of Law.

Expence to be paid by *Somerſet.*

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid,* That the Expence of maintaining ſuch Priſoner or Priſoners, as may be committed to the Gaols of the ſaid neighbouring Counties, ſhall be defrayed by the ſaid County of *Somerſet.*

CHAP. CLXXX.

Repealed in Part by Chap. CCXXXII, and CCXCIX.

* *An* ACT *for procuring Proviſions for the Uſe of the Army, and other Supplies for carrying on the War, and for ſettling the publick Accounts of this State.*

Paſſed Dec. 25, 1779.

The above Law was paſſed in Compliance with a Reſolution of Congreſs of the 14th of *December*, 1779. In ſome of the Counties one Contractor was appointed, and in others, ſeveral, for the Purpoſe of purchaſing and procuring Proviſions and other Supplies for the Uſe of the Army. One Superintendent of Purchaſes was appointed to receive the Requiſitions of Congreſs, direct the Purchaſes, and ſettle the Accounts of the Contractors throughout the State. The firſt fifteen Sections relative to this Subject are

* See a Supplement to this Act, Chap. CXCVI.

are either repealed by Chap. CCXXXII and CCXCIX, or have become obſolete. What relates to the Settlement of the Publick Accounts remains in Force.

Auditor of Accounts to be appointed.

16. AND WHEREAS it is eſſentially neceſſary that the publick Accounts ſhould be ſpeedily collected, ſettled and adjuſted; for effecting whereof, BE IT ENACTED *by the Authority aforeſaid*, That the Council and Aſſembly in Joint-Meeting ſhall, from Time to Time, as Occaſion may require, appoint ſome fit and ſuitable Perſon an Auditor of Accounts; whoſe Duty it ſhall be to collect, audit and adjuſt the proper publick Accounts of this State, and alſo the Accounts of this State with the Congreſs of the United States, with the Board of Treaſury, the Chamber of Accounts, the Auditor-General of the United States, or with any other Board or Department wherein the ſame may or ought to be ſettled, purſuant to the Reſolutions or Appointment of Congreſs or the Laws of the State.

Who is to open an Office and give Information.

17. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Auditor of Accounts ſhall immediately open an Office in ſome central and convenient Part of the State, for the Purpoſe of receiving, auditing, ſettling and keeping, the ſaid Accounts, and as near as may be to the Treaſury-Office; and ſhall forthwith give Notice in the *New-Jerſey Gazette*, or otherwiſe, of his Appointment, requiring all Perſons who have been entruſted with publick Monies, or who may have Demands upon this State, or are otherwiſe intereſted in any publick Accounts unſettled, to attend at the ſaid Office for the Purpoſe of adjuſting and ſettling the ſame.

Committee of Accounts to deliver up Books, *&c.*

18. AND BE IT ENACTED *by the Authority aforeſaid*, That the Committee of Accounts appointed by an Act, intitled, *An Act for collecting, adjuſting and ſettling the publick Accounts*, ſhall immediately deliver up to the ſaid Auditor of Accounts the Books, Papers, Accounts and Vouchers, to the ſaid Committee belonging, and in their or either of their Hands in conſequence of their Appointment under the ſaid Act, upon his Application for the ſame.

Auditor to keep a fair State of the Accounts, *&c.*

19. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid Auditor ſhall keep a fair and regular State of all Accounts to him delivered in, which he may hereafter ſettle and adjuſt in conſequence of his Appointment under this Act, or which he may receive from the ſaid Committee of Accounts already by them ſettled and adjuſted, and allowed by the Legiſlature; and ſhall enter the ſame in a Book or Books, to be by him procured for that Purpoſe, therein carefully ſeparating and diſtinguiſhing ſuch Accounts or Parts of Accounts as properly belong to this State, for ſupporting the Government and Adminiſtration of the particular Concerns thereof, as a diſtinct and ſeparate State from ſuch as are owing to or due from the United States, or any or either of them, from or to this State; and generally, ſhall be guided in the Performance of his Duty by the Acts and Reſolutions which have been or may be paſſed or entered into by the Legiſlature of this State or by the Congreſs of the United States, with ſuch further and other occaſional Inſtructions and Directions as he may, from Time to Time, receive from the Legiſlature.

20. AND,

Mode of obtaining a certain Knowledge of all Accounts.

20. AND, to the End that the ſaid Auditor of Accounts may obtain a full and certain Knowledge of all Accounts which are of a publick Nature from the different Parts of the State, and be enabled to make a juſt Settlement thereof, BE IT FURTHER ENACTED, That it ſhall and may be lawful for the ſaid Auditor of Accounts, and he is hereby authorized and empowered, as often as Occaſion may require, to cite before him, by Subpœna or otherwiſe, ſuch Perſon or Perſons as he may have Reaſon to believe capable of giving him Information reſpecting the ſaid publick Accounts or any of them, and him or them to examine upon Oath or Affirmation touching the ſame; which Oath or Affirmation he is hereby empowered and authorized to adminiſter for that Purpoſe.

Perſons cited to give Information, to be entitled to a Compenſation.

21. AND BE IT ENACTED *by the Authority aforeſaid*, That every Perſon cited or ſubpœnaed before the ſaid Auditor of Accounts as a Witneſs to give Information reſpecting the ſaid publick Accounts or any of them, ſhall be entitled to a reaſonable Compenſation for his Attendance, Time, and Expences of Travelling, to be paid by the Treaſurer of the State for the Time being, on an Order to him directed for that Purpoſe by the ſaid Auditor of Accounts; which Order, and the Receipt of the Perſon to whom the ſame is made payable endorſed thereon, ſhall be a ſufficient Voucher to the Treaſurer for ſo much of the publick Money in the Settlement of his Accounts.

Perſons cited neglecting to attend, how to be compelled.

22. AND BE IT ENACTED *by the Authority aforeſaid*, That if any Perſon, cited or ſubpœnaed as aforeſaid by the ſaid Auditor of Accounts, ſhall neglect or refuſe to attend or give Teſtimony as aforeſaid, it ſhall and may be lawful for the ſaid Auditor, and he is hereby authorized and empowered to grant a Warrant or compulſory Proceſs, directed to any Conſtable, who is hereby required to pay Obedience thereto, to compel ſuch Perſon to attend and give Teſtimony as aforeſaid; and to give an Order to the Conſtable ſerving the Warrant, on the Treaſurer, for the Payment of the reaſonable Expences attending the ſame; which Order, with the Receipt of the Perſon to whom it is made payable, ſhall be a ſufficient Voucher to the Treaſurer for ſo much of the publick Money.

Perſons entruſted with publick Money refuſing to ſettle their Accounts, to be ſued.

23. AND BE IT ENACTED *by the Authority aforeſaid*, That if any Perſon who heretofore hath been, or hereafter ſhall be, entruſted with any publick Monies, ſhall neglect or refuſe to ſettle his Accounts with the ſaid Auditor when thereunto required, or to pay the Balance due thereon when ſettled, the Money ſo entruſted with him, or ſuch Balance as may appear to be due on the Settlement of his Accounts, ſhall be ſued for and recovered, with Coſts of Suit, in an Action on the Caſe, to be brought by the Treaſurer in his own Name, to and for the Uſe of the State.

Treaſurer to deliver to the Auditor a State of all Monies paid out of the Treaſury.

24. AND, in order that the ſaid Auditor of Accounts may be enabled with the more Accuracy to ſettle the Accounts of this State, BE IT FURTHER ENACTED, That the Treaſurer of this State for the Time being, ſhall deliver to the ſaid Auditor, upon Application to him made for that Purpoſe, a State of all Monies by him paid out from Time to Time to the Orders of Congreſs, to the Superintendant of Purchaſes, or his Order, or to any other Perſon or Perſons whatſoever.

25. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Auditor

Auditor of Accounts ſhall report a State of the publick Accounts to the Legiſlature at every Sitting for their Approbation and final Allowance, and ſhall alſo lay before them a fair and exact State of the Debts and Credits of this State, in Account with the United States, for their Inſpection and Information, and in order to receive their Inſtructions and Directions reſpecting the ſame. Auditor to report a State of Accounts to the Legiſlature.

The twenty-ſixth Section, which fixed the Salaries of the Superintendent of Purchaſes and Auditor of Accounts, is obſolete.

27. AND BE IT ENACTED *by the Authority aforeſaid*, That the Act, intitled, * *An Act for collecting, adjuſting and ſettling, the publick Accounts*, paſſed the twenty-ſecond Day of *June*, One Thouſand Seven Hundred and Seventy-eight, ſhall be, and the ſame is hereby repealed. Former Act repealed.

CHAP. CLXXXI. *An Act to continue an Act, intitled,* † *An Act to prohibit the Exportation of Proviſions from the State of* New-Jerſey. Expired.

Paſſed Dec. 25, 1779.

This Act was paſſed in Compliance with a Recommendation of Congreſs of *December* 15th, 1779, and continued the Embargo on Proviſions to *April* 1ſt, 1780; further continued by Chap. CCXVII, to *December* 1ſt, 1780.

CHAP. CLXXXII. *A ſupplementary Act to an Act, intitled,* ‡ *An Act for granting an annual Salary to the Secretary of this State in Lieu of his Fees on the Commiſſions of Juſtices, Coroners and Militia-Officers.* Expired.

Paſſed Dec. 25, 1779.

By this Act the Secretary's Salary was augmented to £. 1000, on Account of the Depreciation of the Continental Currency. It was limited to the ſecond *Tueſday* of *October*, 1780.

CHAP. CLXXXIII. *An Act to revive and continue an Act, intitled,* ¶ *An Act to provide for the better Subſiſtence of the Troops of this State in the Service of the United States.* Obſolete.

Paſſed Dec. 25, 1779.

The recited Act is now obſolete, the Troops being paid in Specie.

CHAP. CLXXXIV. *A Supplement to the* Act, *intitled,* ‖ *An Act to explain and amend an Act, intitled,* § *An Act to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines without Permiſſions or Paſſports, and for other Purpoſes therein mentioned.* Repealed by Chap. CCCXVII. See Appendix, No. 7.

Paſſed Dec. 25, 1779.

CHAP. CLXXXV. *An Act for augmenting the Fees of certain Civil Officers and others, and for raiſing the Fines and Forfeitures to which they are liable for Neglect or Refuſal of Duty, and for ſuſpending Parts of ſundry Acts therein mentioned.* Repealed by Chap. CCXXVI.

Paſſed Dec. 25, 1779.

* Chap. XCV. † Chap. CLX. See alſo Chap. XIII, XCIII, CCXVII.
‡ Chap. XXVI. ¶ Chap. CL. ‖ Chap. CXXIII.
§ Chap. CV. See alſo Chap. CCXXXIV, CCLXXIII, CCLXXXIII, and CCCXVII.

This is another of thoſe temporary Acts, which was paſſed in Conſequence of Depreciation. The ſeveral Laws by this Act ſuperſeded, ſo far as they related to the Fines and Fees thereby augmented, were Chap. LXXXIV, CXXIX, CXXXIII and CXLIX of this Edition, and Chap. CCX, DLXXXIX and DCXXIII of *Allinſon;* ſuch of theſe as have not ſince been repealed, are by the Repeal of this Act reſtored to full Force. —It was limited to one Year.

Obſolete. CHAP. CLXXXVI. *An* Act *for defraying ſundry Incidental Charges.*

Paſſed Dec. 25, 1779.

At a GENERAL ASSEMBLY held at Trenton, from the ſixteenth Day of February to the twenty-firſt Day of March 1780, the following Laws were paſſed.

SESSION FOURTH—SITTING SECOND.

CHAP. CLXXXVII.

An ACT *for ſuſpending the Operation of an Act, intitled,* * *An* Act *for limiting the Prices of various Articles, and to prevent the Withholding from Sale the Neceſſaries of Life.*

Paſſed Feb. 26, 1780.

Preamble. WHEREAS the Legiſlature of this State, on the twenty-firſt Day of *December* laſt paſt, agreeably to a Reſolution of the United States of *America* in Congreſs aſſembled, bearing Date the nineteenth Day of *November* laſt, recommending to the ſeveral States forthwith to enact Laws for eſtabliſhing and carrying into Execution a general Limitation of Prices throughout their reſpective Juriſdictions, to commence in their Operation from the firſt Day of *February* then next, did paſs an Act, intitled, *An* Act *for limiting the Prices of various Articles, and to prevent the Withholding from Sale the Neceſſaries of Life:* AND WHEREAS ſome of the States have not enacted Laws for eſtabliſhing and carrying into Execution a general Limitation of Prices, agreeably to the ſaid Reſolution, whereby the Operation of the ſaid Act is become burdenſome to the good People of this State; for Remedy whereof, and to provide that the ſaid Act may be carried into Execution whenever the adjacent States enact, and carry into Execution, Laws for a general Limitation of Prices,

Condition of Suſpenſion. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That the Operation of the ſaid Act, intitled, *An* Act *for limiting the Prices of various Articles, and to prevent the Withholding from Sale the Neceſſaries of Life,* be, and the ſame hereby is, ſuſpended until the adjacent States of *New-York,*

* Chap. CLXXV.

New-York, *Pennſylvania* and *Delaware*, enact, and carry into Execution, Laws for eſtabliſhing a general Limitation of Prices throughout their reſpective Juriſdictions, on the Principles recommended in the ſaid Reſolution of Congreſs.

In caſe the adjacent States adopt the Meaſure, this Act to be revived.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That whenſoever the ſaid States of *New-York*, *Pennſylvania* and *Delaware*, ſhall enact, and carry into Execution, Laws for eſtabliſhing a general Limitation of Prices, on the Principles recommended in the Reſolution of Congreſs, bearing Date the nineteenth Day of *November* laſt, it ſhall and may be lawful for the Governor or Commander in Chief of this State for the Time being, by Proclamation, to be iſſued by the Advice of a Majority of at leaſt ſeven Members of the Privy-Council, to limit and ſpecify a Day for the ſaid recited Act to take Effect, and be executed in this State; and thereupon the ſame Act ſhall take Effect, and be executed accordingly, any Thing herein contained to the contrary notwithſtanding.

CHAP. CLXXXVIII.

An ACT *to alter the Place of Meeting of the Juſtices and Freeholders in the County of* Hunterdon.

Paſſed March 4, 1780.

Preamble.

WHEREAS a Number of the choſen Freeholders and other Inhabitants of the County of *Hunterdon*, have, by their Petition preſented to the Legiſlature, ſet forth, That the Courthouſe, from its Situation in an extreme Part of the County, is inconvenient for the Juſtices and Freeholders to meet and to do Buſineſs; and prayed a Law may be paſſed to authorize and empower them to meet at the Houſe of *Henry Merſhon*, late *John Ringo*, in *Amwell*, which is more central and convenient for the Purpoſe aforeſaid;

Enacting Clauſe.

BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the Publication of this Act, it ſhall and may be lawful for the Freeholders of the County of *Hunterdon*, choſen by Virtue of an Act, intitled, * *An* Act *for raiſing of Money for Building and Repairing of Gaols and Courthouſes within each reſpective County of this Province*, paſſed *February* the twenty-eighth, One Thouſand Seven Hundred and Thirteen-fourteen, in Conjunction with any three Juſtices of the Peace of ſaid County, to meet at the Houſe of *Henry Merſhon*, late *John Ringo*, in *Amwell*, on the ſecond *Wedneſday* in *May*, yearly and every Year, and at all other Times when legally cited for that Purpoſe, and adjourn from Time to Time as Occaſion may require; and every Matter, Act and Deed, done by the ſaid Juſtices and Freeholders, at any of their Meetings, ſhall be as good and valid in the Law, to all Intents, Conſtructions and Purpoſes, as if they had met at the Courthouſe aforeſaid; any Law, Cuſtom or Uſage, to the contrary notwithſtanding.

CHAP.

* *Allinſon*, Chap. XXXVII.

Repealed by Chap. CCLXIV.

CHAP. CLXXXIX. *A ſupplemental* Act *to an Act, intitled,* * *An* Act *to empower and direct the Commiſſioners of the Loan-Offices in the reſpective Counties in the State of* New-Jerſey, *to pay certain Monies by them received into the Treaſury, and alſo for applying certain Monies now therein.*

Paſſed March 8, 1780.

Repealed by Chap. CCXXXV.

CHAP. CXC. *An* Act *for completing the Quota of Troops belonging to this State, in the Service of the United States.*

Paſſed March 11, 1780.

By this Act a Bounty of 1000 *Dollars* was given to each Recruit, who enliſted before *May* 20, 1780. Four hundred Men were directed to be raiſed by it.

CHAP. CXCI.

† *An* ACT *for amending and eſtabliſhing the Charter of the College of* New-Jerſey.

Paſſed March 13, 1780.

Preamble.

WHEREAS the Truſtees of the College of *New-Jerſey*, by their humble Petition preſented to the Legiſlature, have ſet forth, That His Majeſty *George* the Second, King of *Great-Britain*, by his Royal Charter of Incorporation, under the Great Seal of the then Province of *New-Jerſey*, and bearing Date the fourteenth Day of *September*, in the twenty-ſecond Year of his Reign, was pleaſed to incorporate ſundry Perſons, to the Number of twenty-three, by the Name and Style of "The Truſtees of the College of *New-Jerſey*;" and did thereby, among other Things, grant unto them Power and Authority to erect, endow and govern, a College for the Inſtruction of Youth in the learned Languages, and liberal Arts and Sciences, as by the ſaid Charter of Incorporation, recorded in the Secretary's Office at *Perth-Amboy* in Book C, Number 2, Pages 196 to 204 incluſive, Reference being thereunto had, may more fully and at large appear: AND WHEREAS the ſaid Truſtees, by their ſaid Petition, have prayed that the ſame Charter may be eſtabliſhed and confirmed under the preſent happy Conſtitution, with certain Alterations and Amendments, in their ſaid Petition mentioned and deſcribed: AND WHEREAS all wiſe Legiſlatures have deemed the Education of Youth to be of the utmoſt Importance to the Proſperity of a State, and have taken Inſtitutions for that Purpoſe eſtabliſhed under their Patronage and Protection: AND WHEREAS the ſaid College of *New-Jerſey* hath been found greatly uſeful in diffuſing as well the Principles of political Liberty, as of Religion and Literature, and many have thereby been fitted to fill diſtinguiſhed Places both in the Civil and Eccleſiaſtical Departments of this and of the other United States, with Advantage to the Community, and Honour and Reputation to themſelves: Therefore, for granting the Prayer of the Petition of the ſaid Truſtees, ſo far forth as the ſame appears juſt and reaſonable,

Sect.

* Chap. LXXXV of this Collection. See alſo Chap. CCIV.

† See a Supplement to this Act, Chap. CCLXXXVI. See alſo Chap. CCLIV.

N. B. Although Chap. CXCI be properly a private Act, yet as it relates to a publick Inſtitution, it claims a Place here at large.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid Charter, with all and ſingular the Advantages, Privileges and Immunities, and all other Matters and Things therein contained, ſuch Clauſes and Parts only excepted as are by this Act repealed, altered or amended, is hereby eſtabliſhed and confirmed; and ſhall forever hereafter be held and eſteemed as good and effectual in Law, to all Intents, Conſtructions and Purpoſes, as the ſame hath heretofore been held and eſteemed, and as if the ſame were herein particularly recited; any Miſuſer, Nonuſer, or any other Default heretofore committed or ſuffered, notwithſtanding.

Charter, with Exceptions, confirmed.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Truſtees of the College of *New-Jerſey*, and their Succeſſors, ſhall and may forever hereafter have, hold and enjoy, all and ſingular the Advantages, Privileges and Immunities, granted in the ſaid Charter, and hereby confirmed unto them and their Succeſſors, in as full, ample and beneficial a Manner, as if the ſame were given and granted to them by a Law of this State, and as if every of the ſaid Advantages, Privileges and Immunities, were in the ſaid Law particularly enumerated, and ſpecified; any Law, Uſage or Cuſtom, relating to Charters, notwithſtanding.

Truſtees, their Privileges, &c.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the Clauſe in the ſaid Charter directing and requiring the ſaid Truſtees and each of them, and every Officer of the ſaid Corporation by them appointed, to take the Oath of Allegiance to the King of *Great-Britain*, and to make and ſubſcribe the Declaration as eſtabliſhed by Act of Parliament under the former Government, be, and it hereby is repealed, diſcontinued, annulled and made void; and in Lieu thereof ſuch of the ſaid Truſtees or Officers as are Inhabitants of this State, and each of them, ſhall, at the next Meeting of the ſaid Corporation after the Paſſing of this Act, or before they proceed further to execute their reſpective Truſts and Offices, take and ſubſcribe the Oaths or Affirmations of Allegiance and Abjuration, as appointed and ſet forth in an Act of the Council and General Aſſembly, intitled, *An Act for the Security of the Government of* New-Jerſey, made and paſſed the nineteenth Day of *September*, in the Year of our Lord One Thouſand Seven Hundred and Seventy-ſix, to be adminiſtered by any one Juſtice of the Peace of this State; and ſuch of them as are Inhabitants of any other of the United States ſhall take and ſubſcribe the Oath or Affirmation of Abjuration in Manner as aforeſaid, and ſhall alſo produce a Certificate from ſome one Juſtice of the Peace of the State to which they may reſpectively belong, ſetting forth that they have taken the Oath or Affirmation of Allegiance to the ſaid State: And when any new Member or Officer of the ſaid Corporation ſhall be choſen, he ſhall take and ſubſcribe the before mentioned Oaths or Affirmations, or take and ſubſcribe the Oath or Affirmation of Abjuration, and produce the Certificate as aforeſaid, before he is admitted to exerciſe his Truſt or Office; the ſaid Oaths or Affirmations to be adminiſtered, in Preſence of the ſaid Truſtees, by the Preſident of the ſaid Corporation for the Time being.

Clauſe in the former Charter repealed.

Truſtees to take the Oaths of Allegiance, &c.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid Truſtees, and their Succeſſors, ſhall and may hold and enjoy any

Eſtate not to exceed the Value of 20,000 Buſhels of Wheat yearly.

any Eſtate whatſoever, the clear yearly Value whereof ſhall not exceed the Value of Twenty Thouſand Buſhels of Wheat; any Article or Clauſe in the ſaid Charter to the contrary notwithſtanding.

Private.

CHAP. CXCII. *An* Act *to ſecure to the Owners of Lands lying in the North Ward of* New-Brunſwick, *in the County of* Middleſex, *and in the Eaſtern Precinct of the County of* Somerſet *adjoining, the Enclоſures of which have been deſtroyed in the Courſe of the preſent War, the Uſe and Benefit of the ſaid Lands.*

Paſſed March 15, 1780.

CHAP. CXCIII.

A ſupplemental ACT *to the Act, intitled,* * *An* Act *for apprehending and delivering up to Juſtice all Perſons reſiding or taking Refuge in this State charged with Crimes committed in any other of the United States, and for other Purpoſes therein mentioned.*

Paſſed March 17, 1780.

Preamble.

WHEREAS the ſaid Act, intitled, *An* Act *for apprehending and delivering up to Juſtice all Perſons reſiding or taking Refuge in this State charged with Crimes committed in any other of the United States, and for other Purpoſes therein mentioned*, paſſed at *Princeton* the ſecond Day of *October*, in the Year One Thouſand Seven Hundred and Seventy-eight, has made no Proviſion for the conveying and bringing into this State Perſons guilty of or charged with Treaſon, Felony, or other high Miſdemeanors in the ſame, and who are or hereafter may be ſecured in Gaol, or apprehended and taken up in any other of the United States;

Mode of Proceeding.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That whenever it ſhall be properly certified to the Chief-Juſtice of this State, or either of the Juſtices of the Supreme Court, that any Perſon, guilty of or charged with Treaſon, Felony, or other high Miſdemeanor, in this State, is apprehended or confined in any other of the ſaid United States, the ſaid Chief-Juſtice, or either of the Juſtices of ſaid Supreme Court, ſhall thereupon iſſue a Warrant, under his Hand and Seal, to the Sheriff of the County where ſuch Offence is alledged to have been committed, who is hereby required to pay Obedience thereto, authorizing, empowering and requiring, the ſaid Sheriff to make Application to the Executive Officer, or to the Chief-Juſtice, or other Juſtice of the Supreme Court of the State where ſuch Perſon, guilty of or charged with Treaſon, Felony, or other high Miſdemeanor as aforeſaid, ſhall be apprehended or confined, for an Endorſement of the ſaid Warrant, and thereupon to make Demand of and receive ſuch Offender, or ſuppoſed Offender, of the Sheriff, Gaoler, or other Perſon having him in Cuſtody, and him ſafely to bring before the ſaid Juſtice who granted the Warrant, or other Juſtice having Juriſdiction, to be further dealt with according to Law.

2. AND

* Chap. XCIX.

2. AND WHEREAS it is juſt and reaſonable that every Sheriff, who ſhall execute any ſuch Warrant, ſhould be allowed an adequate Compenſation for the ſame, BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That every ſuch Sheriff ſhall be allowed ſuch Sum for the Service aforeſaid as the Juſtice who iſſued the ſaid Warrant ſhall certify to be adequate and juſt; and the Treaſurer of the State is hereby authorized and directed to pay to the Sheriff, or his Order, the Sum certified as aforeſaid. Sheriff, to be allowed Compenſation.

CHAP. CXCIV.

An ACT *to prevent the Waſte of Timber, Trees and Poles, in this State, and to repeal the former Act for that Purpoſe.*

Paſſed March 18, 1780.

WHEREAS the Act, intitled, * *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*, and the ſupplementary † Act thereto, have, on Experience, been found beneficial to the Owners of Land, and the general Intereſt of the State: AND WHEREAS the Penalties mentioned in the ſaid recited Act, and the ſupplementary Act thereto, have of late proved inſufficient, and the ſaid ſupplementary Act has expired by its own Limitation; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That if any Perſon whatſoever ſhall at any Time hereafter cut, fell, work up, carry away, box, bore or deſtroy, any Tree, Saplin or Pole, ſtanding or lying upon any Land within the State, to which ſuch Perſon hath 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 ſo offending ſhall forfeit and pay for each Tree, Saplin or Pole, ſo cut, felled, worked up, carried away, boxed, bored or deſtroyed, the Sum of *Fifty Pounds*, with Coſts of Suit, to be recovered in any Court of Record where the ſame is cognizable; one Half to the Owner or Owners of the Land, and the other Half to any Perſon who will ſue for and proſecute the ſame to Effect at any Time within eighteen Months from the cutting, felling, working up, carrying away, boxing, boring or deſtroying, of any ſuch Tree, Saplin or Pole. Offenders, what to forfeit. Application.

2. AND BE IT FURTHER ENACTED, That whenever any Perſon ſhall be ſued or proſecuted before any Juſtice of the Peace agreeable to the Directions of this Act, it ſhall and may be lawful for ſuch Juſtice to proceed in ſuch Action, if the Penalty demanded ſhall not exceed the Sum cognizable before a Juſtice, notwithſtanding any Claim the Defendant or Defendants may offer or make to the Land whereon and from whence the ſaid Tree, Saplin or Pole, may be cut, felled, or worked up, boxed, bored, deſtroyed or carried away, and thereupon to give Judgment, and to iſſue Execution, unleſs the Defendant or Defendants ſhall immediately enter into Bond to the Plaintiff with one or more ſufficient Surety or Sureties, being Freeholders, in the Sum of *One* Juſtice, how to proceed.

* *Allinſon*, Chap. XXXVIII. † *Allinſon*, Chap, DXLV.

One Thouſand Pounds conditioned for the Appearance of ſuch Defendant or Defendants to an Action or Actions of Treſpaſs, and to pay the Damages found againſt him or them, with Coſts of Suit; any Law, Uſage or Cuſtom, to the Contrary notwithſtanding.

Former Act repealed.

3. AND BE IT FURTHER ENACTED, That the before recited Act be, and it is hereby repealed.

Repealed and ſupplied by Chap. CCXLII.

CHAP. CXCV. *An* Act *to amend an Act, intitled,* * *An* Act *for the regulating, training and arraying of the Militia, and the ſupplementary* † *Act thereto.*

Paſſed March 18, 1780.

Repealed in Part by Chap. CCXXXII, & CCXCIX, and partly become uſeleſs in Conſequence of theſe Repeals.

CHAP. CXCVI. *A ſupplemental* Act *to the Act, intitled,* ‡ *An* Act *for procuring Proviſions for the Uſe of the Army, and other Supplies for carrying on the War; and for ſettling the publick Accounts of this State.*

Paſſed March 18, 1780.

The Honourable the Congreſs of the United States by their Reſolution of the 25th of *February* 1780, having called upon the ſeveral States to furniſh their reſpective Quotas of the ſpecific Supplies neceſſary for the Army for the enſuing Campaign; the Quota aſſigned to this State, which amounted to 18,000 Hundred wt. of Beef, 10,000 Barrels of Flour, 3758 Buſhels of Salt, 3500 Tons of Hay, 30,000 Buſhels of Corn, or other ſhort Forage equivalent, was by this Act apportioned amongſt the ſeveral Counties, to be by them furniſhed at certain fixed Prices in the Act ſpecified; and it was enacted, that if the Contractor of any County furniſhed the Articles enumerated at higher or lower Rates than thoſe fixed in the Act, the Surplus or Balance ſhould be charged or credited to ſuch County in the Proportionment of the Taxes to be laid thereon. The Staff-Officers of Congreſs were prohibited from purchaſing the enumerated Articles, one Contractor only was admitted for a County, and confined to make his Purchaſes therein, and ſundry other Alterations were made to the recited Act.

Private.

CHAP. CXCVII. *An* Act *to empower the Owners of the* Pigeon *Swamp, Marſhes and Ponds adjoining, in the South Ward of* New-Brunſwick, *in the County of* Middleſex, *to open and keep clear of Obſtructions, a certain Watercourſe and Ditch, for draining the ſaid Swamp, Marſhes and Ponds.*

Paſſed March 20, 1780.

Repealed by Chap. CCXXVI.

CHAP. CXCVIII. *An* Act *for raiſing certain Fees, Fines and Forfeitures.*

Paſſed March 21, 1780.

Paſſed on Account of the Depreciation, and limited to the End of the firſt Sitting of the next Legiſlature.

Obſolete.

CHAP. CXCIX. *An* Act *for defraying ſundry Incidental Charges.*

Paſſed March 21, 1780.

At

* Chap. LXXXIV.
† Chap. CLII.
‡ Chap. CLXXX.

At a GENERAL ASSEMBLY held at Trenton, from the tenth Day of May to the nineteenth Day of June 1780, the following Laws were paſſed.

SESSION FOURTH—SITTING THIRD.

CHAP. CC.

An ACT *to alter the Law directing the Deſcent of Real Eſtates.*

Paſſed May 24, 1780.

WHEREAS the Law of Deſcents, as it now ſtands, works Injuſtice, by veſting the whole Real Eſtate of an Anceſtor in the Heir at Law if a Male, to the Excluſion of the other Iſſue or Deſcendants both Male and Female of ſuch Anceſtor; for Remedy whereof, Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That when any Anceſtor, poſſeſſed of or entitled to a Real Eſtate in his or her own Right in Fee-Simple, ſhall die without making a Will diſpoſing thereof, leaving two or more Sons, ſuch Real Eſtate ſhall deſcend to and be equally inherited by all the Sons of ſuch Anceſtors as Tenants in Common; and if ſuch Anceſtor ſhall have Iſſue both Male and Female, then ſuch Real Eſtate ſhall deſcend to and be inherited by ſuch Iſſue Male and Female in ſuch Proportion that each Son ſhall inherit two Shares thereof, each of which Shares ſhall be equal to the Share of a Daughter: PROVIDED ALWAYS, That if any Child of ſuch Anceſtor ſhall have died before the Anceſtor leaving Iſſue, the Share or Part of the ſaid Real Eſtate which ſuch Child would have been entitled to under or by Virtue of this Act, if ſuch Child had ſurvived the Anceſtor, ſhall deſcend to and be inherited by ſuch Iſſue in the Manner and Proportions between Male and Female herein-before directed: AND PROVIDED ALSO, That if any ſuch Anceſtor ſhall in his Lifetime have given or advanced any Part of his or her Real Eſtate to any of his or her Iſſue, ſuch Iſſue ſhall not be entitled to any Part or Share of ſuch Anceſtor's Real Eſtate, deſcending under or by Virtue of this Act, unleſs the Real Eſtate ſo given or advanced ſhall not be equal in Value to the reſpective Shares of the other Iſſue in the ſame Degree of Affinity as the Caſe may be, and then no more than will be ſufficient to make ſuch Share equal in the above Proportion. Real Eſtate, how to deſcend. Proviſo. Proviſo.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Anceſtor poſſeſſed of or entitled to any Real Eſtate in his or her own Right in Fee-Simple ſhall die without making a Will diſpoſing thereof, and without Iſſue, or having Iſſue, and ſuch Iſſue ſhall die under the Age of twenty-one Years without Iſſue, the ſaid Real Eſtate of ſuch Anceſtor ſhall deſcend to and be inherited by the Brothers, or by the Brother and Siſter or Siſters, or by the Brothers and Siſter or Siſters, as the Caſe may be, of ſuch Anceſtor in the Manner and Proportions between Male and Female directed by the firſt Section of this Act: PROVIDED ALWAYS, That if any of the Brothers or Siſters of ſuch Anceſtor ſhall have died before ſuch Anceſtor leaving Iſſue, the Share or Part of the Brothers, when to inherit. Proviſo.

ſaid Real Eſtate which ſuch Brother or Siſter ſo dying would have been entitled to under or by Virtue of this Act, if ſuch Brother or Siſter had ſurvived ſuch Anceſtor, ſhall deſcend to and be inherited by the ſaid Iſſue of ſuch Brother or Siſter in the Manner and Proportions between Male and Female directed by the firſt Section of this Act.

Half Blood, when to inherit.

3. AND WHEREAS by the Law as it now ſtands the Iſſue of an Anceſtor by one Venter cannot inherit to the Iſſue of ſuch Anceſtor by a different Venter, whereby the Real Eſtate of an Anceſtor in ſome Inſtances goes out of the Family, to the great Injury of the remaining Iſſue of ſuch Anceſtor; for Remedy whereof, BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Perſon poſſeſſed of or entitled to a Real Eſtate in his or her own Right in Fee-Simple ſhall die without making a Will diſpoſing thereof, and without any Brother or Siſter, or any Iſſue of ſuch Brother or Siſter, of the whole Blood, and ſhall leave a Brother or Brothers, a Siſter or Siſters, a Brother and a Siſter, or Siſters or Brothers, and a Siſter or Siſters of the half Blood, the ſaid Real Eſtate of ſuch Perſon ſhall deſcend to and be inherited by ſuch Kindred, as the Caſe may be, of the half Blood, in the Manner and Proportions between Male and Female directed by the firſt Section of this Act.

Not to affect Marriage Settlements, &c.

4. PROVIDED ALWAYS, AND BE IT FURTHER ENACTED, That Nothing in this Act contained ſhall be conſtrued or taken to make void or any Ways affect any Marriage Settlement, or in any Degree to deprive any Widow of any Jointure ſhe may be entitled to, or of her Right of Dower.

Partly repealed by Chap. CCLXVI, partly obſolete.

CHAP. CCI. * *An Act for altering the Place of holding the Inferior Court of Common-Pleas, and Court of General Quarter-Seſſions of the Peace, in and for the County of* Bergen, *and for building a temporary Gaol in the ſaid County.*

Paſſed May 25, 1780.

The firſt Section of this Act, appointing the ſaid Courts to be held at the Houſe of *Martin I. Ryerſon*, is repealed by Chap. CCLXVI. The ſecond Section provided for building a temporary Gaol; the Gaol is built, and is now to be repaired, *&c.* as directed in *Allinſon*, Chap. XXXVII, ſo that the Section is obſolete.

CHAP. CCII.

A Supplement to the Act, intitled, † *An* ACT *for regulating of Conſtables.*

Paſſed May 31, 1780.

Preamble.

WHEREAS Doubts have ariſen whether, as the Law now ſtands, any Juſtices of the Peace have Power to appoint more than one Conſtable in a Precinct, where the Perſon or Perſons elected by the People neglect or refuſe to ſerve: AND WHEREAS, by Reaſon of the Largeneſs of ſome Precincts, Sickneſs or Accidents that may befal the Officer, it may be neceſſary to have two or more in a Precinct;

Enacting Clauſe.

BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this*

* See Chap. LXXX, CLXVI, and CCLXVI.

† Chap. XXIII. See alſo Chap. CCLVIII.

this State, and it is hereby Enacted by the Authority of the ſame, That in all Caſes where Juſtices of the Peace are empowered by the fifth Section of the Act, intitled, *An Act for regulating of Conſtables*, paſſed *March* the fifteenth, One Thouſand Seven Hundred and Seventy-ſeven, to appoint one Conſtable in a Precinct, they ſhall be and are hereby empowered to appoint, as the Caſe may require, any Number not exceeding three, and to adminiſter to each of them the Oath of Office purſuant to the Directions in the ſaid Section contained; which the Perſons ſo appointed are hereby required to take, under the Penalties Conſtables are now by Law ſubjected to for Neglect or Refuſal.

CHAP. CCIII.

An ACT *for building a Courthouſe and Gaol in the County of* Somerſet, *and for other Purpoſes therein mentioned.*

Paſſed June 5, 1780.

Preamble.

WHEREAS the Courthouſe and Gaol belonging to the ſaid County of *Somerſet* was lately burnt by the Enemy: AND WHEREAS a Memorial has been preſented to the Legiſlature by ſundry of the Inhabitants of the ſaid County, ſetting forth, that the Board of Juſtices and Freeholders cannot agree upon a Place whereon to rebuild the ſaid Courthouſe and Gaol, and requeſting that a Law may be paſſed granting Liberty to the Inhabitants of ſaid County, by a Majority of Votes, to fix a Place where the Courthouſe and Gaol ſhall be built; Therefore,

Mode of fixing the Place of the Courthouſe, &c.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for the Sheriff of the ſaid County, and he is hereby required, as ſoon as may be after the Paſſing of this Act, to give Notice, by Advertiſements ſet up in three of the moſt publick Places in each Townſhip in the ſaid County, to all Perſons who are entitled to give their Votes for chooſing Repreſentatives in the ſaid County, to aſſemble themſelves at the uſual Place of holding their annual Election on a certain Day, to be by him in the ſaid Advertiſements appointed, not exceeding forty Days nor leſs than twenty from the Time of fixing up the ſaid Advertiſements, and then and there, by Plurality of Votes, to fix the Place or Places whereon a Courthouſe and Gaol ſhall be built for the ſaid County.

Election, how to be conducted.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That, on the Day appointed for that Purpoſe as aforeſaid, the ſaid Election ſhall be held and conducted in all Reſpects agreeably to the Mode in which the Elections for Repreſentatives are directed by Law to be conducted in ſuch Counties where the Votes are given *Viva Voce*, and for what Place ſoever a Majority of the Voices ſhall appear for building the ſaid Courthouſe and Gaol, there the ſame ſhall be built accordingly.

Money, how to be raiſed, and to whom to be paid, &c.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That, in order to raiſe Money to build and complete the ſaid Courthouſe and Gaol, it ſhall and may be lawful for the Aſſeſſors and Collectors, choſen or appointed by Virtue of an Act, intitled, * *An Act for the more regular chooſing*

* *Allinſon*, Chap. LXXVII.

chooſing and electing Aſſeſſors and Collectors in the reſpective Towns and Counties in this Province, and they are hereby commanded to aſſeſs and collect from Time to Time within the ſaid County ſuch Sum or Sums of Money as ſhall be thought proper by the Juſtices and a Majority of the Freeholders of the ſaid County; and if any Aſſeſſor or Collector ſhall neglect or refuſe to perform any Duty, Matter or Thing required of him in this Act, he ſhall be liable to twenty Fold the Penalty or Forfeiture in the ſaid recited Act impoſed for ſuch Neglect or Refuſal; which Sum or Sums of Money ſo aſſeſſed and collected ſhall be paid into the Hands of ſuch Managers as the ſaid Juſtices and a Majority of the ſaid Freeholders ſhall think fit to appoint to carry on the ſaid Works; and the ſaid Managers, appointed as aforeſaid, are hereby empowered to purchaſe Materials, and to agree with Carpenters and other Workmen from Time to Time to perform the ſaid Work, and to pay for ſuch Service as may be neceſſary to be done for completing the ſaid Works: And all and every Perſon or Perſons who by this Act are enjoined to do or perform any Matter or Thing, and ſhall neglect or refuſe to perform the ſame, ſhall be liable and ſubjected to pay twenty Fold the Penalties and Forfeitures preſcribed in and by the Act, intitled, † *An* Act *for raiſing of Money for building and repairing of Gaols and Courthouſes within each reſpective County of this Province*, paſſed *February* twenty-eighth, One Thouſand Seven Hundred and Thirteen-fourteen; and the ſaid Collectors and Managers are hereby made ſubject from Time to Time to render an exact Account to the ſaid Juſtices and Freeholders of all ſuch Monies as they ſhall collect, receive, pay or expend, in Virtue of their Appointment, when thereunto required.

Perſons neglecting their Duty, what to forfeit.

Power inveſted in ſucceeding Managers, &c.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That any three of the Juſtices of the Peace, and the Freeholders, Aſſeſſors, Collectors and Managers, who may be appointed in any ſucceeding Year, ſhall be and hereby are empowered to build, carry on, amend and repair the Courthouſe and Gaol aforeſaid, and to do and perform every other Matter or Thing relating to the ſame as fully, amply and largely, as they are or might be authorized and appointed to do by Virtue of the laſt recited Act touching and concerning any of the Courthouſes and Gaols therein particularly mentioned.

Judges and Juſtices, Power inveſted in them.

5. AND BE IT ENACTED *by the Authority aforeſaid*, That in Future it ſhall and may be lawful for the Judges of the Inferior Court of Common-Pleas, and Juſtices of the Court of General Quarter-Seſſions of the Peace for ſaid County, and they are hereby empowered to open and hold the ſaid Courts in ſome convenient Houſe or Building near the Place where the Courthouſe formerly ſtood; and all Writs and Proceſs whatſoever returnable to either of the ſaid Courts ſhall be teſted and made returnable as uſual; and that as ſoon as the Courthouſe aforeſaid ſhall be built and completed ſo as to admit the ſaid Courts to be held therein, the ſaid Courts ſhall be held in the ſaid Courthouſe, and all Writs and Proceſs ſhall be returnable thereto; any Law or Ordinance to the contrary notwithſtanding.

Doubts obviated.

6. AND WHEREAS ſince the Courthouſe of ſaid County has been deſtroyed, the ſaid Courts have been frequently opened and held in private Houſes without any Law or Ordinance for the ſame, whereby Doubts may

† *Allinſon*, Chap. XXXVII.

may ariſe reſpecting the Validity of the Proceedings had thereat, and Suitors may be thereby greatly injured; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That all Proceſs returned to, and Proceedings ſo had or depending in, the ſaid Courts, or either of them, if in other Reſpects agreeable to Law, ſhall be, and they are hereby declared to be valid, and the ſame ſhall be and are hereby revived and continued as fully and effectually as if the ſaid Courts had been opened and held according to Law.

CHAP. CCIV. † *An Act for ſuſpending the Sale of the Lands mortgaged to the Commiſſioners of the Loan-Office of the ſeveral Counties of this State.* Repealed by Chap. CCLXIV.

Paſſed June 6, 1780.

CHAP. CCV. *An Act to raiſe and embody, for a limited Time, Six Hundred and Twenty-four Men, for the Defence of the Frontiers of this State.* Obſolete.

Paſſed June 7, 1780.

The Men raiſed in Virtue of this Act continued in Service until the firſt Day of *January* 1781—The Mode of raiſing them directed in the Act was this: The Number of Commiſſioned Officers to be furniſhed from each County was fixed by the Act; the taxable Inhabitants of each County were (excluſive of the Field and Commiſſioned Officers) directed to be claſſed, each Claſs to furniſh one Recruit within four Days after Notice, or the Claſs was to be aſſeſſed for hiring a Subſtitute at ſuch Sum as ſuch Subſtitute could be procured; if no Subſtitute could be procured by the Colonel of the Regiment and Commiſſioned Officers of the Company for any particular Claſs, ſuch Claſs was to be aſſeſſed at the average Sum given for Subſtitutes in the County, and the Money paid forward into the Treaſury. This average Money has never all been aſſeſſed or paid forward.

CHAP. CCVI.

* *An ACT for eſtabliſhing a Fund for ſinking and redeeming the Proportion of the Bills of Credit of the United States aſſigned as the Quota of this State.*

Paſſed June 9, 1780.

WHEREAS the United States in Congreſs aſſembled did, by their Reſolutions bearing Date the eighteenth Day of *March* laſt, declare and reſolve in the Words following, *videlicet*, Preamble.

"THESE United States having been driven into this juſt and neceſſa-
" ry War at a Time when no regular Civil Governments were eſtabliſhed
" of ſufficient Energy to enforce the Collection of Taxes, or to provide
" Funds for the Redemption of ſuch Bills of Credit as their Neceſſities
" obliged them to iſſue, and before the Powers of *Europe* were ſuffi-
" ciently convinced of the Juſtice of their Cauſe, or of the probable
" Event of the Controverſy to afford them Aid or Credit; in Conſe-

† See Chap. LXXXV and CLXXXIX of this Collection, and DXCI of *Allinſon*.

* See two Supplements to this Act, Chap. CCXXI and CCXXXVII. See alſo Chap. CCXXXI.

" quence of which their Bills, encreaſing in Quantity beyond the Sum " neceſſary for the Purpoſe of a Circulating Medium, and wanting at " the ſame Time ſpecific Funds to reſt on for their Redemption, they " have ſeen them daily ſink in Value, notwithſtanding every Effort that " has been made to ſupport the ſame, inſomuch that they are now " paſſed by common Conſent in moſt Parts of theſe United States at " leaſt Thirty-nine Fortieths below their nominal Value, and ſtill remain " in a State of Depreciation, whereby the Community ſuffers great " Injuſtice, the publick Finances are deranged, and the neceſſary Diſ- " poſitions for the Defence of the Country are much impeded and " perplexed: AND WHEREAS, effectually to remedy theſe Evils " for which Purpoſe the United States are now become competent, their " Independence being well aſſured, their Civil Governments eſtabliſhed " and vigorous, and the Spirit of their Citizens ardent for Exertion, " it is neceſſary ſpeedily to reduce the Quantity of the Paper Medium " in Circulation, and to eſtabliſh and appropriate Funds that ſhall enſure " the punctual Redemption of the Bills; Therefore,

" *Reſolved*,

" That the ſeveral States continue to bring into the Continental Trea- " ſury by Taxes, or otherwiſe, their full Quotas of *Fifteen Million of* " *Dollars* monthly, as aſſigned them by the Reſolution of the ſeventh " of *October*, One Thouſand Seven Hundred and Seventy-nine; a " Clauſe in the Reſolution of the twenty-third of *February* laſt, for " relinquiſhing two Thirds of the ſaid Quotas, to the contrary not- " withſtanding: And that the States be further called on to make " Proviſion for continuing to bring into the ſaid Treaſury their like " Quotas monthly to the Month of *April*, One Thouſand Seven Hun- " dred and Eighty-one, incluſive:

" That Silver and Gold be receivable in Payment of the ſaid Quotas " at the Rate of *One Spaniſh milled Dollar* in Lieu of *Forty Dollars* of " the Bills now in Circulation:

" That the ſaid Bills as paid in, except for the Months of *January* " and *February* paſt, which may be neceſſary for the Diſcharge of paſt " Contracts, be not re-iſſued, but deſtroyed:

" That as faſt as the ſaid Bills ſhall be brought in to be deſtroyed, " and Funds ſhall be eſtabliſhed as hereafter mentioned for other Bills, " other Bills be iſſued, not to exceed on any Account one Twentieth " Part of the nominal Sum of the Bills brought in to be deſtroyed:

" That the Bills which ſhall be iſſued be redeemable in Specie within " ſix Years after the preſent, and bear an Intereſt at the Rate of *Five* " *per Centum per Annum*, to be paid alſo in Specie at the Redemption of " the Bills, or, at the Election of the Holder, annually at the reſpective " Continental Loan-Offices in Sterling Bills of Exchange, drawn by " the United States on their Commiſſioners in *Europe*, at *Four Shillings* " *and Six-pence* Sterling per *Dollar*:

" That the ſaid new Bills iſſue on the Funds of individual States " for that Purpoſe eſtabliſhed, and be ſigned by Perſons appointed by " them, and that the Faith of the United States be alſo pledged for " the Payment of the ſaid Bills in caſe any State on whoſe Funds they " ſhall be emitted ſhould, by the Events of War, be rendered incapa- " ble to redeem them; which Undertaking of the United States, and " that of drawing Bills of Exchange for Payment of Intereſt as aforeſaid, " ſhall be endorſed on the Bills to be emitted, and ſigned by a Com- " miſſioner to be appointed by Congreſs for that Purpoſe:

" That

" That the Face of the Bills to be emitted read as follows, *videlicet*,
" *The Poſſeſſor of this Bill ſhall be paid* Spaniſh milled Dollars
" *by the thirty-firſt Day of* December, *One Thouſand Seven Hundred and*
" *Eighty-ſix, with Intereſt in like Money at the Rate of* Five per Centum
" per Annum, *by the State of* , *according to an Act of the Legiſla-*
" *ture of the ſaid State of the Day of* , *One Thouſand Seven*
" *Hundred and Eighty.*

" And the Endorſement ſhall be as follows, *videlicet*,

" *The United States enſure the Payment of the within Bill, and will*
" *draw Bills of Exchange for the Intereſt annually if demanded, according*
" *to a Reſolution of Congreſs of the eighteenth Day of* March, *One Thou-*
" *ſand Seven Hundred and Eighty.*

" That the ſaid new Bills ſhall be ſtruck under the Direction of the
" Board of Treaſury, in due Proportion for each State according to their
" ſaid monthly Quotas, and lodged in the Continental Loan-Offices in
" the reſpective States, where the Commiſſioner to be appointed by
" Congreſs, in Conjunction with ſuch Perſons as the reſpective States
" appoint, ſhall attend the ſigning of the ſaid Bills, which ſhall be
" completed no faſter than in the aforeſaid Proportion of one to twenty
" of the other Bills brought in to be deſtroyed, and which ſhall be
" lodged for that Purpoſe in the ſaid Loan Offices:

" That as the ſaid new Bills are ſigned and completed, the States re-
" ſpectively, on whoſe Funds they iſſue, receive ſix Tenths of them,
" and that the Remainder be ſubject to the Orders of the United States,
" and credited to the States on whoſe Funds they are iſſued, the Ac-
" counts whereof ſhall be adjuſted agreeably to the Reſolution of the
" ſixth of *October*, One Thouſand Seven Hundred and Seventy-nine:

" That the ſaid new Bills be receivable in Payment of the ſaid
" monthly Quotas at the ſame Rate as aforeſaid of Specie, the Intereſt
" thereon to be computed to the reſpective States to the Day the Pay-
" ment becomes due:

" That the reſpective States be charged with ſuch Parts of the Intereſt
" on their ſaid Bills as ſhall be paid by the United States in Bills of
" Exchange, and the Accounts thereof ſhall be adjuſted agreeably to the
" Reſolution aforeſaid of the ſixth of *October*, One Thouſand Seven Hun-
" dred and Seventy-nine.

" That whenever Intereſt on the Bills to be emitted ſhall be paid prior
" to their Redemption, ſuch Bills ſhall be thereupon exchanged for others
" of the like Tenor, to bear Date from the Expiration of the Year for
" which ſuch Intereſt is paid:

" That the ſeveral States be called on to provide Funds for their Quo-
" tas of the ſaid new Bills, to be ſo productive as to ſink or redeem one-
" ſixth Part of them annually after the firſt Day of *January* next:

" That Nothing in the foregoing Reſolution ſhall be conſtrued to aſ-
" certain the Proportions of the Expence incurred by the War, which
" each State on a final Adjuſtment ought to be charged with, or to ex-
" clude the Claims of any State to have the Prices at which different
" States have furniſhed Supplies for the Army hereafter taken into Con-
" ſideration and equitably adjuſted."

AND WHEREAS the Legiſlature of this State are earneſtly deſir-ous of carrying the ſaid Reſolutions into Execution for eſtabliſhing and rendering permanent the publick Credit, confiding in the Juſtice of the United States that in a future Adjuſtment of the Quotas apportioned to

the

the ſeveral States the extra Proportion of the Bills of the Currency of the United States now in Circulation, aſſigned to this State in the Reſolution of the ſeventh Day of *October*, One Thouſand Seven Hundred and Seventy-nine, and recommended to be brought into the Continental Treaſury by the before recited Reſolutions of the eighteenth of *March* laſt, as well as of the new Bills directed to be iſſued upon the Faith of this State, will be duly and equitably conſidered, and Credit given to the State accordingly; Therefore,

Sum to be iſſued, made redeemable in ſix Years.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Sum of *Two Hundred and Twenty-five Thouſand Pounds*, being the Amount of the Quota aſſigned to be funded and redeemed by this State in the aforeſaid Reſolutions of the eighteenth of *March* laſt, in Bills of Credit, be iſſued upon the Faith of this State, redeemable in Specie within ſix Years after the preſent Year upon the Terms and in the Manner and Form in the before recited Reſolutions of Congreſs recommended; and that the ſaid Sum of *Two Hundred and Twenty-five Thouſand Pounds*, together with * Intereſt therefor at the Rate of *Five per Centum per Annum*, amounting in the Whole, Principal and Intereſt, to the Sum of *Two Hundred and Sixty-four Thouſand Three Hundred and Seventy-five Pounds*, be levied, raiſed, and paid into the Treaſury of this State in the Proportions and at the Periods following, *to wit*, † The Sum of *Forty-eight Thouſand Seven Hundred and Fifty Pounds*, being the firſt Payment of the ſaid Sum, including the whole Intereſt of the Principal Sum of *Two Hundred and Twenty-five Thouſand Pounds* for one Year, to be paid into the Treaſury on or before the thirty-firſt Day of *December*, which will be in the Year of our Lord One Thouſand Seven Hundred and Eighty-one; and the further Sum of *Forty-ſix Thouſand Eight Hundred and Seventy-five Pounds*, being the ſecond Payment of the ſaid Sum, including the whole Intereſt of five-ſixth Parts of the ſaid Principal Sum for one Year, on or before the thirty-firſt Day of *December*, which will be in the Year of our Lord One Thouſand Seven Hundred and Eighty-two; and the further Sum of *Forty-five Thouſand Pounds*, the third Payment of the ſaid Sum, including the whole Intereſt of the remaining two-third Parts of the ſaid Principal Sum for one Year, on or before the thirty-firſt Day of *December*, which will be in the Year of our Lord One Thouſand Seven Hundred and Eighty-three; and the further Sum of *Forty-three Thouſand One Hundred and Twenty-five Pounds*, being the fourth Payment of the ſaid Sum, including the whole Intereſt of the remaining one Half of the ſaid Principal Sum for one Year, on or before the thirty-firſt Day of *December*, which will be in the Year of our Lord One Thouſand Seven Hundred and Eighty-four; and the further Sum of *Forty-one Thouſand Two Hundred and Fifty Pounds*, including the whole Intereſt of the remaining one-third Part of the ſaid Principal Sum for one Year, on or before the thirty-firſt Day of *December*, which will be in the Year of our Lord One Thouſand Seven Hundred and Eighty-five; and the Sum of *Thirty-nine Thouſand Three Hundred and Seventy-five Pounds*, the laſt Payment, being the remaining one-ſixth Part of the ſaid Principal Sum, with the Intereſt thereof for one Year, on or before the thirty-firſt Day of *December*,

How and when to be paid into the Treaſury.

* The Intereſt ceaſes on ſome of theſe Bills, and others are iſſued without Intereſt by Chap. CCLXIII.

† The firſt Proportion of the Money directed to be emitted by this Act, is cancelled and deſtroyed, being the Sum of £. 48750. The whole Sum has not yet been emitted.

December, which will be in the Year of our Lord One Thouſand Seven Hundred and Eighty-ſix; and that the aforeſaid Sum of *Two Hundred and Sixty-four Thouſand Three Hundred and Seventy-five Pounds* be aſſeſſed, levied and raiſed upon the ſeveral Inhabitants of this State, their Goods and Chattels, and on the Lands and Tenements within the ſame, in ſuch Manner and Form, and be apportioned amongſt the ſeveral Counties of the State in ſuch Proportion as ſhall hereafter be ſettled and adjuſted by Act of the Legiſlature.

Bills and Coins to be received in the Payment of Taxes.

* 2. AND BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the ſeveral Precinct and County Collectors in this State, and for the Treaſurer of the State for the Time being, to receive in Payment of the ſaid Taxes any of the Bills of Credit which ſhall be iſſued upon the Faith of this State by Virtue of this Act, or of the Bills which ſhall be iſſued upon the Faith and under the Authority of any other of the United States, agreeably to the before recited Reſolutions of Congreſs of the eighteenth of *March* laſt, or *Spaniſh milled Dollar*, computing each Dollar at *Seven Shillings and Six-pence* lawful Money of this State, or any other lawful current Coins of Gold or Silver in that Proportion.

Treaſurer's Duty.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the Treaſurer of the State for the Time being ſhall yearly and every Year lay before the Legiſlature an Account of the Bills of Credit iſſued upon the Faith of this State which ſhall be collected and paid into the Treaſury in any of the ſaid Taxes or otherwiſe, that the ſame may be cancelled and deſtroyed by ſuch Perſons, and at ſuch Times and in ſuch Manner as ſhall hereafter be directed by the Legiſlature; and it ſhall and may be lawful for the ſaid Treaſurer, and he is hereby authorized and required to exchange ſuch Bills of Credit iſſued upon the Faith of any other of the United States, agreeably to the ſaid recited Reſolutions of Congreſs, as ſhall have been collected in any of the ſaid Taxes, or ſhall otherwiſe have come into his Hands, for ſuch Bills to be iſſued upon the Faith of this State in Purſuance of this Act, and of the before recited Reſolutions of Congreſs of the eighteenth of *March* laſt, as ſhall be in the Hands of the Treaſurer of any other of the United States, or in the Hands of any other Perſon whatſoever.

Specie collected in Taxes, how to be appropriated.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That all the Specie which ſhall be collected and paid into the Treaſury of this State in any of the ſaid Taxes, or ſo much thereof as may be neceſſary, ſhall be, and the ſame is hereby directed to be appropriated to redeem the ſaid Bills of Credit ſo to be iſſued upon the Faith of this State, which ſhall not be collected and paid into the Treaſury and deſtroyed on or before the thirty-firſt Day of *December*, which will be in the Year of our Lord One Thouſand Seven Hundred and Eighty-ſix; and the ſaid Treaſurer is hereby directed to pay the Specie in his Hands, which ſhall be collected as aforeſaid, to the Poſſeſſors of any of the ſaid Bills, whenever they ſhall make Application for the ſame after the ſaid thirty-firſt Day of *December*, One Thouſand Seven Hundred and Eighty-ſix: PROVIDED ALWAYS, That no Intereſt accruing on any of the ſaid Bills ſo to be iſſued

Proviſo.

* The Clauſe of the ſecond Section, which authorizes the Treaſurer to receive the Bills of other States iſſued agreeably to the Reſolutions of Congreſs of *March* 18, 1780, in Payment of Taxes, is repealed by Chap. CCXXXI. The latter Clauſe of the third Section is of Conſequence obſolete.

as aforeſaid after the ſaid thirty-firſt Day of *December*, One Thouſand Seven Hundred and Eighty-ſix, and which have not been collected and paid into the Treaſury on or before the ſaid Day, ſhall be allowed or paid by the Treaſurer on exchanging the ſame.

Mode of exchanging old Money for new.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Treaſurer of this State for the Time being, and he is hereby authorized and required to tranſmit to the Board of Treaſury of the United States an Account of what Sum of Money may remain in his Hands in Bills of the Currency of the United States now in Circulation, paid in by Virtue of the Act, intitled, *An Act to raiſe the Sum of* Three Million Three Hundred and Seventy-five Thouſand Pounds *in the State of* New-Jerſey, or otherwiſe, after the tenth Day of *July* next, and at any Time thereafter as faſt as Money may come into his Hands by Taxes in Virtue of this Act, or in any other Manner whatſoever; and, on being informed by the ſaid Board of Treaſury that new Money is depoſited in the Continental Loan-Office of this State for the Purpoſe of Exchange, ſhall thereupon immediately lodge the Monies in his Hands in the ſaid Loan-Office to be cancelled and deſtroyed, agreeably to the Directions of the ſaid recited Reſolutions of Congreſs of the eighteenth Day of *March* laſt, taking a Receipt from the ſaid Loan-Officer for the ſame; and the ſaid Treaſurer ſhall alſo notify the Perſons herein-after appointed on the Part of this State to ſign and number the ſaid new Bills to be iſſued, whenſoever and as often as he ſhall lodge any Monies in the ſaid Continental Loan-Office to be cancelled and deſtroyed as aforeſaid, informing them of the Sum ſo depoſited, that they may attend at the ſaid Loan-Office in order to fulfil the Duties of their Appointment.

Signers of new Bills, their Duty.

* 6. AND BE IT ENACTED *by the Authority aforeſaid*, That the Honourable *Philemon Dickinſon* and *David Brearley*, Eſquires, ſhall be, and they hereby are appointed to ſign and number the ſaid Bills of Credit ſo to be iſſued upon the Faith of this State agreeably to the ſaid recited Reſolutions; and that the ſaid Signers do attend at the Continental Loan-Office in this State for that Purpoſe as ſoon as they ſhall be thereof notified by the Treaſurer of the State as before directed; and that they do carefully obſerve to number each and every of the ſaid Bills, and to ſign them with each of their Names, and not to ſign Bills to any greater or leſs Amount than one-twentieth Part of the nominal Value of the Bills which ſhall be delivered into the Continental Loan-Office to be deſtroyed; and that they do, as faſt as the ſaid new Bills ſhall be numbered, ſigned and completed, leave and depoſit four-tenth Parts in Value of the ſaid Bills, and no more, in the ſaid Continental Loan-Office, ſubject to the Draughts and Orders of Congreſs, and deliver ſix-tenth Parts thereof in Value to the Treaſurer of the State for the Time being, to be paid out according to Law, taking Receipts from the ſaid Continental Loan-Officer and Treaſurer for the Sums depoſited with or delivered to them reſpectively, which Receipts ſhall be by them lodged in the Secretary's Office.

Signers to qualify.

7. AND BE IT FURTHER ENACTED, That each of the Perſons in this Act appointed to ſign and number the ſaid Bills of Credit, ſo to be iſſued

* Additional Signers were appointed by Chap. CCLVI, to ſign and number theſe Bills, and thoſe directed to be emitted by Chap. CCXLIII.

iſſued as aforeſaid, ſhall, previous to his engaging in the Duties of his Appointment, take the following Oath or Affirmation before any of the Juſtices of the Supreme Court, *to wit*,

Qualification.

I Will well and truly ſign the Bills of Credit directed to be iſſued upon the Faith of this State by Virtue of an Act, intitled, An *Act* for eſtabliſhing a Fund for ſinking and redeeming the Proportion of the Bills of Credit of the United States, aſſigned as the Quota of this State; *and I will not ſign any greater or leſs Number than the one-twentieth Part of the nominal Amount of the Bills of the Continental Currency which ſhall have been lodged in the Continental Loan-Office for this State to be cancelled and deſtroyed; and will deliver ſix-tenth Parts in Value of the ſaid Bills to the Treaſurer of the State for the Time being, and will depoſit and leave the remaining four-tenths in the Hands of the Continental Loan-Officer for this State.*

Signers Wages.

8. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Perſons, appointed in this Act to ſign and number the ſaid Bills of Credit ſo to be iſſued, ſhall be allowed the Sum of *One Shilling* each for every Hundred Bills by them ſigned and numbered as aforeſaid in the Bills of Credit ſo to be iſſued as aforeſaid, to be paid by the Treaſurer of the State for the Time being on Delivery of the Proportion of the ſaid Bills directed in this Act to the ſaid Treaſurer, and on producing a Certificate from the Continental Loan-Officer of this State, ſpecifying the Amount and Number of the Bills by them ſigned and numbered, and alſo the Receipt of the ſaid Loan-Officer for the Proportion of the ſaid Bills in this Act directed to be with him depoſited for the Uſe of the Congreſs of the United States.

In caſe of their Neglect or Refuſal, Perſons appointed in their Room.

9. AND BE IT ENACTED *by the Authority aforeſaid*, That in caſe the ſaid *Philemon Dickinſon* ſhall neglect, decline, refuſe, or be otherwiſe incapacitated to ſerve in his Appointment, the Honourable *John Imlay*, Eſquire, ſhall be, and he hereby is appointed to ſign and number the ſaid Bills in his Room and Stead; and in caſe the ſaid *David Brearley* ſhall neglect, decline or refuſe, or be otherwiſe incapacitated to ſerve in his Appointment, *Moore Furman*, Eſquire, ſhall be and he hereby is appointed to ſign and number the ſaid Bills in his Room and Stead; and the ſaid Perſons thus appointed ſhall be veſted with the ſame Powers, perform the like Duties, and ſhall receive the ſame Rewards as the Signers herein before appointed in this Act.

The tenth Section is repealed and ſupplied by Chap. CCXXXI, and the eleventh, which directed the County Contractors to give Certificates payable only in theſe Bills, is obſolete.

Counterfeiters, to ſuffer Death.

12. AND BE IT FURTHER ENACTED, That each and every Perſon who ſhall counterfeit or alter any of the ſaid Bills of Credit directed to be iſſued upon the Faith of this State by this Act, or ſhall utter or paſs the ſame, knowing them to be counterfeited or altered as aforeſaid, is hereby declared to be guilty of Felony, and, being thereof legally convicted, ſhall ſuffer Death without Benefit of Clergy.

The thirteenth and fourteenth Sections, which declared the Bills to be a legal Tender, barred every Perſon refuſing them in Payment of Debt from ſuing for or recovering ſuch Debt thereafter, and impoſed a Penalty not

not to exceed £. 200, or Imprisonment for three Months for depreciating them or making a Difference between them and Specie, to be prosecuted by Indictment, are repealed by Chap. CCLXI; the Mode of Prosecution having been previously altered, and the Penalty lowered by Chap. CCXXXVII.

The Remainder of this Act, which provided for levying a Tax of *Three Million Seven Hundred and Fifty Thousand Pounds* in Continental Currency, for sinking this State's Proportion of the said Currency, and for obtaining the Emission of the Bills made current by this Act, is (excepting the twenty-third Section) either repealed or become obsolete.—There are still very considerable Arrears in Continental Currency due on this Act from several Counties, so that the Proportion of the said Continental Currency assigned by Congress to be paid by this State into their Treasury, is not fully paid in and sunk.

Errors in the Quotas to be corrected.

23. AND BE IT FURTHER ENACTED, That if it shall appear on the next Settlement of the Quotas for the several Counties by a more clear and complete Account of the several Persons, Articles and Things made rateable therein, that the Quota of any County as laid in this Act is greater than its just Proportion, the Surplus shall be credited to such County in the Settlement of its next Quota.

CHAP. CCVII.

An ACT *for more effectually preventing Horse-Stealing.*

Passed June 12, 1780.

Preamble.

WHEREAS the Laws now in Force for preventing the Crime of Horse-Stealing are found insufficient to answer the End intended;

Horse-Thieves, on Conviction, to suffer Death.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Assembly of this State, and it is hereby Enacted by the Authority of the same*, That if any Person shall steal any Horse, Mare or Gelding, within this State after the Passing of this Act, he shall be adjudged guilty of Felony, and, being thereof legally convicted, shall suffer Death without Benefit of Clergy.

Former Acts repealed.

2. AND IT IS HEREBY FURTHER ENACTED, That the Act, intitled, * *An* Act *for the more effectual Discovery and Punishment of the Crime of Horse-Stealing*, passed *December* sixth, One Thousand Seven Hundred and Sixty-nine, and the † supplementary Act thereto, passed *March* the eleventh, One Thousand Seven Hundred and Seventy-four, shall be, and they are hereby repealed.

CHAP. CCVIII.

An ACT *more effectually to prevent the Passing of Counterfeit Bills of Credit.*

Passed June 13, 1780.

Preamble.

WHEREAS the Enemies of these United States have adopted the mean and infamous Practice of counterfeiting the Bills of Credit emitted

* *Allinson*, CCCCXCVI. † *Allinson*, DXCV.

emitted and made current by the Honourable Congreſs for the Purpoſe of carrying on the preſent juſt and unavoidable War with *Great-Britain:* AND WHEREAS vicious, evil-minded, and diſaffected Perſons do frequently bring over, utter and paſs the ſame in this State, for and in Lieu of the ſaid Bills of Continental Currency: AND WHEREAS it is difficult and in many Caſes impoſſible to aſcertain by poſitive Evidence that the Perſon ſo offending, although it may appear the ſaid Bills were brought from within the Enemy's Lines, know the ſame to be counterfeit, and therefore eſcape with Impunity; to prevent which Evil in Future, and that no Perſon whatever who ſhall utter or bring ſuch counterfeit Bills from within the Enemy's Lines may hereafter avail themſelves by pleading Ignorance thereof;

Perſons bringing counterfeit Money from the Enemy, on Conviction, to ſuffer Death.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That all and every Perſon and Perſons who, from and after the firſt Day of *July* next, ſhall bring or cauſe to be brought from within the Enemy's Lines, or from any Place in the Poſſeſſion or under the Power of the Army of the King of *Great-Britain*, any Bill counterfeited in Imitation of any Bill of Credit emitted by publick Authority, and which is or may be at that Time a legal Tender for the Payment of Taxes or for purchaſing Supplies for the Army, ſuch Perſon ſo offending, on due Conviction thereof, ſhall be adjudged guilty of Felony, and be puniſhed with Death in like Manner as Perſons convicted of counterfeiting or altering the Bills of Credit of this State or ſuch as are made a legal Tender therein, and knowingly uttering the ſame, might or ſhould have been.

Conditional Exception.

2. AND BE IT FURTHER ENACTED, That any Perſon having a legal Permiſſion to come into this State from within the Enemy's Lines, and ſhall bring any Bill of Credit from thence, not knowing the ſame to be counterfeit, ſhall not be deemed an Offender againſt this Act, provided ſuch Perſon before he ſhall attempt to utter, paſs, or by any Means part with any of ſuch Bills ſo brought into this State, ſhall repair to one of the Judges of the Supreme Court, or one of the Judges of the Inferior Court of Common-Pleas, or Juſtices of the Peace of the County where ſuch Perſon may reſide, and procure a Certificate under the Hand of ſuch Judge or Juſtice, ſetting forth the Number, Date and Amount of ſuch Bills, and that he hath examined the ſame, and believes them to be good and genuine.

Repealed by Chap. CCLXX and CCLXXXII.

CHAP. CCIX. *A Supplement to the Act, intitled,* * *An* Act *to provide for the Clothing of the Quota of Forces raiſed or to be raiſed in this State for the Service of the United States, and to repeal the Laws now in Force for that End.*

Paſſed June 13, 1780.

This Act extended the Benefit of Clothing to the Hoſpital and Medical Staff-Officers belonging to this State, in Continental Service.

Repealed and ſupplied by Chap. CCXLVI.

CHAP. CCX. *An* Act *to empower the Collectors to receive certain Certificates in Payment of Taxes.*

Paſſed June 13, 1780.

* Chap. CXLVI.

Obſolete.

CHAP. CCXI. *An Act to complete the three Regiments of this State, in the Service of the United States, and to raiſe a Company of Volunteers for the Defence of Part of the County of* Monmouth.

Paſſed June 14, 1780.

By this Act 624 Men were directed to be raiſed to join the *New-Jerſey* Brigade in Continental Service, and to continue in ſaid Service until the firſt Day of *January* 1781, unleſs ſooner diſcharged.—Each County had a Quota aſſigned to be furniſhed from thence, to be raiſed by Claſſes in the ſame Manner as was directed by Chap. CCV. And thirty Men were directed to be raiſed in the County of *Monmouth*, to be ſtationed as a Guard there, and to continue in Service until *January* 1ſt, 1781.

Obſolete and ſupplied by Chap. CCXCI.

CHAP. CCXII. *An Act for expediting the Settlement of the Accounts of the Commiſſioners of forfeited Eſtates, and for ſuſpending Part of an Act, intitled,* * *An Act for forfeiting to, and veſting in, the State of* New-Jerſey, *the Real Eſtates of certain Fugitives and Offenders, and for directing the Mode of determining and ſatisfying the lawful Debts and Demands which may be due from or made againſt ſuch Fugitives and Offenders, and for other Purpoſes therein mentioned.*

Paſſed June 15, 1780.

This Act ſuſpended the Operation of the twenty-ſecond Section of the recited Act during its Continuance, and directed the Commiſſioners of forfeited Eſtates to render Accounts to the Auditor on or before the firſt of *Auguſt* 1780, under the Penalty of *Ten Thouſand Pounds*, and ſubjected the delinquent Commiſſioners to a Proſecution at the Suit of the Treaſurer for the Monies in their Hands; but it was not publiſhed in Time to anſwer the End, and is now obſolete.

Expired.

CHAP. CCXIII. *An Act to provide for the more effectual Defence of the State, in caſe of Invaſions or Incurſions of the Enemy.*

Paſſed June 16, 1780.

The above temporary Act, which was paſſed in a Time of Difficulty, in order to compel the Militia to yield perſonal Service in the Field when required, made the Militia amenable to the Rules and Articles of War from the Time of their being warned to turn out, and puniſhable by Fine at the Diſcretion of a Court-Martial, not exceeding *One Thouſand Pounds*, or by Impriſonment for a Term not above three Months, for Non-commiſſioned Officers and Privates; the Officers liable to be caſhiered, or fined not exceeding *Two Thouſand Pounds*.—It was limited to the End of the next Sitting of the Aſſembly thereafter, and has not ſince been revived.

CHAP.

* Chap. CXXII.

CHAP. CCXIV.

An ACT *to provide for the Security, Support and Exchange, of Priſoners of War, and to repeal the Act, intitled,* * *An* Act *for appointing a Commiſſary of Priſoners, and veſting him with certain Powers.*

Paſſed June 17, 1780.

Preamble.

WHEREAS many Inconveniencies attend the preſent Mode of ſecuring, ſupporting and exchanging Priſoners, being conducted by divers Commiſſaries independent of each other, and ſufficient Proviſion not being made for their ſecurity in many Caſes frequently occurring: AND WHEREAS for theſe Reaſons the United States in Congreſs aſſembled have, by their Reſolutions bearing Date the thirteenth Day of *January* laſt, recommended to the Governments of the reſpective States to make no Exchanges of Priſoners in Future, but that all Exchanges ſhall hereafter be made through the Commiſſary-General of Priſoners of the United States; Therefore,

Priſoners taken by Continental Forces to be delivered to the Commiſſary-General of Priſoners.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That all Priſoners of War, whether captured by the Army or Navy of the United States, or armed Ships or Veſſels of this or any other of the United States, and brought into this State, or taken out of Veſſels wrecked, ſtranded, or caſt on the Shore or on the Coaſt of this State, ſhall be delivered by the Captors into the Care and Cuſtody of the Commiſſary-General of Priſoners of the United States, his Deputy or Aſſiſtant, or into the Care and Cuſtody of the Sheriff of the County into which they may be landed, brought or caſt on Shore, or to his lawful Gaoler; and the ſaid Sheriff and Gaoler are hereby reſpectively required to receive ſuch Priſoners from the Perſons conducting or delivering them, and them ſafely to keep until they ſhall be legally demanded for the Purpoſe of Exchange or Removal, or ſhall be otherwiſe admitted to Parole or to Bail by Order of the Commiſſary-General of Priſoners, his Deputy or Aſſiſtant, or by the Governor or Commander in Chief for the Time being; and alſo to deliver the ſaid Priſoners when ſo demanded as aforeſaid without accepting or receiving any Fee or Reward from the Perſons receiving or delivering ſuch Priſoners into or out of his Cuſtody, Charges for Support only excepted, which Charges ſhall be paid in Manner herein-after expreſſed.

Thoſe taken by the Militia alſo to be ſent to him.

2. AND BE IT ENACTED *by the Authority aforeſaid,* That whenſoever and as often as any Priſoners ſhall be taken by any of the Militia of this State, or by any Troops raiſed for the Defence of the ſame, or any detached Corps thereof, the Commanding Officer of ſuch Troops or Detachment, or Commanding Officer of the Party of Militia which captivated them, ſhall immediately cauſe ſuch Priſoners to be conducted under a ſufficient Guard to the ſaid Commiſſary-General of Priſoners, or to his neareſt Deputy or Aſſiſtant, or to the Gaol of the County into which they ſhall be brought, or wherein they ſhall be taken, to be delivered into the Care and Cuſtody of the Sheriff of ſuch County or his lawful

* Chap. CXXIV.

lawful Gaoler, who are hereby reſpectively required to receive ſuch Priſoners, and them ſafely to keep until they ſhall be removed for the Purpoſe of Exchange or to a Place of greater Security, or admitted to Parole or to Bail as before mentioned: PROVIDED ALWAYS, That Nothing herein contained ſhall be conſtrued to extend to prevent any Commanding Officer of any Detachment of Militia or other Troops raiſed for the Defence of the State from admitting to Parole ſick or wounded Perſons or Officers, until they can be delivered to the ſaid Commiſſary-General of Priſoners, his Deputy or Aſſiſtant.

Proviſo.

Militia, while conducting Priſoners, how to be paid.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That every Officer, Non-commiſſioned Officer or Private of the Militia, ordered or employed to conduct or convey any ſuch Priſoners to the ſaid Commiſſary-General of Priſoners, his Deputy or Aſſiſtant, or to the Gaol of any neighbouring County, or from the Gaol of any County in this State to any other Gaol or Place of greater Security therein, or to any Gaol in any of the neighbouring States, ſhall be entitled to receive the ſame Pay, Bounty and Rations as are allowed to the Militia when on Duty; to be paid by the Paymaſter of the Militia of the County to which they belong, on exhibiting to him a Payroll for that Purpoſe, properly certified and authenticated; and alſo producing from the ſaid Commiſſiary-General of Priſoners, or his Deputy or Aſſiſtant, or from the Sheriff or Gaoler to whom the ſame were delivered, a Certificate of ſuch Delivery.

Priſoners of War, to whom to be delivered, *&c.*

4. PROVIDED ALWAYS, AND IT IS HEREBY FURTHER ENACTED, That all Priſoners of War, captivated and brought into this State by any Maſter or Commander of any armed Ship or Veſſel of War belonging to this State, or any of the Inhabitants thereof, or that may be captured from any Ship or Veſſel caſt on Shore by Shipwreck or on the Coaſts of this State by any of the Subjects or Inhabitants thereof, ſhall be delivered by and at the Expence of the Maſters and Owners of ſuch armed Ship or Veſſel of War, or by and at the Expence of the Captors of ſuch ſtranded or wrecked Ship or Veſſel, to the Commiſſary-General of Priſoners, or to his Deputy or Aſſiſtant neareſt to the Place of landing ſuch Priſoners, or into the neareſt County Gaol; and Return made of the Priſoners ſo delivered into Gaol as aforeſaid, to the ſaid Commiſſary-General of Priſoners, his Deputy or Aſſiſtant, or to the Governor or Commander in Chief for the Time being of this State, on Pain of Forfeiture, in caſe of Neglect or Refuſal to make ſuch Delivery and Return as aforeſaid, of the Commiſſion granted to ſuch armed Ship or Veſſel of War; or of all Right to the Hull, Tackle, Apparel and Furniture, of ſuch ſtranded or wrecked Veſſel, and to the Property ſaved therefrom, which in ſuch Caſes ſhall be and enure to the Uſe of this State, and ſhall be ſold by the Marſhal of the Court of Admiralty, and the Amount of the Sale paid into the Treaſury for the Uſe of the State.

Forfeiture for Neglect.

Officers, *&c.* neglecting to convey Priſoners, how to be puniſhed.

5. AND BE IT ENACTED *by the Authority aforeſaid*, That every Officer, Non-commiſſioned Officer and Private of the Militia, who ſhall neglect or refuſe to convey or conduct any ſuch Priſoner or Priſoners to the ſaid Commiſſary-General of Priſoners, or his Deputy or Aſſiſtant, or to the Sheriff or Gaoler of the County, or who ſhall neglect or refuſe to remove him or them to a Place of greater Security when thereunto required by his ſuperior Officer, or other Perſon lawfully authorized to commit

or

or remove ſuch Priſoner, ſhall, on Conviction of ſuch Neglect or Refuſal by a Court-Martial, be liable to be puniſhed for Diſobedience of Orders, in like Manner as ſuch Officer, Non-commiſſioned Officer or Private might, or ſhould have been puniſhed for Diſobedience in like Caſe when called out into actual Service in the Militia.

Perſons ſuffering Priſoners to eſcape, how to be puniſhed.

6. AND BE IT ENACTED *by the Authority aforeſaid*, That every Perſon conveying, conducting or removing any Priſoner as aforeſaid, who ſhall wilfully ſuffer or permit ſuch Priſoner to eſcape, ſhall, if an Officer, on Conviction thereof before a Court-Martial, be caſhiered and rendered for-ever incapable of bearing any military Office in this State thereafter; and, if a Non-commiſſioned Officer or Private, ſhall, on Conviction as aforeſaid, be liable to be treated and puniſhed as a Deſerter; and every other Perſon not enrolled in the Militia, wilfully permitting any Priſoner to eſcape as aforeſaid, ſhall, on Conviction, be liable to the ſame Pains and Penalties as are inflicted by Law upon Perſons aiding or aſſiſting Priſoners of War to eſcape to the Enemy.

Priſoners to be removed to Places of Security.

7. AND BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Colonel or Commanding Officer of any Regiment of Militia in this State, and he is hereby authorized and required, on Application to him made by the Sheriff of any County in this State, and ſuch Sheriff making Oath that he verily believes that the Priſoners of War in his Cuſtody will eſcape, or that the Gaol is inſufficient for their Security, or in caſe of any ſudden Alarm, Invaſion or Incurſion of the Enemy, or their Adherents, or when thereunto ordered by the Governor or Commander in Chief of this State for the Time being, to call forth ſuch and ſo many of the Militia as ſhall be neceſſary, and to cauſe ſuch Priſoners of War to be immediately removed, and conveyed under a Guard, to a Place of greater Security into any of the Gaols of the neighbouring Counties, or to be delivered into the Care of the ſaid Commiſſary-General of Priſoners, his Deputy or Aſſiſtant; and every Colonel or Commanding Officer of a Regiment neglecting or refuſing to cauſe ſuch Priſoners to be removed or conveyed as aforeſaid, on proper Application to him made for that Purpoſe, ſhall, on Conviction thereof before a Court-Martial, be liable to be caſhiered and rendered incapable of bearing any military Office in this State in Future.

Penalty for Neglect.

Return of Priſoners to be made.

8. AND, to the End that the ſaid Commiſſary-General of Priſoners of the United States may be ſeaſonably informed of the Captivity of the Subjects of this State, that Juſtice may be done them in the Order of Exchange, BE IT FURTHER ENACTED, That as often as any of the well-affected Inhabitants of this State ſhall be captivated by the Enemy or their Adherents, and carried off, or left upon Parole, the Captain or Commanding Officer of the Militia in whoſe Diſtrict the ſame ſhall happen ſhall, within twenty Days thereafter, notify the ſaid Commiſſary-General of Priſoners thereof, or his neareſt Deputy or Aſſiſtant, tranſmitting or delivering to ſuch Commiſſary a Return of the Name and Surname of each Perſon ſo captivated, the Time when and the Place where the ſame happened; and on Neglect or Refuſal ſhall, on Conviction, be liable to be fined in any Sum not exceeding *Two Hundred Pounds*, to be recovered in any Court where the Action is cognizable, by the Colonel or Commanding Officer of the Regiment, or by any other Perſon whatſoever, and paid into the Hands of the

Penalty for Neglect.

Collector of the County, to be applied to the Uſe of the Priſoners ſo neglected to be returned, or to the Uſe of their Families, and if they have no Families, then to be applied to the Uſe of the County.

Owners of Veſſels landing Priſoners in this State with a View of diſmiſſing them, what to forfeit.

9. AND BE IT FURTHER ENACTED, That if any Owner, Maſter or Commander of any Ship or Veſſel of War, belonging to any other of the United States, ſhall land any Priſoners of War in this State, with a View of diſmiſſing the ſame, or to avoid the Trouble and Expence of conveying them to the ſaid Commiſſary-General of Priſoners of the United States, his Deputy or Aſſiſtant, or to a Place of Security, and ſhall be apprehended and brought before any Juſtice of the Peace of the County where the Offence is committed, ſuch Perſon ſo offending ſhall be committed to cloſe Cuſtody, unleſs he ſhall find ſufficient Security for the Payment of all Damages that may happen to ſuch County by the ſaid Priſoners being ſo ſet on Shore, and all Expence that may accrue in conveying them tc the ſaid Commiſſary-General of Priſoners.

Maſters of armed Veſſels diſmiſſing Priſoners at Sea, to make Report, *&c.*

10. AND BE IT FURTHER ENACTED, That if any Maſter or Commander of any armed Ship or Veſſel of War belonging to this State, or to any of the Subjects thereof, from Neceſſity or otherwiſe, ſhall diſmiſs any Priſoners at Sea, he ſhall, on Return into any of the Ports or Harbours of this State, make Report thereof on Oath or Affirmation to the Judge of the Admiralty within twenty Days thereafter, with his Reaſons for ſuch Diſmiſſion; and if ſuch Judge ſhall not be ſatisfied with the Reaſons aſſigned, or if it ſhall appear that the Priſoners were diſcharged to avoid the Trouble and Expence of bringing them into Port, and delivering them into Cuſtody, or in anywiſe unneceſſarily, then the ſaid Judge ſhall tranſmit an Account thereof to the Governor or Commander in Chief for the Time being and Privy-Council of this State, who are hereby inveſted with Power to examine into the Reaſons of ſuch Diſmiſſion; and if it ſhall appear to them thereon to have been improperly or unneceſſarily made, they ſhall vacate the Commiſſion granted to ſuch delinquent Maſter or Commander of any Ship or Veſſel of War owned as aforeſaid.

Penalty for neglecting to make Report.

11. AND BE IT FURTHER ENACTED, That every Maſter or Commander of any Ship or Veſſel of War owned as aforeſaid, who ſhall neglect to make Report upon Oath or Affirmation of the Priſoners by him diſmiſſed as above directed, and within the Time above limited, ſhall, if the ſame ſhall be made appear by ſufficient Teſtimony to the ſaid Governor or Commander in Chief for the Time being and Privy-Council, have the Commiſſion to him granted vacated as aforeſaid.

Gaolers having Cuſtody of Priſoners, to tranſmit Accounts, *&c.*

12. AND BE IT ENACTED *by the Authority aforeſaid*, That every Sheriff or Gaoler of any County within this State, who may hereafter have Cuſtody of any Priſoners of War by Virtue of this Act, ſhall tranſmit or deliver his Account of Charges againſt the United States for the Support and Maintenance of ſuch Priſoners as have been by him furniſhed and ſupported to the ſaid Commiſſary-General, or his neareſt Deputy or Aſſiſtant, when they ſhall leave the Gaol for Removal or Exchange, or when they ſhall be admitted to Parole or to Bail; and if the ſaid Commiſſary-General, his Deputy or Aſſiſtant ſhall neglect or refuſe to diſcharge the ſaid Account, ſuch Sheriff or Gaoler ſhall tranſmit the ſame authenticated on Oath or Affirmation, and alſo his

Declaration

Declaration on Oath or Affirmation of ſuch Neglect or Refuſal, or that he has received only ſo much or no Part thereof, as the Caſe may be, to the Legiſlature for their Allowance and Payment.

Priſoners, their Rations, &c.

13. AND BE IT ENACTED, That all Priſoners of War (till the further Order of Congreſs) ſhall be furniſhed with two-thirds of a Soldier's Ration of Proviſion; that ſick and wounded only, when travelling, be allowed Carriages at the publick Expence; that Priſoners on Parole pay all their own Expences; and that Officers, Priſoners of War, not in Hoſpitals, pay their Phyſicians, Surgeons and Attendants.

The fourteenth and fifteenth Sections, which directed the County Contractors to ſupply Priſoners with Proviſions and Fuel, and fixed their Allowance for that Service, are become obſolete, ſince the Paſſing of Chap. CCXCIX.

Morris County Gaol to be enlarged, &c.

16. * AND WHEREAS, through the Inſufficiency of the Gaols in this State, many Priſoners of War as well as State Criminals eſcape, whereby the Exertions of the virtuous Part of the Community for their Apprehenſion have been fruſtrated or rendered ineffectual, the Puniſhment of Vice impeded or prevented, the Defence of the State embarraſſed, and the Operation of the Laws defeated; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Governor or Commander in Chief of the State for the Time being, by and with the Advice and Conſent of the Privy-Council, and he is hereby authorized and empowered to give Direction to the Sheriff of the County of *Morris*, who is hereby required to pay Obedience thereto, to ſummon a Meeting of the Board of Juſtices and Freeholders of the ſaid County as ſoon as may be after the Paſſing of this Act, and thereupon to make Application to the ſaid Juſtices and Freeholders when ſo met for the grant of a Piece, Parcel or Plot of Ground adjoining to the Courthouſe and Gaol of the ſaid County, and to agree with and hire the ſame for the Uſe of the State, for the Purpoſe of building one or more additional Room or Rooms to the ſaid Gaol or Priſonhouſe, and of encloſing a Yard which may contain an Area of at leaſt five Thouſand ſquare Feet, with a ſtrong Wall of Stone or Brick, or a double Row of Logs filled in with Earth, to be annexed to the Front of the ſaid Courthouſe and Gaol and additional Building, for the Security and ſafe keeping of ſuch Priſoners of War as may be committed thereto or lodged therein by the Direction of the ſaid Commiſſary-General of Priſoners of the United States, his Deputy or Aſſiſtant, or of the Governor or Commander in Chief for the Time being and Privy-Council, in Purſuance of the Directions of this Act, or of ſuch other Priſoners as may be removed thereto from other Gaols for their better and more ſafe Cuſtody.

Governor and Privy-Council to agree with a Manager, &c.

17. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Governor or Commander in Chief for the Time being and Privy-Council, having obtained a Grant of the ſaid Piece or Parcel of Ground from the ſaid Board of Juſtices and Freeholders, and having hired the ſame for the Purpoſe aforeſaid, ſhall agree with and engage one Perſon as a Manager to direct the Conſtruction of the ſaid Building and Encloſure, and to purchaſe and procure Materials for completing the ſaid Building and

* The 16th, 17th, 18th and 19th Sections have never yet taken Effect.

and Wall, and for repairing the Gaol of the ſaid County, agreeably to the Directions to be given him by the ſaid Governor or Commander in Chief and Privy-Council, and to hire and employ Workmen, and to ſee done and performed ſuch other Matters and Things as may be neceſſary for the ſaid Purpoſes; which Manager ſo appointed ſhall give ſuch Security to the ſaid Governor or Commander in Chief on Behalf of the State, for the faithful Performance of his Duty and Truſt, as to the ſaid Governor or Commander in Chief and Privy-Council ſhall ſeem requiſite and neceſſary.

Manager's Wages.

18. AND BE IT ENACTED, That the ſaid Manager, ſo appointed as aforeſaid, ſhall be allowed *Seven Shillings and Six-pence* by the Day, for each Day he ſhall be employed in the Service required of him by this Act, to be paid in Specie or the Value thereof, by the Treaſurer of the State for the Time being, on an Account being to him produced for that Purpoſe, authenticated by the Oath or Affirmation of the ſaid Manager; and alſo a Certificate from the Governor or Commander in Chief for the Time being, ſpecifying that the Claimant was engaged by him as a Manager for the Service in this Act required; and that the Account has been by him examined and approved to be juſt and true; which Account and Certificate, and the Receipt of the ſaid Manager for the Sum paid, ſhall be a ſufficient Voucher to the ſaid Treaſurer for ſo much of the publick Money in the Settlement of his Accounts.

Manager to draw Money from the Treaſury.

19. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for the ſaid Manager, and he is hereby authorized and empowered to draw from the Treaſury of this State for the Purchaſe of Materials and Hire of Workmen, to be employed in the Service aforeſaid, ſuch Sum or Sums of Money, from Time to Time, as may be neceſſary for that Purpoſe, ſo that the whole exceed not the Sum of *Five Hundred Pounds*, Money aforeſaid, to be paid by the ſaid Treaſurer to the ſaid Manager, or his Order, on his producing a Certificate from the Governor or Commander in Chief for the Time being; that an Account or Eſtimate of the Expences ſo incurred, and for the Payment of which ſuch Sum or Sums is or are drawn, has been to him produced; and that the Charges therein ſtated appeared to him reaſonable and neceſſary; which Certificate, and the Receipt of the ſaid Manager, or Perſon to whom the Order was made payable endorſed thereon, ſhall be a ſufficient Voucher to the ſaid Treaſurer for the Sum ſo paid in the Settlement of his Accounts.

Guards to be kept occaſionally.

20. AND WHEREAS it may be neceſſary in ſome Inſtances that a Guard ſhould be placed at the ſaid Gaol, or the Gaol of any other County, or other Place of Security to which Priſoners may be conveyed or removed for their Security or ſafe Cuſtody; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That the Governor or Commander in Chief for the Time being and Privy-Council, ſhall and may order out, for the Guard and ſafe Cuſtody of the ſaid Priſoners, any Number of the Militia of ſuch County or of the Counties adjacent, which may be ſufficient for that Purpoſe; who, while employed in that Duty, ſhall be entitled to the ſame Pay, Bounty and Rations, as are allowed to the Militia when called out into actual Service for the Defence of the State.

21. PROVIDED ALWAYS, AND IT IS HEREBY FURTHER DECLARED

AND

AND ENACTED, That Nothing in this Act contained ſhall be deemed, taken or conſtrued to extend to prevent the Governor or Commander in Chief of this State for the Time being, by and with the Advice and Conſent of the Privy-Council, from admitting any Priſoner of War confined in any Gaol in this State to Parole or to Bail, whenever the ſame may be proper and neceſſary; or from giving Directions for that Purpoſe; or from giving Orders for the Removal of any ſuch Priſoners ſo confined to a Place of greater Security; or from authorizing any Officer or other Perſon to make a Deſcent or Incurſion into any Place in the Poſſeſſion of the Enemy, with the View of capturing any of their Troops, Subjects or Adherents for the Purpoſe of Exchange; or from giving Directions to the ſaid Commiſſary-General of Priſoners, his Deputy or Aſſiſtant; or to any Sheriff or Gaoler of any County in this State for treating Priſoners in their, or either of their Hands, Power or Poſſeſſion, in the ſame Manner as Priſoners taken from this State ſhall or may be treated by the Enemy; and the ſaid Commiſſary-General of Priſoners, his Deputy and Aſſiſtant, and each of them, as far as Reſpects the Inhabitants of this State, and Priſoners by them taken, and the Mode and Propriety of Exchanges to be made; and all Sheriffs and Gaolers within this State are hereby reſpectively required to pay Obedience to ſuch Directions as may occaſionally be given them by the ſaid Governor or Commander in Chief of the State for the Time being and Privy-Council, ſo that Juſtice may be done to the Inhabitants of this State, who have been or may be captivated as aforeſaid, according to the Date of their Captivity and the Order of Exchange.

Priſoners, by whom to be admitted to Parole, &c.

22. AND WHEREAS many Perſons captivated by the Enemy or their Adherents have been by them diſmiſſed and permitted to return to their Habitations on Parole, ſome of whom have voluntarily ſuffered themſelves to be taken, and have thrown themſelves in the Way of the Enemy, or remained at their Habitations for that Purpoſe under an Expectation of thereby eluding military Duty, and others under Pretence of their Obligations from ſuch Parole by going within the Enemy's Lines and returning at Pleaſure, thereby convey Intelligence to the Enemy; in order to prevent the like Practices in Future, BE IT ENACTED *by the Authority aforeſaid*, That each and every Perſon that has been captivated by the Enemy or their Adherents, and has been diſmiſſed or permitted to return on Parole, ſhall, within thirty Days after the paſſing of this Act, and each and every Perſon who ſhall hereafter be diſmiſſed or permitted to return as aforeſaid, ſhall, within twenty Days after ſuch Diſmiſſion or Return, repair to the Commiſſary-General of Priſoners of the United States, his Deputy or Aſſiſtant, or to the Governor or Commander in Chief of the State for the Time being, and ſhall produce to him the Parole given him as aforeſaid, and alſo a Certificate from the Captain or Commanding Officer of the Company to which he belonged, or wherein he reſided previous to his Captivity, ſpecifying that the Priſoner or Poſſeſſor of the ſaid Parole is a Friend to the preſent Government as eſtabliſhed under the Authority of the People; and if the Officer to whom the ſaid Parole and Certificate ſhall be produced ſhall, after Examination, approve thereof, he ſhall certify the ſame, and that the Poſſeſſor of ſuch Parole is a legal Priſoner and proper ſubject of Exchange; and any Perſon having, or pretending to have, a Parole as aforeſaid, who ſhall neglect or refuſe to produce the ſame as before directed, or whoſe Parole ſhall appear to have been procured by

Perſons captivated, returning on Parole, to be examined.

Colluſion or otherwiſe illegally, ſuch Perſon ſo offending ſhall be adjudged guilty of a Miſdemeanor, and being thereof legally convicted before any Court wherein the ſame may be cognizable, ſhall be liable to be puniſhed in like Manner as ſuch Perſon might or ſhould have been for attempting to go within the Enemy's Lines; and if any Perſon on Parole as aforeſaid, ſhall go within the Lines or into any Place in the Power or Poſſeſſion of the Enemy without Leave previouſly obtained from the Governor or Commander in Chief for the Time being, or other Perſon having Authority by Law for that Purpoſe, ſuch Perſon ſo offending ſhall be adjudged guilty of a Miſdemeanor, and being thereof legally convicted before any Court wherein the ſame may be cognizable, ſhall be liable to be puniſhed in like Manner as he might or ſhould have been puniſhed for going into the Lines of the Enemy without a legal Permiſſion or Paſſport if he had been at Liberty and not under any Parole.

Treaſurer to keep ſeparate Accounts.

23. AND BE IT FURTHER ENACTED, That the Treaſurer of this State ſhall keep diſtinct and ſeparate Accounts of all Monies drawn from the Treaſury by Virtue of this Act.

Act repealed.

24. AND BE IT ENACTED *by the Authority aforeſaid*, That the Act, intitled, * *An Act for appointing a Commiſſary of Priſoners, and for veſting him with certain Powers*, paſſed the twelfth Day of *December*, One Thouſand Seven Hundred and Seventy-eight, ſhall be, and the ſame is hereby repealed and made void.

Repealed—and ſupplied by Chap. CCXXXII.

CHAP. CCXV. *An Act to enlarge the Power of the Contractors of the ſeveral Counties in this State for a limited Time.*

Paſſed June 17, 1780.

By the above Act fifty-one Waggons with Harneſs complete, and four Horſes and one Driver to each Waggon, and alſo ſix Hundred and ninety-ſix Draught-Horſes were directed to be furniſhed for the Uſe of the Army, to be continued in Service until *January* 1ſt, 1781, agreeably to a Requiſition of Congreſs for that Purpoſe. Theſe were quotaed amongſt the ſeveral Counties, and the Contractors required to procure them by Hire, Purchaſe or Impreſſment. The Power of Impreſſment in certain other Caſes by Warrant from a Juſtice was given, and further Allowance made to the Contractors for their Services, *&c.* Limited to *January* 1ſt, 1781, but repealed before its Expiration, and ſupplied, as to the general Purpoſes of it, by Chap. CCXXXII. See alſo Chap. CCXCIX.

CHAP. CCXVI.

An ACT *declaring the Effect of the Reverſal of Judgments of Juſtices of the Peace in Proſecutions for the Forfeiture of Goods, Wares and Merchandize, as being brought from within the Enemy's Lines, for Error in the Proceedings, and to enable the Supreme Court to award new Trials in ſuch Cauſes.*

Paſſed June 17, 1780.

Preamble.

WHEREAS Cauſes to a very conſiderable Value are now frequently brought to Trial before, and determined by, a ſingle Juſtice of

* Chap. CXXIV.

of the Peace in a summary Manner, by Virtue of the Act, intitled, *An Act to prevent the Subjects of this State from going into, and coming out of, the Enemy's Lines, without Permissions or Passports, and for other Purposes therein mentioned, and the supplementary Acts thereto:* AND WHEREAS some of the Justices before whom such Trials are had, commit Errors in the Determination of them in Matters of Form, whereby the Judgment is reversed on *Certiorari*, and the Cause lost without any Default of the Party, although the Merits are in his Favour; for Remedy whereof,

Enacting Clause.

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby Enacted by the Authority of the same*, That in all such Causes where the Judgment of the Justice shall be reversed in the Supreme Court on *Certiorari* for Informality of Proceeding, or any other Cause not essential to the Merits of the Suit, such Judgment of Reversal shall only affect the Parties with respect to the Costs of Suit; and it shall and may be lawful for the Supreme Court on such Reversal to award a new Trial on the Merits in the Court below where the Cause was originally determined; any Law, Usage or Custom to the contrary notwithstanding.

Expired.

CHAP. CCXVII. *An Act to revive and continue the Act, intitled,* * *An Act to prohibit the Exportation of Provisions from the State of* New-Jersey.

Passed June 17, 1780.

Limited to *December* 1st, 1780.

CHAP. CCXVIII.

An ACT more effectually to prevent Desertion, and for the Punishment of Persons harbouring Prisoners of War or purchasing the Clothing and Accoutrements of the Soldiers of the Army, and for the Repeal of a certain Act therein mentioned.

Passed June 17, 1780.

Preamble.

WHEREAS the Law of this State now in Force to prevent Desertion is by Experience found inadequate to answer the good Purposes thereby intended;

Reward for securing Deserters.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Assembly of this State, and it is hereby Enacted by the Authority of the same*, That every Person who shall apprehend any Deserter from the Troops of this State, in the Service of the United States, and shall deliver such Deserter to any commissioned Officer of the Corps to which he may belong, or shall secure him in any one of the Gaols of this State, and give Notice thereof to any commissioned Officer of the Corps to which such Deserter may belong, or shall advertise the same for four Weeks in the *New-Jersey Gazette* or *New-Jersey Journal*, such Person, so apprehending and securing or delivering up a Deserter, shall be entitled to receive the Sum of *Two Hundred Pounds* in the present common Currency, from the Treasurer of this State, on his producing a Certificate thereof from the commissioned Officer to whom he shall deliver such Deserter, or from any of the Justices of the Peace of this State, and the commissioned Officer to whom

* Chap. CLX.

whom ſuch Notice of apprehending was given, or from any of the ſaid Juſtices of the Peace ſpecifying that ſuch Deſerter has been apprehended and ſecured, and Notice thereof given by Advertiſement agreeably to the Directions of this Act; either of which Certificates, together with the Receipt of the Perſon in whoſe Favour the ſame may be, ſhall be a ſufficient Voucher to the Treaſurer for the Payment of ſo much of the publick Money.

Perſons concealing them, how to be puniſhed.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That every Perſon who ſhall harbour, conceal, ſupport or employ any Deſerter from the Army of the United States, or who ſhall any Way aid, aſſiſt or encourage any non-commiſſioned Officer or Soldier to deſert or eſcape from the ſaid Army, or who ſhall ſend or convey ſuch Deſerter out of the State, and ſhall be thereof legally convicted, ſhall ſuffer ſuch Pains and Penalties as the Court in which ſuch Conviction is had in their Diſcretion ſhall adjudge, not extending to Life or Member.

Perſons aiding them to eſcape to the Enemy, what to forfeit.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That any Perſon who ſhall encourage any non-commiſſioned Officer or Soldier of the ſaid Army to deſert and eſcape to the Enemy, or who ſhall aid or aſſiſt any Deſerter from the ſaid Army to paſs or eſcape to the ſaid Enemy, or to any Place in their Poſſeſſion, ſuch Perſon is hereby declared guilty of Felony, and, being thereof legally convicted, ſhall ſuffer Death without Benefit of Clergy.

Perſons purchaſing certain Articles of Soldiers, how to be puniſhed.

4. AND BE IT FURTHER ENACTED, That if any Perſon ſhall by Bargain, Purchaſe or Barter, get into his or her Poſſeſſion for his or her own Uſe, or the Uſe of any other Perſon or Perſons, any Article of Cloathing, or any Arms, Accoutrements or Ammunition, or any Axe, Spade, Shovel, Pickaxe, Entrenching-Tool, or any Article of Forage from any non-commiſſioned Officer or Soldier belonging to the Army of the United States, and ſhall be thereof legally convicted, ſuch Perſon ſhall pay ſuch Fine as the Court, before whom ſuch Conviction ſhall be had, may in their Diſcretion adjudge.

Perſons encouraging Priſoners to eſcape, how to be puniſhed.

5. * AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That every Perſon who ſhall harbour, conceal or employ any Priſoner of War, not having a legal Paſs or Parole, or who ſhall any Ways aid, aſſiſt or encourage ſuch Priſoner of War to eſcape to the Enemy, and ſhall be thereof legally convicted, ſhall ſuffer ſuch Pains or Penalties as the Court in which ſuch Conviction is had, ſhall, in their Diſcretion, adjudge, not extending to Life or Member.

Perſons encouraging the Soldiers of Allies to deſert, *&c.* how to be puniſhed.

6. AND WHEREAS Congreſs, by their Act of the twenty-ſeventh of *May* laſt, have recommended to the Legiſlatures of the ſeveral States to puniſh ſuch Perſons as ſhall encourage Deſertion from the Fleets and Armies of any foreign Power who ſhall, in Conjunction with theſe United States, proſecute the War in *America*, and for the recovering Deſerters from the ſaid Fleets and Armies; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That any Perſon or Perſons who ſhall any Way encourage any Perſon being a Soldier, Marine or Sailor, belonging to the Fleets or Armies of any foreign Power in Amity within theſe United States, and acting in Conjunction therewith, to deſert to the Enemy or otherwiſe,

* See a Section ſimilar to this, Chap. CCCVIII, Sect. 3.

otherwiſe, or who ſhall harbour, conceal or employ any ſuch Deſerter, or who ſhall get into his or their Poſſeſſion by Bargain, Purchaſe or Barter, any of the Articles by this Act forbid to be purchaſed of the Soldiers of theſe States, ſhall, in each and every Caſe, be ſubjected to the ſame Pains and Penalties as are in the like Caſes by this Act expreſſed and ſet forth reſpecting the Soldiers of the United States.

7. AND BE IT FURTHER ENACTED, That the Act, intitled, * *An Act to prevent Deſertion from the Army of the United States of* America, *and for other Purpoſes therein mentioned*, be, and the ſame is hereby repealed. Act repealed.

CHAP. CCXIX. *An* Act *to ſuſpend the* † *Act declaring the Value of the Continental Currency, and alſo the* ‡ *Act making the ſame a legal Tender, and the* § *Supplement thereto.* Obſolete—ſupplied by Chap. CCLXV and CCXCVI.

Paſſed June 19, 1780.

By this Act the Continental Currency was declared to be a Tender only at its current Value, and provided that the Allowance for Depreciation ſhould not exceed Forty for One; it was limited to the End of the next Sitting of the Legiſlature, but continued and made perpetual by Chap. CCXXVI, and now obſolete; the recited Acts being repealed by Chap. CCXXXVIII, and the Purpoſes of this Act better ſupplied by Chap. CCLXV, and CCXCVI.

CHAP. CCXX. *An* Act *for defraying ſundry Incidental Charges.* Obſolete.

Paſſed June 19, 1780.

At a GENERAL ASSEMBLY held at Trenton, from the thirteenth Day of September to the ſeventh Day of October, 1780, the following Laws were paſſed.

SESSION FOURTH—SITTING FOURTH.

CHAP. CCXXI.

A ſupplemental ACT *to the Act, intitled,* ¶ *An* Act *for eſtabliſhing a Fund for ſinking and redeeming the Proportion of the Bills of Credit of the United States, aſſigned as the Quota of this State.*

Paſſed Sept. 29, 1780.

WHEREAS in the Act, intitled, *An* Act *for eſtabliſhing a Fund for ſinking and redeeming the Proportion of the Bills of Credit of the United States, aſſigned as the Quota of this State*, paſſed the ninth Day of Preamble.

* Chap. XIV. † Chap. X. ‡ Chap. III. § Chap. CLVIII. ¶ Chap. CCVI.

of *June*, One Thouſand Seven Hundred and Eighty, no ſpecific Time is mentioned when the Intereſt on ſaid Bills ſhall commence; Therefore,

Enacting Clauſe.

BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Intereſt allowed on the Bills made current and iſſued on the Faith of this State, agreeably to the before-recited Act, ſhall commence the ninth Day of *June*, One Thouſand Seven Hundred and Eighty.

CHAP. CCXXII.

An ACT *to enable the ſeveral Townſhip-Collectors to recover the Monies from Conſtables by them received for Taxes.*

Paſſed Oct. 2, 1780.

Preamble.

WHEREAS there is no Proviſion made in the Laws for raiſing Taxes within this State, for recovering the Money from the Conſtables who ſhall receive the Taxes of Delinquents, or make Sale of the Diſtreſſes levied for Delinquency in Payment of Taxes; for Remedy whereof,

Conſtables neglecting to pay Monies forward, how to be compelled.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That if any Conſtable ſhall make Default in paying the Money by him collected or received from any Delinquent or Delinquents in paying their Taxes, or on Sale of any Diſtreſs taken for ſuch Delinquency, or any Part thereof, to the Collector of the Townſhip, Precinct or Ward where ſuch Delinquency ſhall happen, he ſhall, beſides the Penalty impoſed by Law, be ſubject to an Action of Debt at the Suit of the ſaid Collector for the Recovery of the whole Sum received, or any Part thereof, with Intereſt and Coſts of Suit, in any Court where the ſame may be cognizable; which Action ſuch Collector is hereby authorized and empowered to commence and proſecute to Judgment and Recovery in his own Name; and on receiving the Money, ſhall pay the ſame forward to the County-Collector, under the ſame Pains and Penalties for Neglect or Refuſal, as by Law he may be ſubject to for any other Money by him received for Tax.

Actions already commenced, to be carried on, *&c.*

2. AND WHEREAS Actions may have already been commenced at the Suit of the Collectors of ſome Townſhips againſt Conſtables who have made Default in paying the Monies by them collected for Taxes; BE IT THEREFORE ENACTED, That all ſuch Actions ſhall be carried on and proſecuted to Judgment and Recovery in the ſame Manner as is before directed; and the ſaid Proceedings ſhall in all Reſpects be as valid, as if the ſaid Actions had been commenced and proſecuted as aforeſaid, after the paſſing of this Act.

CHAP.

CHAP. CCXXIII.

* *An* ACT *to amend an Act, intitled,* † *An* Act *to eſtabliſh Courts in the ſeveral Counties in this Colony for the Trial of ſmall Cauſes, and to repeal the former Act for that Purpoſe, and to confirm ſundry Proceedings of the Juſtices of the Peace in this State.*

Obſolete, except the laſt Section, and ſupplied by Chap. CCLXV, and CCCVII.

Paſſed Oct. 3, 1780.

By the firſt Section of this Act a Sum in Continental Currency equivalent to *Six Pounds* in Specie was made cognizable before a Juſtice. The ſecond reſpected the Fees, if paid in Continental Currency.

The Section which remains in Force, is as follows:

3. AND WHEREAS ſince the Act, intitled, ‡ *An* Act *to amend an Act, intitled, 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,* made and paſſed the eighth Day of *June,* One Thouſand Seven Hundred and Seventy-nine, hath been expired, ſeveral Actions have been commenced, and Determinations made by the Juſtices of the Peace agreeably to the Mode preſcribed in the ſaid Act, whereby Suitors may be greatly injured; BE IT THEREFORE ENACTED *by the Authority aforeſaid,* That all Actions that have been commenced and determined by any of the Juſtices of the Peace in this State agreeably to the Directions of ſaid Act, ſhall be, and the ſame are hereby declared valid, as fully and effectually as if the ſaid Act had been in Force; any Law to the contrary in anywiſe notwithſtanding.

Certain Actions declared valid.

CHAP. CCXXIV. *An* Act *to confirm a Copy of the Laſt Will and Teſtament of* James Pew, *late of the Townſhip of* Middletown, *in the County of* Monmouth, *and State of* New-Jerſey. Private.

Paſſed Oct. 4, 1780.

CHAP. CCXXV. *An* Act *to enable the Owners and Poſſeſſors of the Tide, Marſh and Meadows, lying on* Abſecom *Creek, in the County of* Glouceſter, *to erect and maintain a Bank, Dam and other Water-works acroſs the ſaid Creek, to prevent the Tide from overflowing the ſaid Meadows and Marſh.* Private.

Paſſed Oct. 4, 1780.

CHAP. CCXXVI.

An ACT *to repeal ſundry Acts for augmenting the Fines and Fees of Civil Officers, and others.*

Paſſed Oct. 6, 1780.

WHEREAS ſundry Acts have been lately paſſed for augmenting the Fees of Civil Officers, and others, and for raiſing the Fines and Forfeitures to which they are liable for Neglect or Refuſal of the Duties Preamble.

* The Power of a Juſtice of the Peace is now extended to the Trial of *Twelve Pounds,* by Chap. CCCVII.

† *Allinſon,* Chap. DCXXIII. ‡ Chap. CXXXIII.

Duties enjoined on them reſpectively; which Acts are become unneceſſary, and may be injurious to the Subjects of this State;

Several Acts repealed.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That the Act, intitled, * *A Supplement to an Act, intitled, An* Act *the better to prevent the concealing of Stray Cattle, Horſes and Sheep,* paſſed the ninth Day of *October,* One Thouſand Seven Hundred and Seventy-nine; and the Act, intitled, † *An* Act *for augmenting the Fees of certain Civil Officers, and others, and for raiſing the Fines and Forfeitures to which they are liable for Neglect or Refuſal of Duty, and for ſuſpending Parts of ſundry Acts therein mentioned,* paſſed the twenty-fifth Day of *December,* One Thouſand Seven Hundred and Seventy-nine; and the Act, intitled, ‡ *An* Act *for raiſing certain Fees, Fines, and Forfeitures,* paſſed the twenty-firſt Day of *March,* One Thouſand Seven Hundred and Eighty, are hereby ſeverally repealed and made void.

Others revived.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid,* That the ſeveral ‖ Acts and Parts of Acts that have been ſuſpended, altered, or repealed by Virtue of the ſeveral Acts mentioned in the preceding Section of this Act, ſhall be, and the ſame are hereby revived and continued until they ſhall be altered, or expire by their own Limitation.

Obſolete.

CHAP. CCXXVII. *An* Act *to amend the Act, intitled,* § *An* Act *to provide for the Payment of the ſeveral Officers of the Government of the State of* New-Jerſey, *to commence the thirteenth Day of* October, *One Thouſand Seven Hundred and Seventy-nine, and to end the ſecond* Tueſday *in* October, *One Thouſand Seven Hundred and Eighty, incluſive, and to diſcharge the publick Debts and other contingent Charges thereof; and to augment and alter the Salaries allowed by Law to the Superintendent of Purchaſes, to the Auditor of Accounts, and to the Secretary of this State.*

Paſſed Oct. 6, 1780.

This Act was paſſed for augmenting the Salaries allowed in the recited Act, on Account of Depreciation.

Obſolete.

CHAP. CCXXVIII. *An* Act *to continue an Act, intitled,* ¶ *An* Act *to ſuſpend the* ** Act *declaring the Value of the Continental Currency, and alſo the* †† *Act making the ſame a legal Tender, and the* ‡ *Supplement thereto.*

Paſſed Oct. 7, 1780.

The above Act rendered Chap. CCXIX perpetual, but the recited Act having become obſolete, this follows its Fate.

Obſolete.

CHAP. CCXXIX. *An* Act *for defraying ſundry Incidental Charges.*

Paſſed Oct. 7, 1780.

At

* Chap. CLXII. † Chap. CLXXXV. ‡ Chap. CXCVIII.

‖ Theſe Acts are particularly noted at Chap. CLXXXV, and are, Chap. LXXXIV, CXXIX, CXXXIII, and CXLIX of this Edition; and Chap. CCX, DLXXXIX and DCXXIII of *Allinſon.*

§ Chap. CLXXVII. ¶ Chap. CCXIX. ** Chap. X.

†† Chap. III. ‡ Chap. CLVIII.

At a GENERAL ASSEMBLY held at Trenton, from the twenty-fourth Day of October, 1780, to the ninth Day of January, 1781, the following Laws were paſſed.

SESSION FIFTH—SITTING FIRST.

CHAP. CCXXX. *An* Act *to continue an Act, intitled,* * *An* Act *to alter the Place of holding the Supreme Court of Judicature of this State, and to aſcertain the Times for holding the ſame; and alſo to alter and aſcertain the Times of holding the Inferior Court of Common-Pleas and Court of General Quarter-Seſſion of the Peace for the County of* Hunterdon. Expired, and ſupplied by Chap. CCLXXXVII

Paſſed Nov. 15, 1780.

Limited to *December* 4th, 1781.

CHAP. CCXXXI.

An ACT *to amend an Act, intitled,* † *An* Act *for eſtabliſhing a Fund for ſinking and redeeming the Proportion of the Bills of Credit of the United States, aſſigned as the Quota of this State.*

Paſſed Nov. 17, 1780.

WHEREAS the Act, intitled, *An* Act *for eſtabliſhing a Fund for ſinking and redeeming the Proportion of the Bills of Credit of the United States, aſſigned as the Quota of this State*, paſſed the ninth Day of *June*, One Thouſand Seven Hundred and Eighty, fixes a certain comparative Value between the Continental Currency and the Bills of Credit directed to be iſſued by the ſaid Act, which, if continued, will tend to reduce the ſaid Bills of Credit below their real Value; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That every Part of the ſaid recited Act, ſo far forth as the ſame reſpects the fixing of ſuch comparative Value between the ſaid Continental Currency and the ſaid Bills of Credit, or the authorizing and requiring the Treaſurer to give in Exchange, or the authorizing the ſaid Treaſurer and the County, Townſhip, Precinct and Ward Collectors to receive *One Dollar* in the ſaid Bills of Credit for *Forty* of the Continental Currency, or the paying the Fees, Rewards, Fines and Forfeitures of the ſeveral Officers and others in the ſaid Act mentioned and expreſſed, in the ſaid Bills of Credit at the Rate aforeſaid, ſhall be, and the ſame is hereby repealed. Value of the new Bills altered.

The ſecond Section which authorized the Collectors, *&c.* to receive the ſaid Bills in Lieu of Continental Currency in Payment of the ſecond Tax, directed to be raiſed by the ſaid Act at the current Rate of Exchange, is obſolete.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Treaſurer of the State for the Time Treaſurer may exchange the new Bills for the old.

T t being,

* Chap. CLXVIII. See alſo Chap. CCCV. † Chap. CCVI.

being, and he is hereby authorized and required to give in Exchange for the ſaid Continental Currency any Sum in the ſaid Bills of Credit which may be in his Poſſeſſion, agreeably to the current Rate of Exchange, to be fixed as herein after directed. PROVIDED ALWAYS, That none of the ſaid Bills of Credit ſhall be by him given in Exchange as aforeſaid, after the Sum of *Twelve Millions of Dollars* in the ſaid Continental Currency ſhall have come into the Treaſury by Taxes or otherwiſe.

Governor and Privy Council to fix the Exchange.

4. AND BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Governor and Privy Council, on or before the twentieth Day of *December* next, to aſcertain and declare the then general current Rate of Exchange between Continental Currency and Specie; which Rate of Exchange, ſo aſcertained and declared, ſhall be conſidered and taken as the lawful Rate of Exchange between the ſaid Continental Currency and the Bills of Credit iſſued upon the Faith of this State, as far as reſpects the ſecond Payment of the Tax directed to be raiſed by the ſaid recited Act, and ſhall be certified under the Hand and Seal of the ſaid Governor in Privy Council to the Collectors of the ſeveral Counties in this State, on or before the firſt Day of *January* next; who are hereby required and directed to deliver or tranſmit a Copy of the ſaid Certificate to the Collectors of the ſeveral Townſhips, Precincts or Wards within their reſpective Counties, for their Direction in the Collection of the ſecond Payment of the ſaid Tax, and to return the ſaid Certificate to the Treaſurer, together with the Monies collected and by them paid into the Treaſury in Diſcharge of the ſaid Tax: And it ſhall and may be lawful for the ſaid Governor and Privy Council, immediately after the paſſing of this Act, and hereafter from Time to Time, and as often as the ſame may be thought neceſſary, to aſcertain and declare the ſaid Rate of Exchange as aforeſaid, and to certify the ſame under his Hand and Seal to the Treaſurer of the State for the Time being; which ſhall be taken and conſidered by the ſaid Treaſurer as the lawful Rate for exchanging the ſaid Bills of Credit for Continental Currency, and for receiving and paying Monies which may become due to or from the State after the paſſing of this Act, (the Monies which ſhall become due in Diſcharge of the ſecond Payment of the ſaid Tax only excepted) until the ſaid Rate of Exchange ſhall be again aſcertained and declared, and a Certificate given by the Governor in Privy Council, as before directed.

Former Debts to be paid at *Forty* for *One*.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That Nothing in this Act contained ſhall extend to authorize the Treaſurer to receive or pay the ſaid Bills of Credit in Diſcharge of any Debts which were due to or from the State before the paſſing of this Act, or to authorize the ſaid Treaſurer, or the County, Townſhip, Precinct or Ward Collectors, to receive the ſame in Payment of any Tax directed to be raiſed before the paſſing hereof as aforeſaid, at the Rate to be fixed and aſcertained as before directed, but the ſame ſhall be paid at the Rate of *One Dollar* in the ſaid Bills of Credit in Lieu of *Forty* of the Continental Currency; any Thing herein before contained to the contrary notwithſtanding.

Bills of other States not receivable in Sinking-Fund Taxes.

6. AND BE IT ENACTED *by the Authority aforeſaid*, That the Clauſe in the ſecond Section of the ſaid recited Act which authorizes the ſeveral County, Precinct or Ward Collectors and Treaſurer of the State for the Time

Time being, to receive the Bills of Credit iſſued upon the Faith of any other of the United States, agreeably to the Reſolutions of Congreſs of the eighteenth Day of *March* laſt, in Payment of the Taxes to be raiſed for ſinking and redeeming the Bills of Credit iſſued upon the Faith of this State, ſhall be, and the ſame is hereby repealed.

CHAP. CCXXXII. *An* Act *for the more ſpeedy and effectual Procurement of Supplies for the Army of the United States.*

Repealed in Part by Chap. CCLVII, and CCXCIX, and partly become obſolete, in Conſequence of ſuch Repeals.

Paſſed Dec. 4, 1780.

The laſt Section of this Act repealed Chap. CCXV, and Part of Chap. CLXXX and CXCVI; but as the Eſſence of them all is included in one general Repealing Clauſe Chap. CCXCIX, which is ſubſequent to this Act, it was thought unneceſſary to inſert the Section here. The Intention of the Act was chiefly to enlarge the Power of the Contractors, and to augment their Perquiſites.

CHAP. CCXXXIII. *An* Act *to continue an* Act, *intitled*, * *An* Act *to alter the Place of holding the Inferior Court of Common-Pleas, and General Quarter-Seſſions of the Peace, for the County of* Middleſex.

Expired, and ſupplied by Chap. CCLXXXVIII.

Paſſed Dec. 21, 1780.

Limited to one Year, and from thence to the End of the next Sitting of the General Aſſembly.

CHAP. CCXXXIV. *An* Act *more effectually to prevent the Inhabitants of this State from trading with the Enemy, or going within their Lines, and for other Purpoſes therein mentioned.*

Supplied and repealed by Chap. CCCXVII. See Appendix, No. 8.

Paſſed Dec. 22, 1780.

The firſt nine Sections of this Act are repealed by Chap. CCLXXIII, without any Reſtriction, as are alſo the fifteenth, eighteenth and nineteenth; the Remainder is repealed and ſupplied by Chap. CCCXVII. That Part of it which was repealed by Chap. CCLXXIII, does not ſeem to be available to any Purpoſe whatever, unleſs to gratify the Curioſity of thoſe who may be deſirous of tracing the Steps taken by the Legiſlature for the Prevention of the pernicious Traffick with the Enemy; in as much as the Negative Proviſo to the laſt or Repealing Section in Chap. CCCXVII can hardly be ſuppoſed to revive a Part of an Act which had been repealed near a Year before, unleſs ſome expreſs Words of Revival in the Proviſo had particularly comprehended the Sections repealed by a former Act.—The Remainder of the above Act is in Force for the Puniſhment of Offences committed previous to its total Repeal by Chap. CCCXVII.

The Subſtance of the Sections omitted in the Appendix, is as follows:

Perſons apprehended on their Way to the Enemy's Lines or Encampments, or convicted of having gone thereinto, or of having conveyed, or of having aſſiſted the conveying of Proviſions or any other Article into the ſame, were to have Judgment to remove into an interior Part of the State, (and in caſe of Refuſal to go, or if they returned without Leave, or were found in any other Part of the State, beyond their Limits, to be pilloried, cropped and impriſoned during the War) or to be whipped, cropped, pilloried, or impriſoned in any Priſon in the State, or if an able-bodied Male to ſerve on Board a Veſſel of War during the Continuance

* Chap. C. See alſo Chap. CLXXII.

nuance of the preſent War with *Great-Britain*, and moreover to be diſfranchiſed, and rendered incapable of holding any Office Legiſlative, Executive or Judicial, and to forfeit their whole Eſtates both Real and Perſonal, which in ſuch Caſe deſcended to their Heirs; and any Perſon proſecuting any ſuch Offender to Conviction, was to receive out of his Eſtate a Sum not leſs than *Ten*, nor more than *One Hundred Pounds*, and was admitted to be an Evidence on the Trial. The *Habeas Corpus* Act in the Caſe of ſuch Offenders, was ſuſpended, and no Perſon was admitted to ſell without Licenſe from the Court of Quarter-Seſſions of the County, any Goods other than the Produce or Manufacture of this or of the neighbouring States, on Pain of Fine, Seizure and Forfeiture of ſuch Goods, *&c.* The Act in its original Form continued in Force but a few Months.

CHAP. CCXXXV.

An ACT *for completing and keeping up the Quota of Troops belonging to this State, in the Service of the United States.*

Paſſed Dec. 26, 1780.

The Whole of this Act, except the two laſt Sections, is obſolete and ſupplied by Chap. CCLXVII. It provided for raiſing 300 Men, the Number at that Time neceſſary to complete the Quota of the State, and for ſupplying Deficiencies thereafter. A Bounty of *Twenty-two Pounds Ten Shillings* was allowed to Recruits, if enliſted before *March* 1ſt, 1781, and *Twenty Pounds* if enliſted afterwards.

The two laſt Sections are as follows, *viz.*

Officers, not belonging to this State, enliſting Men within it, what to forfeit.

12. AND BE IT FURTHER ENACTED, That if any Recruiting Officer or other Perſon belonging to any Regiment, Troop, Corps or Company, other than to one of the Regiments of this State, in the Service of the United States, ſhall preſume to enliſt any Perſon within this State, into any ſuch Regiment, Troop, Corps or Company, or ſhall convey away, detain, or refuſe to releaſe any Perſon ſo enliſted, ſuch Recruiting Officer or other Perſon ſo offending, ſhall, for every ſuch Offence, forfeit and pay the Sum of *Fifty Pounds* lawful Money, to be recovered with Coſts, in any Court of Record within this State, where the ſame may be cognizable, by any Perſon that will ſue for the ſame, one Half to the Proſecutor, and the other Half to be paid to the Collector of the County where recovered, and applied to the Uſe of the State.

Two Acts repealed.

13. AND BE IT FURTHER ENACTED, That the Act, intitled, * *An* Act *for recruiting, by voluntary Enliſtment, the three Regiments of this State, in the Service of the United States*, paſſed the ninth Day of *June*, One Thouſand Seven Hundred and Seventy-nine, and alſo the Act, intitled, † *An* Act *for completing the Quota of Troops belonging to this State, in the Service of the United States*, paſſed the eleventh Day of *March*, One Thouſand Seven Hundred and Eighty; and every Clauſe, Matter and Thing in them, and in each of them contained, ſhall be, and the ſame are hereby ſeverally repealed.

CHAP.

* Chap. CXLI.

† Chap. CLXXXIX.

CHAP. CCXXXVI. * *An* Act *to raiſe, by voluntary Enliſtment, eight hundred and twenty Men, for the Defence of the* † *Frontiers of this State.* Obſolete.

Paſſed Dec. 26, 1780.

The Men raiſed in Conſequence of this Act continued in Service until *January* 1ſt, 1782.

CHAP. CCXXXVII. *A Supplement to an Act, intitled,* ‡ *An* Act *for eſtabliſhing a Fund for ſinking and redeeming the Proportion of the Bills of Credit of the United States, aſſigned as the Quota of this State.* Obſolete.

Paſſed Jan. 4, 1781.

This Act, which was rather an Amendment than a Supplement, is become obſolete, the Section it was intended to amend, being repealed. The Intention of the Act was to change the Mode of Proſecution pointed out in the fourteenth Section of the recited Act for depreciating the Bills from Indictment to a *Qui tam* Proſecution before a Juſtice, and limiting the Fine to *Six Pounds*.

CHAP. CCXXXVIII.

An ACT *for aſcertaining the Value of the Continental Currency in the Payment of Debts.* Repealed, except the laſt Section, and ſupplied by Chap. CCLXV and CCXCVI.

Paſſed Jan. 5, 1781.

The firſt Section declared the Continental Currency to be a legal Tender in Payment of Debts at its current Value only, that Value to be fixed by the Governor and Privy Council, as directed by Chap. CCXXXI.

The ſecond Section is as follows:

2. AND BE IT FURTHER ENACTED, That the ſeveral ¶ Acts heretofore paſſed reſpecting the Tender of the Continental Bills of Credit be, and they hereby are repealed, except thoſe Parts of the ſaid Acts which relate to counterfeiting and altering the ſaid Bills. Several Acts repealed.

CHAP. CCXXXIX.

A Supplement to the Act, intitled, § *An* Act *for regulating the Election of the Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners, of the State of* New-Jerſey, *and alſo to direct the Election of Delegates to repreſent the ſaid State in the Congreſs of the United States.*

Paſſed Jan. 5, 1781.

WHEREAS from the local Situation of many of the Inhabitants of the County of *Morris*, it is very inconvenient for a large Preamble.

U u Number

* See a Supplement to this Act, Chap. CCLI.

† The Frontier Counties of *Bergen*, *Eſſex*, *Middleſex*, *Monmouth* and *Suſſex*.

‡ Chap. CCVI. See alſo Chap. CCLXI. ¶ Chap. III, X, CLIX.

§ Chap. CLXXVIII. See alſo Chap. CCLXXXIV and CCCXXIV.

Number of the Electors to attend at the Place by Law appointed for holding the annual Elections in the ſaid County; therefore,

Morris County Election may be adjourned.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for a Majority of the Judges and Inſpectors of the Election, if it ſhall appear to them expedient, to adjourn the Poll from the Place where it is by Law directed to be held, to any other Place or Places in the ſaid County, where they ſhall judge it moſt for the Eaſe and Convenience of the People: PROVIDED ALWAYS, That the Poll ſhall be finally cloſed at *Morris-Town*, at the Place where the Election was firſt opened.

Proviſo.

Clerks and Inſpectors, their Wages.

2. AND WHEREAS ſince the paſſing of the ſaid Act for regulating Elections, the legal Currency of this State hath been altered, and thereby the nominal Wages of the Clerks and Inſpectors of the Election, as well as the Fines and Forfeitures in the ſaid Act mentioned, are greatly diſproportionate to the Services enjoined and the Offences to which they are ſeverally annexed: Therefore, BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Clerks and Inſpectors of the Elections in the ſeveral Counties in this State ſhall be allowed the Sum of *Seven Shillings and Six-Pence*, lawful Money of this State, each, by the Day for their Services, to be paid by the County Collector on producing a Certificate of the Time of ſuch Service, ſigned by the Judges of the Election.

Fines, and Forfeitures affixed.

3. AND IT IS HEREBY FURTHER ENACTED, That all Fines and Forfeitures mentioned and affixed as a Penalty for any Offence committed againſt or for the Neglect of any Duty enjoined in the ſaid Act, intitled, *An* Act *for regulating the Election of the Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners, of the State of* New-Jerſey, *and alſo to direct the Election of Delegates to repreſent the ſaid State in the Congreſs of the United States*, paſſed the twenty-fourth Day of *December*, One Thouſand Seven Hundred and Seventy-nine, ſhall be one-tenth Part of the Sums reſpectively mentioned and affixed to each Offence or Neglect of Duty therein ſpecified, to be paid in the lawful Money of this State, and to be recovered and applied as is therein directed.

Delegates in Congreſs to be Freeholders, *&c.*

4. AND IT IS HEREBY FURTHER ENACTED, That no Perſon ſhall hereafter be elected a Delegate to repreſent this State in the Congreſs of the United States, unleſs he hath been a Freeholder within this State for at leaſt three Years, and an Inhabitant of the ſame for at leaſt ſeven Years next before his Election, and in Real and Perſonal Eſtate worth *One Thouſand Pounds* within this State.

And to take the Oaths of Abjuration and Allegiance.

5. AND IT IS HEREBY FURTHER ENACTED, That every Delegate who ſhall be appointed to repreſent this State in the Congreſs of the United States ſhall, before he takes his Seat in Congreſs, take and ſubſcribe before the Secretary of this State, who is hereby authorized to adminiſter the ſame, the Oaths or Affirmations of Abjuration and Allegiance preſcribed by the Act, intitled, *An* Act *for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix; and alſo the following Oath or Affirmation, *viz.*

I do ſwear, (or affirm) *that I am and have been for ſeven Years laſt paſt a Reſident, and for three Years laſt paſt a Freeholder of the State of* New-Jerſey, *and to the beſt of my Knowledge and Belief I am worth* One Thouſand Pounds, *lawful Money, in Real and Perſonal Eſtate within the ſame.*

6. AND IT IS HEREBY FURTHER ENACTED, That the twenty-fifth, thirty-third and thirty-fourth Sections of the ſaid recited Act ſhall be, and the ſame hereby are repealed. Parts of former Act repealed.

CHAP. CCXL.

* *An* ACT *for making Compenſation to the Troops of this State, in the Service of the United States, for the Depreciation of their Pay.*

Paſſed Jan. 6, 1781.

WHEREAS through the Depreciation of the Continental Currency ſince the Eſtabliſhment of the Pay of the Army, the Troops of this State have been ſubjected to conſiderable Loſs and Inconvenience; and common Juſtice requiring that Compenſation ſhould be made to them on that Account; therefore, Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Honourable *James Caldwell* and *Frederick Frelinghuyſen*, Eſquires, and *John Mehelm*, Eſquire, be, and they hereby are appointed Commiſſioners for the Purpoſe of liquidating and ſettling the Deficiencies of the Pay of the Troops of this State, occaſioned by the Depreciation of the Continental Currency. Commiſſioners.

2. AND BE IT FURTHER ENACTED, That the ſaid Commiſſioners, or any two of them, ſhall be, and they hereby are required and directed immediately after the paſſing of this Act, to repair to the Quarters of the Troops of this State, in the Service of the United States, and to make Application to the Commanding Officers of each Regiment for complete and accurate Returns of all the Officers, Non-commiſſioned Officers and Privates belonging to their reſpective Regiments, who now are in the Service, and engaged during the War, and alſo of all ſuch Officers, Non-commiſſioned Officers and Privates as may have belonged to any other Regiments, Corps or Companies, that are credited as Part of the Quota of Troops aſſigned to this State, ſpecifying the Names, firſt Appointment and different Promotions, with their Dates; and alſo the preſent Rank of every Officer and Non-commiſſioned Officer, together with the Name and Date of the Enliſtment of every Private: Which Returns, ſo to be made out, ſhall be certified and authenticated in the ſame Manner as Returns to the Commander in Chief of the Army, or to the Board of War, and ſhall be delivered to the Commiſſioners aforeſaid. PROVIDED ALWAYS, That none of the Civil Staff of the Army ſhall be included in ſuch Returns, other than the Brigade Chaplain, the Surgeons and Surgeons Mates, Paymaſters, Adjutants and Quartermaſters of the ſaid Regiments. To whom Returns are to be made. Proviſo.

3. AND

* See a Supplement to this Act, Chap. CCCIX.

Scale of Depreciation.

3. AND BE IT FURTHER ENACTED, That the ſaid Commiſſioners, after having obtained the Returns and Vouchers neceſſary for that Purpoſe, ſhall proceed to adjuſt, ſettle and determine the Depreciation of the eſtabliſhed Pay of every ſuch Officer, Non-commiſſioned Officer and Private, from the firſt Day of *February*, One Thouſand Seven Hundred and Seventy-ſeven, to the firſt Day of *Auguſt*, One Thouſand Seven Hundred and Eighty, agreeably to the following Scale of Depreciation, *to wit*,

1777.		*March*	5	*June*	20
January	1	*April*	5	*July*	20
February	2	*May*	5	*Auguſt*	24
March	2	*June*	5	*September*	24
April	2	*July*	5	*October*	30
May	2	*Auguſt*	5	*November*	36
June	3	*September*	5	*December*	40
July	3	*October*	5	1780.	
Auguſt	3	*November*	6	*January*	42
September	3	*December*	6	*February*	50
October	3	1779.		*March*	60
November	4	*January*	8	*April*	60
December	4	*February*	10	*May*	60
1778.		*March*	12	*June*	60
January	4	*April*	16	*July*	60
February	4	*May*	20		

Making Charge of all the Clothing and State Stores that have been delivered to the Officers, and the State Stores delivered to the Non-commiſſioned Officers and Privates, agreeably to the Prices affixed in and allowed by two Acts of the Legiſlature of this State, paſſed the eleventh Day of *June*, One Thouſand Seven Hundred and Seventy-nine, the one intitled, * *An* Act *to provide for the better Subſiſtence of the Troops of this State, in the Service of the United States;* the other intitled, † *An* Act *to provide for the Clothing of the Quota of Forces raiſed or to be raiſed in this State, for the Service of the United States, and to repeal the Laws now in Force for that End;* and the ſaid Commiſſioners ſhall alſo have Recourſe to every other Source of Information that may be procured for obtaining accurate Accounts of all Clothing, State Stores or other Allowances granted to the Troops of this State.

State-Clothier, &c. to make Returns.

4. AND BE IT FURTHER ENACTED, That the late and preſent State-Clothier, and their Deputies, and every other Perſon or Perſons who have furniſhed any Clothing or State Stores to the Troops of this State, be, and they hereby are required and directed, on Application to them made for that Purpoſe, by either of the Commiſſioners aforeſaid, to furniſh them within fifteen Days after the ſaid Application, with proper Returns of all the Clothing and State Stores delivered to the Officers, and the State Stores delivered to the Non-commiſſioned Officers and Privates as herein before directed, under the Penalty of *Five Hundred Pounds* for either of the State Clothiers, and *Three Hundred Pounds* for either of their Deputies or other Perſon as aforeſaid, to be recovered in any Court where the ſame may be cognizable, with Coſts of Suit, by either of the ſaid Commiſſioners, and paid into the Treaſury for the Uſe of the State. PROVIDED ALWAYS, That if either of the State Clothiers or their Deputies, or other Perſons aforeſaid, have rendered

Penalty for Neglect.

Proviſo.

* Chap. CL. † Chap. CXLVI.

rendered their Accounts previous to the Application of the ſaid Commiſſioners, in a full and ſatisfactory Manner to the Auditor of Accounts of this State, or to the Legiſlature, they ſhall not be liable to forfeit the Penalty above-mentioned; and that then and in ſuch Caſe the Auditor of Accounts, or any other Perſons poſſeſſed of ſuch ſettled Accounts, are required to furniſh the ſaid Commiſſioners with every neceſſary Information ariſing therefrom.

Mode of ſettling the Accounts, &c.

5. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Commiſſioners, after having eſtimated in Specie the Value of the Articles of Clothing and State Stores furniſhed to every Officer, and the Value of the State Stores furniſhed to every Non-commiſſioned Officer and Private as aforeſaid, from Time to Time, agreeably to the ſaid recited Acts, ſhall deduct the ſame from the Amount of the Depreciation of Pay of every ſuch Officer, Non-commiſſioned Officer and Private, eſtabliſhed by the Reſolutions of Congreſs of the ſixteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix, and thereby aſcertain the Sums to be allowed to the Troops individually, which ſhall be regularly entered with the Name of the Perſon to whom ſuch Sum is allowed, in a Book to be procured by the ſaid Commiſſioners for that Purpoſe; and, after having completed the ſeveral Settlements, the ſaid Commiſſioners ſhall deliver the ſaid Book to the Auditor of Accounts of this State, together with the Returns, Vouchers and other Papers which they may have obtained in the Courſe of ſuch Settlements as aforeſaid; and the ſaid Auditor is hereby authorized and directed, upon receiving the Accounts ſettled as aforeſaid, with the Returns and Vouchers, to inſpect the ſame for the Purpoſe of correcting any Errors or Miſtakes that may have taken Place in ſettling the Accounts as before directed; and, after examining every Account, ſhall deliver the Books, with the Returns and Vouchers aforeſaid, to the Treaſurer of the State, to be depoſited in his Office; and the ſaid Treaſurer ſhall thereupon pay to the ſeveral Officers, Non-commiſſioned Officers and Privates, the one-fourth Part of the Sums ſo allowed them on or before the firſt Day of *March* next enſuing, or as ſoon thereafter as the State of the Treaſury will admit, on the Terms herein after directed, and alſo iſſue Notes to the Officers, Non-commiſſioned Officers and Privates for the reſpective Sums that ſhall be ſo allowed them, or for the three-fourths thereof as the Caſe may be, after the Returns and Vouchers aforeſaid ſhall be laid before the Legiſlature of this State and allowed by them; which Notes ſhall be printed and indented under the Directions of the Treaſurer, and provided with ſuch other Checks as will moſt effectually guard againſt Counterfeits, and ſhall be ſigned by him and regiſtered in his Office, and then counterſigned by the Auditor of Accounts of this State, and delivered by him to the Perſons to whom the ſaid Sums are reſpectively allowed, or to their Order; which Notes ſhall be in the following Form:

Notes to be given;

No.

Form thereof.

THE State of *New-Jerſey* is indebted unto in the Sum of being the (one-fourth Part, or the three-fourth Parts of the) Sum allowed for the Depreciation of his Pay; which ſaid Sum ſhall be paid unto the ſaid or his lawful Repreſentative, in Specie or the Value thereof, within three Years from the firſt Day of *January*, One Thouſand Seven Hundred and Eighty-one, bearing an Intereſt of *Six per Centum per Annum*, from the

first Day of *Auguſt* laſt. Witneſs my Hand this Day of One Thouſand Seven Hundred and Eighty-one.

Treaſurer.

Counterſigned

Auditor.

Intereſt to be paid annually.

6. AND BE IT FURTHER ENACTED, That the Treaſurer of the State for the Time being ſhall be, and he hereby is authorized and directed to pay the Intereſt annually upon the ſaid Notes, and alſo the Principal at the Expiration of the Time ſpecified therein, taking a Receipt from the Holder, endorſed on the Note; which Note and Receipt ſhall be a ſufficient Diſcharge to the ſaid Treaſurer for ſo much of the publick Money in his Settlement with the State.

Notes to be transferable.

7. AND BE IT FURTHER ENACTED, That the Notes ſo given as aforeſaid, ſhall be negociable or transferable, in the ſame Manner as other Promiſſory Notes are, and ſhall be at any Time hereafter receivable in Payment of all Debts due to this State, and alſo by the Commiſſioners of confiſcated Eſtates, equal to their nominal Value in Gold or Silver.

Treaſurer to pay one-fourth of the Sums due, &c.

8. AND BE IT ENACTED *by the Authority aforeſaid*, That the Treaſurer ſhall be, and he hereby is required and directed to pay unto every Officer, Non-commiſſioned Officer and Private, the Depreciation of whoſe Pay may have been adjuſted as herein before is directed, that may apply for the ſame, or to their proper Order, one-fourth Part of the whole Sum which may be allowed as aforeſaid, on the firſt Day of *March* next enſuing, or as ſoon thereafter as one-fourth Part of the Money that may from and after the paſſing of this Act come into the Treaſury will be ſufficient for that Purpoſe; and the Treaſurer is hereby directed and required to reſerve and appropriate one-fourth Part of the Money ſo coming into the Treaſury for the Payment thereof; and if the State of the Treaſury will not admit of the Payment of the Money as before directed on the ſaid firſt Day of *March*, then it ſhall and may be lawful for the Treaſurer to give to any ſuch Officer, Non-commiſſioned Officer or Private as may require the ſame, a ſeparate Note for the ſaid one-fourth Part of his Money, to be paid with Intereſt as ſoon as the State of the Treaſury will admit, and a different Note for the other three-fourths, to be paid as is directed in the fifth Section of this Act.

Returns of Supernumeraries and other Officers, not in Service, to be made.

9. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid Commiſſioners ſhall in like Manner make Application to the ſaid Commanding Officers of Regiments for complete and accurate Returns, certified and authenticated as before directed, containing the Name and Rank of every Officer who has been deranged as Supernumerary, the Name of every Officer who has been killed, or has died in the Service, or who has been wounded and diſabled, and in conſequence of his Wound or Diſability has retired from the Service, and whoſe Reſignation has been accepted by Congreſs, expreſſing the Time when ſuch Events took Place; and alſo the Name of every Non-commiſſioned Officer and Private who has been killed, or has died in the Service, or who has been wounded or diſabled, and in conſequence of his Wound or Diſability has been diſcharged therefrom ſince the firſt Day of *January*, One Thouſand Seven Hundred and Seventy-ſeven, and who having been enliſted for the Term of three Years has been diſcharged at the Expiration of

of ſaid Term, with the proper Dates of ſuch Events; which ſaid Returns, together with the Names of all ſuch Perſons, ſhall be fairly entered in a ſeparate Book to be procured by the Commiſſioners for that Purpoſe; which ſaid Book, together with the Returns and Vouchers, ſhall be laid before the Legiſlature at their next Sitting.

Commiſſioners, their Wages.

10. AND BE IT FURTHER ENACTED, That each of the ſaid Commiſſioners ſhall be entitled to receive the Sum of *Sixteen Shillings* by the Day, for each and every Day he may be actually employed in the Services required of him by this Act, on an Account rendered on Oath or Affirmation to the Treaſurer of this State.

How Vacancies are to be ſupplied.

11. AND BE IT FURTHER ENACTED, That if any of the ſaid Commiſſioners ſhall refuſe to accept, or by Death or other Diſability ſhall be prevented from doing the Duties herein required, it ſhall and may be lawful for the Governor and Privy Council to appoint another or others, who ſhall be authorized and required to do and perform the ſeveral Duties ſpecified in, or preſcribed by this Act, and entitled to the ſame Pay, on an Account made out and authenticated as aforeſaid.

CHAP. CCXLI.

An ACT *to raiſe a Fund by Loan for diſcharging the Bounty to be paid to the Troops required by Congreſs as the Quota of this State.*

Paſſed Jan. 8, 1781.

Preamble.

WHEREAS it is neceſſary that the Troops to be raiſed by this State to fill up the Quota of Troops in the Service of the United States, aſſigned by Congreſs, ſhould immediately upon Enliſtment have their Bounty-Money paid them;

Treaſurer to procure Certificates.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Treaſurer of this State ſhall, as ſoon as convenient after the paſſing of this Act, procure one hundred and fifty Certificates of the Sum of *One Hundred Dollars* each, one hundred and fifty Certificates of *One Hundred and Fifty Dollars* each, and one hundred and fifty of *Two Hundred Dollars* each; which ſaid Certificates ſhall be printed agreeably to the following Form:

Form thereof.

[Dollars. Number]

THE State of *New-Jerſey* acknowledges the Receipt of the Value of *Spaniſh* milled Dollars from which the ſaid State promiſes to pay unto the ſaid or Bearer, in Specie or other current Money equivalent, on the Day of with Intereſt annually, at the Rate of *Seven per Centum per Annum*, agreeably to an Act of Aſſembly, paſſed the Day of *January*, One Thouſand Seven Hundred and Eighty-one. Witneſs my Hand the Day of *Anno Domini* One Thouſand Seven Hundred and Eighty-one.

Counterſigned,

Treaſurer of the State of *New-Jerſey*.

Which

And transmit them to the Agents, who are to open Subscriptions.

Which Certificates the Treasurer shall sign and transmit to the several Agents herein after appointed in each County, such a Number as shall appear to him proportionate to the same, charging each Agent for the Number of Certificates he shall so transmit, with their Amount in Dollars; and each and every Agent shall immediately upon receiving the said Certificates from the Treasurer, send or deliver a Receipt therefor, specifying the Number and Amount of the Certificates so received; and the said several Agents are hereby directed immediately upon receiving the said Certificates to open Subscriptions for taking in upon Loan any Sum or Sums of Money not less than *One Hundred Dollars*, either in Specie or in the Bills of Credit emitted upon the Faith of this State, with the following Allowance in Favour of the Subscriber, *videlicet*, That when any Person subscribes to lend a certain Sum and pays one Half thereof at the Time of subscribing, he shall be entitled to receive a Certificate for the full Sum subscribed, of equal Date with the Subscription, provided he pays the other Half in three Months from the Date; which said Certificate shall express the Number of Dollars received, the Name of the Person from whom the same was received, and the Time when, and be countersigned by the Agent who shall at the same Time take a Receipt from the Person to whom the Certificate is delivered, expressing the Date and Number of Dollars for which it was delivered.

Agents to advance Money to the Paymasters, &c.

2. AND BE IT FURTHER ENACTED, That the several Agents herein after appointed shall be authorized and required to advance any Sum or Sums of Money that they may have in their Hands, in consequence of the Loan proposed by this Act, to any of the Paymasters appointed to pay the Bounty as specified in an Act, intitled, * *An Act for completing and keeping up the Quota of Troops belonging to this State, in the Service of the United States*, passed the twenty-sixth Day of *December*, One Thousand Seven Hundred and Eighty: And where it may so happen that any or either of the Paymasters before-mentioned are appointed Agents in and by this Act, then and in such Case the said Agents are to act as Paymasters also, and appropriate so much of the Money by them borrowed as may be necessary for the Purpose of paying the Bounty as aforesaid; and the said Agents, where it may be necessary, shall take Receipts and keep fair and regular Accounts of all the Money that shall be by them delivered to the said Paymasters, or paid on Account of Bounty, agreeably to the Directions of the before-recited Act, and also at the End of every three Months to transmit to the Treasurer a particular State of their Accounts, specifying the Number and Amount of the Certificates given, the Persons to whom given, and the Time when delivered, as well as the several Disbursements made, agreeably to this Act, signed by the Agent; a Duplicate of which shall be returned by the Treasurer to the said Agent, signed by the Treasurer, and at the same Time shall pay into the Treasury all Money that may remain in their Hands at the Time of said Settlement, arising from the Loan by this Act directed; and at all Times shall be subject to and answer the Draughts of the Treasurer upon them, so far as they may have Money in their Hands borrowed as aforesaid.

Holders of Certificates, how secured from Loss.

3. AND, that the fullest Assurance may be given to such Persons as shall be disposed to lend their Money, that they connot be liable to suffer

* Chap. CCXXXV.

ſuffer any Loſs thereby, BE IT FURTHER ENACTED, That the Treaſurer for the Time being ſhall be, and he is hereby authorized and required to pay both Intereſt and Principal when they become due, on Application to him made for that Purpoſe, agreeably to this Act, either in Specie or with ſo much of the publick current Money at the Time in his Hands as ſhall be really equal to ſo much Specie as the Demand may be for, in conſequence of any Money that ſhall be borrowed by Virtue of this Act, and the Faith of this State is hereby pledged to make Proviſion from Time to Time by Taxes, or otherwiſe, to enable the Treaſurer to diſcharge the Debts which may be contracted as aforeſaid by Virtue of this Act; and the ſaid Certificates, with the Endorſements of the Holders thereon, ſhall be a ſufficient Diſcharge to the Treaſurer for ſo much of the publick Money in his Settlement with the State.

Agents.

4. AND BE IT ENACTED, That the following Perſons ſhall be, and they hereby are appointed Agents in the ſeveral Counties in this State, for the Purpoſes aforeſaid, *videlicet*,

In the County of *Bergen*, *Abraham Brower*.
In the County of *Eſſex*, *Robert Johnſton*.
In the County of *Middleſex*, *Thompſon Stelle*.
In the County of *Monmouth*, *David Forman*, late General *Forman*.
In the County of *Somerſet*, *Peter Schenck*, Eſquire.
In the County of *Burlington*, *John Black*, of *Springfield*.
In the County of *Glouceſter*, *Bodo Otto*, jun. Eſquire.
In the County of *Salem*, the Reverend *William Schenck*.
In the County of *Cape-May*, *Henry-Young Townſend*, Eſquire.
In the County of *Hunterdon*, *Nathaniel Hunt*, Eſquire.
In the County of *Morris*, Colonel *Ellis Cook*.
In the County of *Cumberland*, *Joel Fithian*, Eſquire.
In the County of *Suſſex*, *Edward Dunlop*.

Vacancies, how to be ſupplied.

And the ſaid Agents ſhall keep their Offices open until the firſt Day of * *December* next enſuing, and no longer; and in caſe any of the Perſons aforeſaid ſhall neglect or refuſe to accept the Appointment, or remove out of the County after the Acceptance thereof, or by Death or by Diſability ſhould be rendered incapable of exerciſing the Office aforeſaid, it ſhall and may be lawful for the Repreſentatives of the County, or a Majority of them, wherein ſuch Vacancy ſhall happen, as ſoon as convenient after their Knowledge thereof, to ſupply the Vacancy, and report their Appointment to the Treaſurer as ſoon as poſſible; and the Perſon ſo appointed ſhall be veſted with the ſame Powers, perform the like Duties, and be entitled to equal Rewards with thoſe appointed to that Service in this Act, as though he had been named therein.

Certificates to be payable in three Years, and bear an Intereſt of *Seven per Cent.*

5. AND BE IT FURTHER ENACTED, That the Certificates for Money borrowed on the Faith of this State, as pledged in and by Virtue of this Act, ſhall be given payable in three Years from their Date, bearing an Intereſt of *Seven per Centum per Annum*, and that the ſaid Certificates ſhall not be ſubjected to the Impoſition of any Tax or Taxes. And each and every of the Agents acting by Virtue of this Act, ſhall be entitled to retain in their Hands *One per Centum* for their Trouble, on all Money they may borrow and pay, agreeably to the Directions of this Act.

* Their Offices were directed to be cloſed by Chap. CCLIX on the firſt Day of *July* 1781.

CHAP. CCXLII.

* *An* ACT *for the regulating, training, and arraying of the Militia, and for providing more effectually for the Defence and Security of the State.*

Paſſed Jan. 8, 1781.

Preamble. WHEREAS the ſeveral Laws heretofore made for the Government of the Militia, and for the Purpoſe of directing the internal Force of the State to the Preſervation and Safety of the ſame, have been found inadequate to theſe important Purpoſes, and have become, from their Number and Diverſity, difficult to be underſtood and executed; Therefore,

Militia, how to be divided. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the Publication of this Act, the Militia of this State ſhall be divided into three Brigades, as follows: The Militia of the Counties of *Bergen*, *Eſſex*, *Morris*, *Suſſex*, and of thoſe Parts of the Counties of *Middleſex* and *Somerſet* lying on the Northern and Eaſtern Side of *Raritan* River, and of the South Branch of the ſame, ſhall compoſe the upper Brigade; the Militia of the Counties of *Monmouth*, *Hunterdon* and *Burlington*, and of thoſe Parts of the Counties of *Middleſex* and *Somerſet* lying on the Southern and Weſtern Side of the ſaid River *Raritan*, and of the South Branch of the ſame, ſhall compoſe the middle Brigade; and the Militia of the Counties of *Glouceſter*, *Salem*, *Cape-May* and *Cumberland*, ſhall compoſe the lower Brigade.

Brigades, by whom to be commanded. 2. AND BE IT FURTHER ENACTED, That each Brigade ſhall be commanded by a Brigadier or Colonel Commandant, who ſhall be the eldeſt Colonel, and if there is no Colonel, the eldeſt Lieutenant-Colonel of the Regiments which compoſe the Brigade, to be determined by the Date of their ſeveral Commiſſions; which Brigadiers, Colonels, or Lieutenant-Colonels Commandant, ſhall be empowered to appoint a Major of Brigade, to rank as Major of the Militia, and receive Pay on the Certificate of his Brigadier, Colonel or Lieutenant-Colonel Commandant.

Regiments, how to be officered. 3. AND BE IT FURTHER ENACTED, That each Regiment or Battalion ſhall be officered with one Lieutenant-Colonel (except where a Colonel is already appointed) and one Major; and alſo with an Adjutant, who ſhall be taken from the Line, and rank as Firſt Lieutenant, and when in Service be entitled to the Pay and Rations of a Captain; one Quartermaſter, who ſhall alſo be taken from the Line, rank with Lieutenants, and receive like Pay and Rations when in Service; and when Circumſtances will admit, a Surgeon; which Regimental Staff-Officers ſhall be appointed by the Field Officers or a Majority of them; and the Commanding Officer of each Regiment or Battalion ſhall appoint a Sergeant-Major. Proviſo. PROVIDED ALWAYS, That where two Majors have been heretofore appointed and commiſſioned in any Regiment or Battalion both ſhall be continued, but Vacancies happening in the Office of Second Major, ſhall not hereafter be ſupplied.

4. AND

* See a Supplement to this Act, Chap. CCCXIX.

4. AND BE IT FURTHER ENACTED, That the Field Officers of each Regiment or Battalion within this State, in Conjunction with the commiſſioned Officers of the ſeveral Companies of their reſpective Regiments or Battalions, ſhall, immediately after the Publication of this Act, appoint one reputable Freeholder, not a Military Officer, within the Diſtrict of their Regiment or Battalion, to act as Treaſurer to the ſame; who, on Notification of his Appointment, ſhall repair to ſome Juſtice of the Peace and take an Oath for the due Performance of his Office, whoſe Duty it ſhall be to receive all the Monies ariſing from the Fines and Forfeitures directed to be raiſed or impoſed by Virtue of this Act, and not otherwiſe diſpoſed of, and to pay ſuch Draughts as may be made from Time to Time by the Commanding Officer of the Regiment or Battalion, or of the ſeveral Companies which compoſe the Regiment or Battalion to which he belongs. PROVIDED NEVERTHELESS, That the County of *Monmouth* ſhall, on Account of its preſent Circumſtances, have one common Treaſurer to the three Regiments within the ſame, to be appointed by a Majority of the Officers of the ſaid Regiments jointly, whoſe Duties, Powers, and Compenſation ſhall be the ſame in all Caſes reſpecting the ſaid three Regiments with thoſe of the Treaſurer of any particular Regiment appointed as aforeſaid, excepting that he ſhall not diſcharge the Draught of either of the Commanding Officers of the ſaid Regiments to any other Amount than in Proportion to the uſual Numbers who turn out from the ſaid Regiments reſpectively, in the Military Service of their Country, a Return of which Numbers ſhall be made by the Officers appointing the Treaſurer as aforeſaid to the ſaid Treaſurer from Time to Time, as Occaſion may require.

Treaſurer to be appointed to each Regiment.

Proviſo.

5. AND BE IT ENACTED, That the Regimental Treaſurer for the Time being, ſhall keep proper and diſtinct Accounts of the Monies ariſing from the Fines and Forfeitures of the Field and Staff-Officers, and of the Officers and Privates of each Company which compoſe the Regiment, entered ſeparately in a Book kept by him for that Purpoſe, keeping proper Vouchers for all Sums of Money he may pay out on the Draughts of the Officers aforeſaid, and render an Account of the Monies received and paid out as aforeſaid every ſix Months, to the Board of Officers appointed for that Purpoſe; and the ſaid Treaſurer ſhall be entitled to *One per Centum* for all Monies he may receive or pay out.

Regimental Treaſurers to keep and render Accounts.

Wages.

6. AND BE IT ENACTED, That the Field and other commiſſioned Officers of each Regiment or Battalion are hereby conſtituted a Board, veſted with full Authority to examine and adjuſt the Accouuts of the Regimental Treaſurer, and are hereby required to meet once in ſix Months for that Purpoſe, at ſome Time and Place, of which all Parties ſhall be timely notified; and in caſe of Mal-practice, Embezzlement, or any ſufficient Default, the ſaid Board of Officers are required to diſplace the ſaid Treaſurer and appoint another in his Room; which Succeſſor in Office is hereby authorized and empowered to proſecute the Defaulter for any Sum or Sums of Money remaining in his Hands belonging to the Regiment, in any Court where the ſame may be cognizable, with Coſts of Suit.

Field and Commiſſion Officers, a Board to examine Accounts.

7. AND BE IT FURTHER ENACTED, That each Company ſhall be officered with a Captain, a Lieutenant, and an Enſign, and alſo with four Sergeants and four Corporals, to be elected by the Companies reſpectively;

Companies, how to be Officered, and

ſpectively; and the Commiſſioned Officers ſhall appoint for the ſame a Drummer and a Fifer; and in caſe of any Vacancy or Vacancies happening amongſt the Commiſſioned Officers of any Company, the Captain or Commanding Officer of the ſame ſhall, within thirty Days thereafter, call his Company together, and the Officers and Privates, when met, ſhall appoint a Clerk to manage the Election, and certify the ſame when made, and by Plurality of Voices elect ſuch Officer or Officers as may be wanting; and in caſe no Commiſſioned Officer ſhould remain in any Company, the Commanding Officer of the Regiment or Battalion ſhall in the ſame Time, by Advertiſements ſet up in at leaſt three of the moſt publick Places within the Bounds of the ſaid Company, call them together for the Purpoſe aforeſaid, and himſelf attend to direct and regulate the Election. PROVIDED ALWAYS, That where two Lieutenants have been heretofore appointed and commiſſioned in any Company, both ſhall be continued, but Vacancies happening in the Office of Second Lieutenant ſhall not hereafter be ſupplied.

Vacancies ſupplied.

Proviſo.

8. AND BE IT FURTHER ENACTED, That all Vacancies happening among the Non-commiſſioned Officers of any Company ſhall be ſupplied as often as neceſſary by ſuch Company when aſſembled for training, and if the Company refuſe to chooſe ſuch Non-commiſſioned Officers, they ſhall be appointed by the Commiſſioned Officers of the Company; and if any Perſon refuſe to act as a Sergeant, Corporal, Drummer or Fifer, when duly elected or appointed for that Purpoſe, he ſhall be fined the Sum of *Three Pounds*, to be recovered and applied as herein after is directed. PROVIDED ALWAYS, That no Perſon ſhall be fined more than once in the Space of a Year for refuſing to ſerve in any Office to which he may be elected or appointed.

Vacancies in the non-commiſſioned Officers, *&c.* and Penalty for refuſing to act as one.

Proviſo.

9. AND BE IT FURTHER ENACTED, That the ſaid Brigade, Field, and other Commiſſioned Officers and Staff-Officers reſpectively, ſhall be commiſſioned by the Governor or Commander in Chief for the Time being, upon Certificates of their due Election or Appointment from thoſe who elect or appoint them reſpectively, or by their Order; and the Non-commiſſioned Officers of Companies ſhall act under Warrants from the Captain or Commanding Officer of the Company to which they belong. PROVIDED ALWAYS, That every Officer elected as aforeſaid, previous to his receiving his Commiſſion, ſhall take and ſubſcribe the Oaths of Abjuration and Allegiance, as preſcribed in an Act, intitled, * *An Act for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix, before ſome Perſon authorized to adminiſter the ſame, which ſhall be certified by the ſame Perſons, and in the ſame Certificate with his Election into Office; and if any Perſon elected or appointed an Officer as aforeſaid ſhall neglect to take the Oaths aforeſaid within thirty Days after his ſaid Election or Appointment, his Office ſhall be deemed vacant, and a new Choice be made.

Officers, how commiſſioned, *&c.*

To take the Oaths.

10. AND BE IT ENACTED, That the Captain or Commanding Officer of each Company ſhall keep a true and perfect Liſt or Roll of all effective Men between the Ages of ſixteen and fifty Years, reſiding within the Diſtrict of ſuch Company. PROVIDED ALWAYS, That the Delegates repreſenting this State in the Congreſs of the United States, the Members

Captains to keep Liſts.

Exemptions.

* Chap. II.

Members of the Legiſlative-Council and General Aſſembly, the Judges and Juſtices of the Supreme and Inferior Courts, the Judge of the Court of Admiralty, the Attorney-General, the Secretary, the Treaſurer, the Auditor of Accounts, the Clerks of the Council and General Aſſembly, the Clerks of the Courts of Record, the Governor's private Secretary, the Superintendant of Purchaſes, the County Contractors, Poſtmaſters, Miniſters of the Goſpel of every Denomination, the Preſident, the Profeſſors and Tutors of Colleges, Sheriffs, Coroners, one Conſtable for each Townſhip, to be determined by the Court of Quarter-Seſſions of the County, two Ferrymen for each publick Ferry on the *Delaware* below the Falls at *Trenton*, and one for every other publick Ferry in this State, Slaves, and every Perſon exempted by any particular Law of this State, ſhall not be borne on any ſuch Liſts or Rolls, or be ſubject to Military Duty.

Arms and Accoutrements to be procured by each Man.

II. AND BE IT ENACTED, That every Perſon enrolled as aforeſaid, ſhall conſtantly keep himſelf furniſhed with a good Muſket well fitted with a Bayonet, a Worm, a Cartridge-Box, twenty-three Rounds of Cartridges ſized to his Muſket, a Priming-Wire, Bruſh, ſix Flints, a Knapſack and Canteen, under the Forfeiture of *Seven Shillings and Six-pence* for Want of a Muſket, and *One Shilling* for Want of any other of the aforeſaid Articles, whenever called out to Training or Service; to be recovered and applied as herein after is directed. PROVIDED ALWAYS, That if any Perſon be furniſhed as aforeſaid with a good Rifle-Gun, the Apparatus neceſſary for the ſame, and a Tomahawk, it ſhall be accepted in Lieu of the Muſket and the Bayonet and other Articles belonging thereto.

Penalty on Neglect.

Proviſo.

Ammunition to be kept by each Man.

12. AND BE IT ENACTED, That each Perſon enrolled as aforeſaid, ſhall alſo keep at his Place of Abode one Pound of good merchantable Gunpowder, and three Pounds of Ball ſized to his Muſket or Rifle, and for Want of either ſhall forfeit the Sum of *Three Shillings*, to be recovered and applied as herein after is directed. PROVIDED ALWAYS, That if any Perſon enrolled as aforeſaid ſhall, by a Majority of the commiſſioned Officers of the Company to which he may belong, be deemed and adjudged unable to purchaſe the Arms, Accoutrements, and Ammunition above ſpecified, he ſhall be exempted from the Forfeiture for any Deficiency therein until he can procure them, or they are provided for him.

Proviſo.

Sergeants to examine and report State of Arms, &c.

13. AND BE IT FURTHER ENACTED, That the Captain or Commanding Officer of each Company ſhall, once in every four Months, order a Sergeant to call at the Place of Abode of each Perſon enrolled as aforeſaid, for the Purpoſe of examining the State of his Arms, Accoutrements, and Ammunition, of which the Sergeant ſhall make exact Report to the Officer iſſuing the Orders, and if the Captain ſhall neglect his Duty herein he ſhall forfeit *Six Pounds;* and if any Sergeant ſhall neglect his Duty in this Reſpect he ſhall forfeit and pay for each Offence the Sum of *Three Pounds*, to be recovered and applied as herein after is directed; and for this Service he ſhall receive the Sum of *Three Shillings and Nine-pence* for each Day he ſhall be neceſſarily engaged therein, to be paid by the Treaſurer of the Regiment, on an Order from the Captain or Commanding Officer of the Company, certifying the Number of Days the Sergeant was on the Duty, the Treaſurer taking the Sergeant's Receipt on the Back of the Order for the ſame.

Penalty for Neglect.

Wages for this Service.

Days of muſtering in Companies.

14. AND BE IT FURTHER ENACTED, That each Company ſhall aſſemble, properly armed and accoutred, not later than ten o'Clock in the Forenoon of the firſt *Monday* in the Months of *April* and *September* every Year, at ſuch Place as the Commanding Officer of the Company ſhall appoint, and there ſpend the Remainder of the Day in Training and Exerciſe, and that the Penalty in caſe of Abſence ſhall be as follows: On a Captain, *Three Pounds;* on a Lieutenant or Enſign, *Forty Shillings;* on a Non-commiſſioned Officer or Private, any Sum not under *Five Shillings* nor more than *Forty Shillings;* and in due Proportion for attending later than the Hour above limited.

Penalty in caſe of Abſence.

Days of Regimental Muſters.

15. AND BE IT FURTHER ENACTED, That each Regiment or Battalion ſhall aſſemble, properly armed and accoutred, twice in a Year, *videlicet*, On the firſt *Monday* in *June* and *November*, at ſuch Hour and Place as the Field Officers, or a Majority of them, ſhall appoint, for the Purpoſe of Training and Exerciſe; and the Colonel or Commanding Officer, after parading his Regiment or Battalion, ſhall require from the Captain or Commanding Officer of each Company a Return of the commiſſioned and Non-commiſſioned Officers and Privates of his Company, and a State of their Arms, Accoutrements, and Ammunition; and if the Captain or Commanding Officers of Companies ſhall neglect or refuſe to make ſuch Return, they ſhall forfeit for each Neglect or Refuſal the Sum of *Six Pounds;* and the Penalty in caſe of Abſence on the Day of Regimental Training or Review ſhall be as follows: On a Colonel or Lieutenant-Colonel Commandant, *Ten Pounds;* on a Lieutenant-Colonel, *Eight Pounds;* on a Major, *Six Pounds;* on a Captain or Adjutant, *Five Pounds;* on a Lieutenant, Quartermaſter, or Enſign, *Three Pounds;* on Non-commiſſioned Officers and Privates, any Sum not leſs than *Ten Shillings* nor more than *Three Pounds;* and in due Proportion for attending later than the Hour ſpecified in the Order for Meeting; to be recovered and applied as herein after is directed. PROVIDED ALWAYS, That if the local Situation of the Companies compoſing any Regiment or Battalion be ſuch as may render it inconvenient to aſſemble the Whole at the ſame Time and Place, it ſhall and may be lawful for the Field-Officers, or a Majority of them, to aſſemble ſuch Regiment or Battalion by Parts, at different Times, and in different Places, each Part being aſſembled twice in a Year.

Returns of Companies to be required and made.

Forfeitures.

Proviſo.

Returns of Regiments to be made and when, and Penalties for Neglect.

16. AND BE IT FURTHER ENACTED, That the Colonel or Commanding Officer of each Regiment or Battalion ſhall make Returns of his Regiment or Battalion, and of the State of their Arms, Accoutrements and Ammunition, in the Months of *July* and *December*, yearly, and every Year, to the Brigadier or Commanding Officer of the Brigade to which ſuch Regiment may belong, under the Penalty of *Twenty Pounds*, and ſhall alſo make Return in the ſaid Months, of the State of the Magazines of Arms, Accoutrements and Ammunition belonging to his Regiment or Battalion, to the Keeper of the Magazine or Commiſſary of Military Stores of the State for the Time being, under the Penalty of *Twenty Pounds;* and the Brigadier or Commanding Officer of each Brigade ſhall make Return of his Brigade to the Major-General, in the Months of *January* and *Auguſt*, every Year, under the Penalty of *Twenty-five Pounds;* and the Major-General ſhall make Returns to the Governor or Commander in Chief of the State, in the Months of *February* and *September*, every Year, under the Penalty of *Fifty Pounds* for each Default: Which

Of Brigades.

Of the Whole of the Militia.

ſeveral

ſeveral Penalties ſhall be recovered from the Officer whoſe Duty it was to make the Return, by a Juſtice of the Peace of the County where the Offender may reſide, at the Inſtance of the Officer to whom the Returns in the above Caſes are directed to be made, and paid to the Treaſurer of the Regiment within the Bounds of which the Offender may reſide.

Officers or Privates miſbehaving on Parade, how to be puniſhed.

17. AND BE IT FURTHER ENACTED, That if any Field or other Commiſſioned Officer, or Staff-Officer, at any Regimental Review or Company Training, or on any other Occaſion, when the Regiment, Battalion or Company to which he may belong, or in which he holds Command, is paraded in Arms, ſhall miſbehave or demean himſelf in an unofficer like Manner, he ſhall for ſuch Offence be caſhiered or puniſhed by Fine, at the Diſcretion of a Brigade or Regimental Court-Martial, as the Caſe may require, in any Sum not exceeding *Ten Pounds*; and if any Non-commiſſioned-Officer or Private ſhall, on any Occaſion of parading the Company to which he may belong, appear with his Arms and Accoutrements in an unfit Condition, be found drunk, diſobey Orders, or ſhall uſe any abuſive Language to his Officers, or any of them, or ſhall engage in, or promote, Quarrels among his Fellow-Soldiers, he ſhall be puniſhed by Fine in any Sum not under *Five Shillings* nor above *Three Pounds*, or be diſarmed and put under Guard, by Order of the Commanding Officer preſent until the Company is diſmiſſed.

Diſobedience of Orders for aſſembling Militia, how to be puniſhed.

18. AND BE IT FURTHER ENACTED, That if the Colonel or Commanding Officer of any Regiment or Battalion ſhall neglect or refuſe to give Orders for aſſembling his Regiment or Battalion, on any neceſſary Call of the Militia into actual Service, at the Direction of his Brigadier, Colonel or Lieutenant-Colonel Commandant of the Brigade, he ſhall be caſhiered or puniſhed by Fine, at the Diſcretion of a Brigade Court-Martial, in any Sum not exceeding *Fifty Pounds*, to be recovered and applied as herein after is directed; and if the Captain or Commanding Officer of any Company ſhall, on any Occaſion where it may be neceſſary as aforeſaid, neglect or refuſe to give Orders for aſſembling his Company, at the Direction of the Colonel or Commanding Officer of the Regiment or Battalion to which ſuch Company belongs, he ſhall be caſhiered or puniſhed by Fine, at the Diſcretion of a Regimental Court-Martial, in any Sum not exceeding *Thirty Pounds*, to be recovered and applied as herein after is directed; and if any Sergeant or Corporal ſhall neglect or refuſe to warn the Company to which he may belong, on any Occaſion when it may be neceſſary, agreeably to the Orders of the Captain or Commanding Officer thereof, he ſhall be ſubject to be fined in any Sum not exceeding *Five Pounds*, to be recovered and applied as herein after is directed; and every Non-commiſſioned Officer, whilſt engaged in warning the Company to which he belongs, ſhall receive *Three Shillings and Nine-pence* by the Day, for the Time he may be neceſſarily engaged in ſaid Service.

Wages for warning the Company.

Companies to be claſſed.

19. AND BE IT ENACTED, That the Captain or Commanding Officer of each Company ſhall at all Times keep a true Liſt of his Company, divided into eight Claſſes, as nearly equal as poſſible, and reckoned from one to eight numerically, allotting to each Claſs a Sergeant or a Corporal, which Claſſes ſhall perform Duty in Rotation; a Copy of which Liſt, divided into Claſſes, the Captain or Commanding Officer of the Company is required to tranſmit to the Commanding Officer of the

the Regiment or Battalion, on any Occaſian of making a Return of his Company.

Tour of Duty of the Officers to be determined.

20. AND BE IT FURTHER ENACTED, That where it is not already done, the Colonel or Commanding Officer of each Regiment or Battalion ſhall immediately call the Officers of the ſeveral Companies in his Regiment or Battalion together, and determine the Tour of Duty of the Captains, Lieutenants and Enſigns diſtinctly, and on any Call of the Militia into Service, the Commanding Officer of the Regiment or Battalion ſhall order out the Officers in juſt Rotation, proportioned to the Number of Privates who may appear to march into Service; and the Brigadier or Commanding Officer of the Brigade ſhall determine the Tour of Duty of the Field Officers, and when Occaſion requires, ſhall order them into Service accordingly.

Not more than Half the Militia to be ordered out of the State at the ſame Time.

21. AND BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Governor or Commander in Chief for the Time being, with the Conſent of the Legiſlature when Sitting, and during their Receſs with the Advice and Conſent of the Privy Council, on Requiſition of the Congreſs of the United States, or upon Application of the Commander in Chief of the Army of the United States, or of any General Officer commanding a Diviſion or Detachment thereof, or of the Executive Power of any of the adjoining States, or on any Emergency that may make the ſame neceſſary, to order into actual Service into any of the adjoining States, ſuch and ſo many of the Claſſes of the Militia as may be neceſſary, not exceeding four at any one Time, to be drawn alike from the ſeveral Companies of ſuch Regiments or Battalions as are to furniſh the Detachment, to be officered accordingly.

Governor may order out Half the Militia as Guards.

22. AND BE IT FURTHER ENACETD, That it ſhall and may be lawful for the Governor or Commander in Chief for the Time being, to call out, ſtation and continue by Reliefs, as a Defence to the State, within the ſame, ſuch and ſo many Claſſes as may be at any Time neceſſary, not exceeding four, to be arrayed and officered as aforeſaid.

Proviſo.

PROVIDED ALWAYS, That where not more than Half the Militia are called out and embodied, no Detachment ſhall be continued in Service more than one Month at the ſame Time.

Governor may order out the whole Militia in caſe of Invaſion, *&c.*

23. AND BE IT FURTHER ENACTED, That in caſe of ſudden Invaſion, Inſurrection, Sedition or Alarm by the Enemy or their Adherents, it ſhall and may be lawful for the Governor or Commander in Chief for the Time being, to call out and array the Whole of the Militia, or ſuch or ſo many entire Regiments or Battalions ſituate near to the Place where the ſame may be required, as he may think neceſſary to repel the Invaſion, and to reſtore the Peace of the State.

In caſe of Invaſion, *&c.* Officers of Regiments and Companies to aſſemble them.

24. AND BE IT ENACTED, That it ſhall and may be lawful for the Captain or Commanding Officer of any Company, and he is hereby required and commanded to aſſemble his Company in every ſuch Caſe, and oppoſe the Invaders or Inſurgents, without waiting for Orders from the Commanding Officer of the Regiment or Battalion to which ſuch Company belongs, and for the Colonel or Commanding Officer of any Regiment or Battalion to aſſemble his Regiment or Battalion for the ſame Purpoſe, without waiting for Orders from his ſuperior Officer.

PROVIDED

PROVIDED ALWAYS, That every Officer ſo acting without Orders ſhall make Report to his Commanding Officer of his Proceedings in due Form, as ſoon as poſſible.

25. AND BE IT FURTHER ENACTED, That in all Caſes where Notice is required to be given to the Militia by this Act, verbal Notice given to the Party himſelf or left at his uſual Place of Abode, with any white Perſon of Years of Diſcretion belonging to the Family, by any commiſſioned or non-commiſſioned Officer of the Company, ſhall be deemed legal and ſufficient.

Verbal Notice ſufficient.

26. AND BE IT FURTHER ENACTED, That where any Company ſhall be under the Neceſſity, on any ſudden Alarm, to retire before the Enemy, and it may be dangerous or impracticable for the Captain or Commanding Officer of ſuch Company to give regular and proper Notice to the Perſons belonging to ſuch Company to appear or march againſt the Enemy or their Adherents, then and in that Caſe ſuch Alarm ſhall, without any other Notice, be ſufficient Warning, and Delinquents ſhall be liable to Puniſhment accordingly.

Alarm ſufficient Notice in ſome Caſes.

27. AND BE IT ENACTED, That if any Field or other commiſſioned Officer, or Staff-Officer, ſhall neglect or refuſe to ſerve in his proper Tour of Duty, when a Part only of the Militia is called, or to march immediately with his Regiment, Battalion or Company, when the Whole is called, he ſhall for each Default be tried by a Brigade or Regimental Court-Martial, as the Caſe may require; and if convicted ſhall be caſhiered and rendered incapable of holding any Military Office for one Year, or ſhall be puniſhed by Fine in any Sum not leſs than *Ten* nor more than *Fifty Pounds*: And if any Non-commiſſioned Officer or Private ſhall neglect or refuſe to ſerve in his Tour, or find a ſufficient Subſtitute to ſerve in his Stead, to be approved by the Captain or Commanding Officer of the Company, or ſhall neglect or refuſe to render Perſonal Service when the Whole of the Militia are called, he ſhall for each Default be fined not leſs than *Five* nor more than *Thirty Pounds*.

Officers refuſing to march, how to be puniſhed.

Non-commiſſioned Officers and Privates.

28. AND BE IT FURTHER ENACTED, That if any Commiſſioned or Non-commiſſioned Officer or Private ſhall at any Time when the Whole or any Detachment of the Militia are called out upon Duty, or before the Expiration of his Tour or the Diſcharge of his Regiment or Company, leave his Regiment or Company without a Furlough obtained of his ſuperior Officer, if a Commiſſioned Officer, be tried by a Court-Martial, and be caſhiered and fined at their Diſcretion, in any Sum not exceeding *Fifty Pounds*; and every Non-commiſſioned Officer or Private ſo offending ſhall, for every ſuch Offence, forfeit all the Pay or other Reward which may be due to him at the Time of his Deſertion, and moreover ſhall be fined in any Sum not exceeding *Fifty Pounds*; and the Commanding Officer of ſuch Detachment is hereby ſtrictly required and enjoined to make Return of ſuch Officer or Private as aforeſaid, to the Commanding Officer of the Regiment, Battalion or Company to which he may reſpectively belong, who is likewiſe required to proceed againſt him accordingly.

Officers or Privates departing from Duty without Furlough, how to be puniſhed.

29. AND BE IT FURTHER ENACTED, That all Fines and Forfeitures herein before directed or impoſed for the Aſſeſſment, Recovery or Application

Fines, how to be aſſeſſed.

plication of which no ſpecial Proviſion is made, ſhall be aſſeſſed by the Officers, and recovered and applied in Manner herein after directed; and all Officers empowered to aſſeſs Fines and Forfeitures, are likewiſe empowered to adjudge of and admit reaſonable Excuſes, in Diſcharge of the Whole or a Part thereof, always having ſtrict Regard to the Rank, Condition or Eſtate of the Offender or Delinquent, and the Circumſtances of the Offence.

Reaſonable Excuſes to be admitted.

How Excuſes are to be decided upon.

30. AND BE IT FURTHER ENACTED, That the Colonel or Commanding Officer of each Regiment or Battalion ſhall hear and decide upon the Reaſons aſſigned by any other Field Officer thereof puniſhable by Fine, provided ſuch Reaſons be offered within ten Days; and the Field Officers of each Regiment or Battalion, or a Majority of them, ſhall meet at ſome more convenient Time, not exceeding fifteen Days after any Regimental Training or Review, or after a Call of the Whole or any Part of ſuch Regiment or Battalion into actual Service, if it may be neceſſary, of the Time and Place of which Meeting timely Notice ſhall be given to the Parties concerned, by the Direction of the Colonel or Commanding Officer, and ſhall then and there decide upon the Excuſes of the Captains or Commanding Officers of Companies, and Staff-Officers; and the Captain or Commanding Officer of each Company ſhall hear and determine upon the Reaſons offered by any Subaltern Officer thereof for Default, puniſhable by Fine, provided ſuch Reaſons be given within ten Days; and the Commiſſioned Officers of each Company, or a Majority of them, ſhall meet at ſome convenient Time, not exceeding fifteen Days after any Regimental or Company Training, or any Call of a Part or the Whole thereof into actual Service, of the Time and Place of which Meeting due and ſeaſonable Notice ſhall be given by Advertiſements ſet up in at leaſt three of the moſt publick Places within the Bounds of the Company, ten Days before ſuch Meeting, or otherwiſe as the Commanding Officer may think beſt, and ſhall then and there hear and decide upon the Excuſes of non-commiſſioned Officers and Privates. PROVIDED ALWAYS, That if by any unforeſeen Circumſtances, the Duties herein required cannot be performed within the Times limited, the ſame ſhall be performed as ſoon thereafter as Circumſtances will admit.

Proviſo.

Fines, how to be recovered.

31. AND BE IT FURTHER ENACTED, That when any Fine or Forfeiture is incurred by any Field Officer, other than the Commanding Officer of the Regiment, Staff-Officers, Captains or Commanding Officers of Companies by Virtue of this Act, it ſhall be recovered by a Warrant from the Colonel or Commanding Officer of the Regiment to which they reſpectively belong, directed to his Sergeant-Major; and that when any Fines or Forfeitures are incurred by any Subaltern, non-commiſſioned Officer or Private, by Virtue of this Act, they ſhall be recovered by Warrant from the Captain or Commanding Officer of the Company to which they may belong, directed to a Sergeant or Corporal of the ſaid Company; which Fines and Forfeitures, in caſe of non-Payment on the firſt Demand, ſhall be made by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders; and where no Goods can be found whereon to levy, that then and in ſuch Caſe the ſaid Sergeant or Corporal ſhall deliver the Delinquent or Delinquents to the Sheriff of the County, or to his Gaol-Keeper, who are hereby required to receive and keep in cloſe Cuſtody the ſaid Delinquent or Delinquents, until

until the Fines or Forfeitures be fully ſatisfied; and the ſaid Sergeant-Major, Sergeant or Corporal, reſpectively, ſhall receive for each Perſon ſpecified in the Warrant, on the Recovery of their reſpective Fines and Forfeitures, the Sum of *Three Shillings and Nine-pence*, to be paid out of the Money ariſing from the Fines, if under the Direction of the twenty-ſeventh and twenty-eighth Sections of this Act; if otherwiſe, by the Treaſurer of the Regiment, on an Order from the Commanding Officer of the Regiment or Company, as Occaſion may be, who is hereby required to diſcharge the ſame, and take their Receipts therefor. Fees of levying.

32. AND BE IT FURTHER ENACTED, That on any Occaſion where Diſtreſs may be made for any Fine or Forfeiture in Virtue of this Act, on the Goods and Chattels of any Perſon or Perſons delinquent as aforeſaid, the Sergeant or Corporal officiating in ſuch Caſe, ſhall levy on ſuch Goods as may be pointed out by the Delinquent, or as the ſaid Officer may judge can be beſt ſpared, and ſo much only as may be ſufficient to make the Amount of the ſaid Fine, as nearly as may be, and ſhall, previous to the Sale, give at leaſt five Days Notice thereof, by Advertiſements ſet up in three of the moſt publick Places within the Bounds of the Company. What Goods to be levied upon. Notice of Sale to be given.

33. AND BE IT ENACTED, That the Fines and Forfeitures of the Colonel or Commanding Officer of any Regiment or Battalion ſhall be demanded and recovered by any Juſtice of the Peace of the County in which he may reſide, at the Inſtance of any commiſſioned Officer of the Regiment or Battalion; which Fine, when recovered, ſhall be paid, after deducting Coſts by the ſaid Juſtice, to the Treaſurer of the Regiment. Fines on Commanding Officers, by whom to be recovered.

34. AND BE IT ENACTED, That the Fines and Forfeitures of Minors, living with their Parents, and others having the proper Care and Charge of them, and thoſe of Apprentices and Servants, ſhall be paid by their reſpective Parents, Guardians, Maſters or Miſtreſſes, or levied on their Goods and Chattels. Fines on Minors, *&c.* by whom to be paid.

35. AND BE IT ENACTED, That no Diſtreſs ſhall be levied on the Arms, Accoutrements or Ammunition of any Non-commiſſioned Officer or Private, unleſs he ſhall be poſſeſſed of more than are neceſſary for his own Uſe and Equipment. Diſtreſs not to be levied on Arms, unleſs, *&c.*

36. AND WHEREAS Complaints have been made that too much Rigour and Severity have been uſed heretofore, in carrying the Militia Law of this State into Execution, and that in ſome Inſtances reaſonable Excuſes have not been properly attended to, whereby many of the good Citizens of this State have been greatly oppreſſed; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That the ſeveral Officers empowered by this Act to hear and decide upon the Excuſes of any Delinquent, do, and they are hereby required and enjoined to attend to every juſt Complaint or Excuſe, ariſing from Inability of Body or Inſanity of Mind; and where no Excuſes are exhibited, owing to Scruples of Conſcience, they are likewiſe required to make every reaſonable Enquiry of the Caſes of thoſe who might otherwiſe apply for Exemption or Relief, and in every Inſtance where ſuch Matters are committed to their Deciſion, to act ſo that Juſtice and not Severity may characterize thoſe who execute the Laws; and if any Doubt ſhould ariſe reſpecting the Health or Validity Excuſes to be attended to.

Validity of any Perſon, the Officers who are to Judge of the ſame, are hereby authorized to call to their Aſſiſtance ſome ſkilful Phyſician or Surgeon, as the Caſe may require, whoſe Judgment, certified on Oath, ſhall be concluſive.

Court of Appeals to moderate Fines.

37. AND BE IT FURTHER ENACTED, That on the Day of each Regimental Training or Review, the Colonel or Commanding Officer of each Regiment or Battalion ſhall nominate two Juſtices of the Peace, reſiding within the Bounds of ſuch Regiment or Battalion, who, together with any one of the Field Officers of the ſame, ſhall conſtitute a Court for hearing and determining upon Appeals of ſuch Perſons as think themſelves aggrieved by any Fines or Forfeitures impoſed as aforeſaid, to continue till the next Regimental Training, and ſhall fix the Times of their Meeting, which ſhall be ſufficiently advertiſed through the Diſtrict of the Regiment or Battalion; and the ſaid Court, or any two of them, ſhall have Power to moderate or remit any Fine or Forfeiture for juſt and equitable Reaſons, and a Certificate from them, or any two of them, ſhall enable the Appellant to receive from the Treaſurer of the Regiment the Sums ſo remitted. PROVIDED ALWAYS, That no Appeal be allowed unleſs the money be firſt paid.

Proviſo.

Doubts reſpecting Age, how to be obviated.

38. AND BE IT ENACTED, That in all Caſes of Doubt reſpecting the Age of any Perſon enrolled, or intended to be enrolled in the Militia, the Party queſtioned ſhall prove his Age to the Satisfaction of the Officers of the Company within the Bounds of which he may reſide, or a Majority of them.

Perſons removing, to apply for a Diſcharge, *&c.*

39. AND BE IT FURTHER ENACTED, That every Perſon enrolled as herein before directed, intending to remove from the Company to which he may belong, into the Bounds of another within this State, ſhall, previous to ſuch Removal, apply to the Captain or Commanding Officer of the Company from which he is about to remove, who ſhall give him a Diſcharge and Certificate, ſpecifying the Time when and how long he was laſt in Service; which Certificate he ſhall produce to the Captain or Commanding Officer of the Company into the Bounds of which he ſhall ſo remove, within ten Days after ſuch his Removal, and enrol himſelf accordingly; and if any Perſon ſhall neglect to apply for ſuch Diſcharge and Certificate, and to produce it and enrol himſelf as aforeſaid, he ſhall forfeit and pay any Sum not exceeding *Five Pounds*, to be recovered by the Captain or Commanding Officer of the Company within the Bounds of which he may remove, in the ſame Manner and to be applied to the ſame Uſes as other Military Fines; and every Perſon who may be enrolled agreeably to the Deſcription of this Act, removing from any of the neighbouring States into this State, ſhall, within ten Days after his coming within the Bounds of any Company into which he may remove, be enrolled by the Captain or Commanding Officer thereof.

Members of Courts-Martial, *&c.* their Pay.

40. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for Officers who may from Time to Time be ſummoned to attend as Members of Courts-Martial for the Trial of any Offender in Virtue of this Act, to receive Pay, and Allowance for Rations, agreeably to their Rank when in actual Service; and all Perſons attending on the ſame as Evidences, ſhall be entitled to receive the ſame Pay and Allowance

ance for Rations as Privates whilſt in actual Service, to be paid on a Certificate from the Preſident of the Court-Martial, ſpecifying the Number of Days they attended, by the Treaſurer of the Regiment within the Bounds of which the Offender may reſide.

Commanding Officers to adminiſter Oaths.

41. AND BE IT FURTHER ENACTED, That the Commanding Officer of each Regiment, Battalion or Company within this State, is hereby authorized and empowered to adminiſter an Oath or Affirmation on any neceſſary Occaſion, in the Execution of this Act.

Civil Proceſs, when not to be ſerved.

42. AND BE IT FURTHER ENACTED, That no civil Proceſs ſhall be ſerved on any Non-commiſſioned Officer or Private at any Regimental Review or Company Training, or on his Way to or from the ſame.

Ferriage.

43. AND BE IT FURTHER ENACTED, That no Officer or Private ſhall on the Way to or from the Place of any Regimental Review or Company Training, be obliged to pay more than one-third the uſual Rate of Ferriage, or be charged any Toll for paſſing any Toll-Bridge; and if any Ferryman or Keeper of any Toll-Bridge ſhall preſume to refuſe a Paſſage, or make Demand contrary to the Direction of this Act, he ſhall for each Offence forfeit and pay the Sum of *Three Pounds*, to be recovered by any Perſon who will ſue for the ſame, one Half to the Proſecutor, the other Half to be paid by the Juſtice to the County Collector, for the Uſe of the State.

Fines to be paid to the Treaſurer.

44. AND BE IT FURTHER ENACTED, That all Fines and Forfeitures impoſed by this Act, except thoſe incurred under the Direction of the twenty-ſeventh and twenty-eighth Sections of the ſame, or particularly diſpoſed of by the Section under the Direction of which they may be incurred, ſhall be paid immediately after the Recovery thereof into the Hands of the Treaſurer of the Regiment by the Officer by whoſe Warrant they were recovered, taking his Receipt for the ſame: And the Commanding Officer of each Regiment, Battalion or Company, is hereby required to keep an exact Account of all the Fines recovered by him from the Officers or Privates of his Regiment, Battalion or Company, and paid to the Treaſurer aforeſaid, in a Book kept for that Purpoſe, which may be produced as a Check on any future Settlement with the Treaſurer.

And how appropriated.

45. AND BE IT FURTHER ENACTED, That one Half of the Monies ariſing from the Fines and Forfeitures incurred under the Direction of the twenty-ſeventh and twenty-eighth Sections of this Act, and recovered from the Non-commiſſioned Officers and Privates of any Company of the Militia, after deducting the Coſts of collecting the ſame, ſhall be equally divided and diſtributed by the Commanding Officer of the Company amongſt the Non-commiſſioned Officers and Privates of his Company who may have turned out in the Defence of their Country, taking their Receipts reſpectively for the ſame, and the other Half ſhall be paid into the Treaſury of the Regiment; and one Half of the Fines and Forfeitures of any Subaltern Officer incurred or recovered as aforeſaid, ſhall in like Manner be diſtributed among the Subaltern Officers of the Company who have performed the Duty required, and the other Half ſhall be paid into the Treaſury of the Regiment; and the Fines and Forfeitures of Field Officers and Captains ſhall be paid by the Commanding Officer of the Regiment or Battalion, after deducting the Coſts

on collecting the ſame, into the Hands of the Treaſurer of the Regiment, taking his Receipt therefor.

Who to draw Money for Arms, &c.

46. AND BE IT FURTHER ENACTED, That the Colonel or Commanding Officer of each Regiment or Battalion may, and he hereby is authorized and empowered to draw from the Treaſury of his Regiment or Battalion, ſuch Sum or Sums of Money as he may from Time to Time find neceſſary for the Purpoſe of furniſhing the ſeveral Companies compoſing the ſame with Arms, Accoutrements, Ammunition, Drums and Fifes, and for inſtructing Drummers and Fifers, ſo that the whole Amount of the Sums ſo drawn ſhall not at any Time exceed one Half the Amount of the Fines and Forfeitures which have been levied within his ſaid Regiment or Battalion; for which Sums the ſaid Commanding Officer ſhall give his Receipt to the ſaid Treaſurer, and remain accountable to the Board of Officers for the Diſburſement of the ſame.

Militia ſubject to the Articles of War.

47. AND BE IT ENACTED *by the Authority aforeſaid*, That the Militia of this State, when in actual Service, ſhall be ſubject to the Rules and Articles of War eſtabliſhed for the Government of the regular Troops of the United States. PROVIDED ALWAYS, That the Militia ſhall be tried by Courts-Martial compoſed of their own Officers only; and, PROVIDED ALSO, That the Pains and Penalties inflicted by any Court-Martial ſhall not extend to the taking of Life or Limb, or to any corporal Puniſhment, unleſs in the Caſes following, *that is to ſay*, Any Officer or Private who ſhall hold a treacherous Correſpondence with, or give Intelligence to the Enemy, or who ſhall miſbehave before the Enemy in Time of Action, or ſhall deſert to them, or ſhamefully abandon any Poſt, or who ſhall ſpeak Words inducing others to offend in any of theſe Inſtances, ſhall, on due Conviction, ſuffer Death, or ſuch other Puniſhment as a Court-Martial ſhall direct.

Proviſo.

Pay and Rations.

48. AND BE IT ENACTED, That the Militia whilſt in Service ſhall be entitled to the ſame Pay and Rations as the regular Forces of the United States; the ſaid Pay to be drawn from the Paymaſter appointed for the County to which they belong, on Payrolls made out on Oath by the Officer commanding the Company or Detachment on Duty.

Penalty on Officers neglecting to pay Monies ariſing from Fines to the Treaſurer.

49. AND WHEREAS it appears that many Officers both Civil and Military, who have collected the Fines and Forfeitures of the Militia heretofore, have been remiſs in paying the ſame into the Hands of the County Collectors as heretofore directed; BE IT ENACTED, That it ſhall and may be lawful for every Officer, Civil and Military, and they are hereby ſtrictly required and enjoined to pay any Sums of Money ariſing from the Fines and Forfeitures of the Militia as aforeſaid, and that may yet remain in their Hands, to the Treaſurer of the Regiment or Battalion from which the ſame was collected, under the Penalty of *Fifty Pounds*, to be recovered by the ſaid Treaſurer; one Half of which he ſhall receive for himſelf, and the other Half for the Uſe of the Regiment or Battalion to which he belongs; and the ſaid Treaſurer is hereby authorized and required to make ſtrict Enquiry where any ſuch Fines and Forfeitures have been kept back, and on proper and ſufficient Proof of the Fact, to proſecute the ſaid Officer or Officers for any Sum which may appear to remain in his or their Hands, together with the Amount of the Penalty above-mentioned, in any Court where the ſame may be cognizable, with Coſts of Suit.

50. AND

Account of Purchaſes, &c. of Arms, to be rendered to the Commiſſary of Military Stores.

50. AND BE IT FURTHER ENACTED, That *Elias Woodruff*, Commiſſary of Military Stores, or the Commiſſary of Military Stores for the Time being of this State, do, and he is hereby authorized and required to call upon all Perſons within the ſame who have heretofore been appointed to purchaſe Fire-Arms, Accoutrements, and Ammunition, or who have been entruſted with any Fire-Arms belonging to the State, to render an Account of their Purchaſes and Diſpoſal thereof; and the Commanding Officer of each Regiment, Battalion or Company, and all other Perſons whatſoever who have been entruſted with publick Arms and Accoutrements for the Uſe of the Militia of this State, are hereby required and enjoined to make a Return of the ſame to the ſaid Commiſſary of Military Stores without Delay, that a true State of the publick Magazine may be known.

To whom Application is to be made for Ammunition, &c.

51. AND BE IT FURTHER ENACTED, That the Colonel or Commanding Officer of each Regiment or Battalion in this State ſhall be, and he is hereby authorized and empowered, as often as the ſame may be neceſſary, to apply in Perſon or by Order in Writing under his Hand, to the Commiſſary of Military Stores of the State for a Supply of Ammunition for his Regiment or Battalion, and to agree with ſome ſuitable Perſon to convey the ſame from the Magazine for that Purpoſe, the reaſonable Expences of which Conveyance ſhall be paid by the Treaſurer of this State, on an Order and Certificate from the ſaid Commanding Officer to the ſaid Treaſurer; and the Commanding Officer of each Regiment or Battalion ſhall deliver out to the Commanding Officers of Companies the Ammunition ſo obtained in due Proportion to the Number of Men in each Company.

Militia Troops of Horſe to be completed and kept up.

Additional Troop.

* 52. AND BE IT FURTHER ENACTED, That the Troops of Horſe-Militia already formed within this State ſhall be completed and kept up, and that in Addition thereto another Company or Troop of Horſe be immediately raiſed and formed in the Townſhips of *Woodbridge* and *Piſcataway*; and it ſhall and may be lawful for ſuch of the Inhabitants of the ſaid Townſhips as are willing and deſirous to be embodied and enrolled into the ſaid Troop or Company, to aſſemble and meet together at a Time and Place to be for that Purpoſe appointed by the Colonel or Commanding Officer of the Regiment of Foot-Militia to which they at preſent belong, and then and there by Plurality of Voices to elect one Captain, one Lieutenant, and one Cornet; who, upon due Certification of ſuch Election, and their having taken the Oaths of Abjuration and Allegiance as herein before directed in the ninth Section of this Act, ſhall be commiſſioned by the Governor or Commander in Chief for the Time being; and the ſaid Inhabitants when ſo met ſhall alſo at the ſame Time elect four Sergeants and a Trumpeter.

Eſtabliſhment of a Troop of Horſe.

53. AND BE IT ENACTED, That the Eſtabliſhment of each Troop of Horſe ſhall be a Captain, a Lieutenant, a Cornet, four Sergeants, a Trumpeter, and twenty-nine Privates; and that the Officers ſhall hold the ſame Rank reſpectively with the Officers of the Foot-Militia having like Command.

How to be accoutred.

54. AND BE IT FURTHER ENACTED, That each non-commiſſioned Officer and Private of every Troop of Horſe ſhall at all Times keep himſelf

* See Chap. CCCXIX, by which another Troop of Horſe is permitted to be raiſed in the County of *Burlington*.

ſelf provided with a good Horſe, a Saddle properly furniſhed with a Pair of Piſtols and Holſters, a Cartridge Box with twelve Rounds of Cartridges ſized to his Piſtols, a Broad-Sword and Belt, a Cloak which will cover all the Arms and Accoutrements, with ſuch other Articles of Armour and Furniture made in like Form and Manner as are uſual and accuſtomed in the Equipment of Cavalry, and ſhall alſo keep at his Place of Abode one Pound of good merchantable Gun-Powder and three Pounds of Ball ſized to his Piſtols, under the Penalty of forfeiting *Six Pounds* for Want of a Horſe, *Thirty Shillings* for Want of the Saddle and Bridle, *Twenty Shillings* for the Want of Piſtols or a Broad-Sword, and *Five Shillings* for the Want of any other neceſſary Article whenever called out to Training or Service.

Penalties.

Horſe to be under the Orders of the Commanding Officer of the Regiment.

55. AND BE IT FURTHER ENACTED, That each Troop of Horſe ſhall be under the Command and Direction of the Colonel or Commanding Officer of the Regiment or Battalion within the Bounds of which the Captain or Commanding Officer of ſuch Troop may reſide, and ſhall aſſemble for Training and Exerciſe, and in caſe of Alarm or other Exigency with ſuch Regiment or Battalion, and in all other Reſpects, except as is before ſpecified and declared, ſhall be under the ſame Regulations with the Foot Militia.

Artillery Companies to be completed and kept up.

56. AND BE IT FURTHER ENACTED, That the Companies of Artillery already formed agreeably to Law in the ſeveral Parts of the State ſhall be completed and kept up, and their Eſtabliſhment of Officers and Privates, and alſo their Equipment, ſhall be conformable to the Eſtabliſhment and Equipment of Artillery Companies in the regular Forces of the United States; and the Officers ſhall hold the ſame Rank reſpectively with the Officers of the other Militia having like Command; and moreover, the Fines and Forfeitures inflicted on the Officers and Privates for any Default ſhall be recovered and diſpoſed of in like Manner as thoſe inflicted on the regimented Militia.

To be under the Orders of the Commanding Officer of the Regiment.

57. AND BE IT FURTHER ENACTED, That each Company of Artillery ſhall be under the Command and Direction of the Colonel or Commanding Officer of the Regiment or Battalion within the Bounds of which the Captain or Commanding Officer may reſide, and ſhall aſſemble with the ſame as is herein before directed with Reſpect to the Troops of Horſe, and in all other Reſpects ſhall be under the ſame Regulations with the Companies of the other Militia, as far as Circumſtances will admit.

Who may not enter himſelf of a Troop of Horſe, *&c.*

58. AND BE IT FURTHER ENACTED, That no Minor, Apprentice, or Servant ſhall be allowed to enter himſelf into any Troop of Horſe or Company of Artillery without the Conſent of thoſe under whoſe Government, Care or Direction, ſuch Minor, Apprentice or Servant may be; and generally no Perſon who is not able to provide himſelf with the Furniture and Equipment of a Horſeman ſhall be allowed to enter himſelf into any ſuch Troop.

Allowance for Rations.

59. AND BE IT FURTHER ENACTED, That the Troops of Horſe belonging to the Militia of this State, when in actual Service, if at any Time they ſhould be ſo ſituated as to make it impracticable to draw Rations or Forage for their Horſes, ſhall be entitled to receive *One Shilling*

and

and Three-pence per Day in Lieu of Rations or Forage for each Horſe; and if any of the Militia of this State, when in actual Service, ſhould be ſo ſituated as to make it impracticable to draw Rations, they ſhall receive the Sum of *One Shilling and Three-pence* per Day for each Ration they may be entitled to reſpectively, to be paid by the Paymaſter of the County to which they may belong, on a Return made out and certified on Oath by the Officer commanding the Company or Detachment on Duty, containing a Liſt of the Mens' Names, the Time they were on Duty, and Number of Rations each was entitled to.

60. AND BE IT FURTHER ENACTED, That the Act, intitled, * *An* Act *for regulating, training, and arraying of the Militia*, paſſed the fourteenth Day of *April*, One Thouſand Seven Hundred and Seventy-eight, except the repealing Clauſe therein, and the ſeveral ſupplemental † Acts thereto, be, and they hereby are repealed. Repealing Clauſe.

CHAP. CCXLIII.

An ACT *for ſtriking the Sum of* Thirty Thouſand Pounds *in Bills of Credit, of the Denomination of* Seven Shillings and Six-pence *and under, and directing the Mode for redeeming the ſame.*

Paſſed January 9, 1781.

WHEREAS none of the Bills of Credit iſſued on the Faith of this State, in Purſuance of the Recommendation of Congreſs of the eighteenth Day of *March* laſt, and the Act of the Legiſlature of this State paſſed the ninth Day of *June* laſt, intitled, ‡ *An* Act *for eſtabliſhing a Fund for ſinking and redeeming the Proportion of the Bills of Credit of the United States aſſigned as the Quota of this State*, are of a lower Denomination than *One Dollar*, and great Inconvenience and Embarraſſment may ariſe in the Intercourſe of buying and ſelling, and Payment of Debts and Taxes, unleſs neceſſary Proviſion be made in this Reſpect; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Sum of *Thirty Thouſand Pounds*, of equal Value with the preſent Bills of Credit of this State, be printed, prepared, emitted and made current, in Bills of Credit, of the following Numbers and Denominations; *that is to ſay*, *Thirty Thouſand Pounds* to be emitted.

		Numbers and Denominations of the Bills.
20,000 of 7*ſ*6 each	£. 7,500	
20,000 of 5*ſ* each	5,000	
20,000 of 4*ſ* each	4,000	
20,000 of 3*ſ*9 each	3,750	
20,000 of 3*ſ*6 each	3,500	
20,000 of 2*ſ*6 each	2,500	
20,000 of 1*ſ*6 each	1,500	
20,000 of 1*ſ* each	1,000	
20,000 of 9*d* each	0,750	
20,000 of 6*d* each	0,500	
	£. 30,000	

* Chap. LXXXIV. † Chap. CLII, CXCV. ‡ Chap. CCVI.

Inſpectors of the Preſs, and their Duty.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Honourable *William-Churchill Houſton*, Eſquire, and *John Coxe* and *John Neilſon*, Eſquires, or any two of them, are hereby authorized and required to procure ſuch Devices and Indents as to them ſhall appear proper to be ſtamped on the ſaid Bills; and alſo are appointed Inſpectors of the Preſs to overſee the Printing of the ſaid Bills; and they or any two of them ſhall have Power to agree with a Printer to print the ſaid Bills; 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, certifying the Sum due to the ſaid Printer according to their Agreement, to be laid before the Legiſlature for their Inſpection, Allowance and Payment. And the Form of the ſaid Bills ſhall be as follows:

State of *New-Jerſey*.

No.

Form of the Bills.

THIS Bill ſhall paſs current for *agreeably to an Act of the Legiſlature of this State, paſſed the* *Day of* *One Thouſand Seven Hundred and Eighty-one.*

Signers, and their Duty.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Sum of *Thirty 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 Devices, the one Half to the Honourable *David Brearley*, Eſquire, and the other Half to the Honourable *Philemon Dickinſon*, Eſquire, who are hereby appointed to ſign and number the ſaid Bills, who ſhall be and they hereby are directed and empowered, 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:

Oath to be taken by the Printer.

I A. B. *do declare, that from the Time the Letters were ſet, and fit to be put into the Preſs for 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 or falſe Key, or other Art unknown to me; and therefore, to the beſt of my Knowledge, no Copies were printed off but in my Preſence, and that all the Blotters and other Papers whatſoever, printed by the ſaid Letters while ſet for printing the ſaid Bills, to the beſt of my Knowledge, are here delivered to you, together with the Stamps for the Indents and Devices; 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 demeaned and ſhall demean myſelf according to the true Intent and Meaning of the Act of the General Aſſembly, intitled,* An *Act* for ſtriking *Thirty Thouſand Pounds* in Bills of Credit, of the Denomination of *Seven Shillings and Six-pence* and under, and directing the Mode for ſinking the ſame, *to the beſt of my Knowledge and Underſtanding.*

Proviſo.

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,

WAYS, That if any unforeſeen Accident has happened, he may have Liberty to make Exceptions thereto in his Oath, he declaring fully how it was.

4. AND BE IT FURTHER ENACTED, That the Signers appointed by this Act, before they receive any of ſaid Bills into their reſpective Hands, ſhall take an Oath or Affirmation in the following Words:

Signer's Oath

I A. B. *will well and truly ſign the Bills made current by an Act, intitled*, An *Act* for ſtriking *Thirty Thouſand Pounds* in Bills of Credit, of the Denomination of *Seven Shillings and Six-pence* and under, and directing the Mode for redeeming the ſame, *and that I will ſign no more than by the ſaid Act is directed, and that to the beſt of my Knowledge, I will perform what by the ſaid Act is enjoined as my Duty.*

Mode of ſigning.

5. * AND BE IT FURTHER ENACTED, That when the ſaid *David Brearley* and *Philemon Dickinſon*, Eſquires, ſhall have received the ſaid Bills, each of them may carry his Part, being one Moiety or Half Part of the ſaid *Thirty Thouſand Pounds*, to his Place of Abode, 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 appointed and agreed on, and ſhall each deliver the Part numbered and ſigned by him to the other, in order that he may 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, proceed to ſign the whole Sum, and deliver it together with his Part of the Stamps and other Devices to the Treaſurer, taking his Receipt therefor, which when produced ſhall be a ſufficient Diſcharge to them the ſaid *David Brearley* and *Philemon Dickinſon*, Eſquires, their Executors and Adminiſtrators reſpectively, for the Amount of the ſaid Bills ſo delivered.

Their Allowance.

6. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Perſons appointed in this Act to ſign and number the ſaid Bills of Credit ſo to be iſſued, ſhall be allowed the Sum of *One Shilling* each, for every hundred Bills by them ſigned and numbered as aforeſaid, in the Bills of Credit ſo to be iſſued as aforeſaid, to be paid by the Treaſurer of the State for the Time being, on the Delivery of the Proportion of the ſaid Bills directed in this Act to the ſaid Treaſurer.

Neglect, &c. provided againſt.

7. AND BE IT ENACTED *by the Authority aforeſaid*, That in caſe the ſaid *Philemon Dickinſon*, Eſquire, ſhall neglect, decline or refuſe, or be otherwiſe incapacitated to ſerve in his Appointment, the Honourable *John Imlay*, Eſquire, ſhall be and he hereby is appointed to ſign and number the ſaid Bills in his Room and Stead; and in caſe the ſaid *David Brearley*, Eſquire, ſhall neglect, decline or refuſe, or be otherwiſe incapacitated to ſerve in his Appointment, *Moore Furman*, Eſquire, ſhall be and he hereby is appointed to ſign and number the ſaid Bills in his Room and Stead; and the ſaid Perſons thus appointed, ſhall be veſted with the ſame Powers, perform the like Duties, and ſhall receive the ſame Rewards as the Signers herein before appointed in this Act.

Treaſurer, how to iſſue the Bills.

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

* Additional Signers were afterwards appointed by Chap. CCLVI.

may be lawful for the Treaſurer of the State for the Time being, and he is hereby required as ſoon as the ſaid Bills ſo to be iſſued, ſhall be numbered and ſigned and to him delivered, to iſſue the ſaid Bills in Payment of any lawful Draughts on the Treaſury, in ſuch Proportion that they may circulate in nearly equal Sums in the different Counties, and thereby be rendered the moſt uſeful.

Time the Bills are to circulate.

9. AND BE IT FURTHER ENACTED, That the Bills of Credit to be made and iſſued by Virtue of this Act, ſhall be, continue and paſs current until the thirty-firſt Day of *December*, which will be in the Year of our Lord One Thouſand Seven Hundred and Eighty-ſeven.

Puniſhment for Counterfeiters.

10. AND BE IT FURTHER ENACTED, That each and every Perſon who ſhall counterfeit or alter any of the ſaid Bills of Credit directed to be iſſued by this Act, or ſhall utter or paſs the ſame, knowing them to be ſo counterfeited or altered, is hereby declared to be guilty of Felony, and being thereof legally convicted, ſhall ſuffer Death without Benefit of Clergy.

The 11th and 12th Sections which related to the Tender of the ſaid Bills, and to the inflicting of certain Penalties for giving a Preference to Silver and Gold, are repealed by Chap. CCLXI.

Mode of ſinking the Bills.

13. AND BE IT FURTHER ENACTED, That the ſaid Bills of Credit ſhall be called in and ſunk by Taxes, to be aſſeſſed on the ſeveral Inhabitants of this State, their Goods and Chattels, Lands and Tenements, in two equal Portions, in the Year of our Lord One Thouſand Seven Hundred and Eighty-ſix, and One Thouſand Seven Hundred and Eighty-ſeven, in ſuch Manner as the Legiſlature ſhall hereafter direct and appoint.

Obſolete.

CHAP. CCXLIV. * *An* Act *to provide for the Payment of the ſeveral Officers of the Government of the State of* New-Jerſey, *to commence the thirteenth Day of* October, *One Thouſand Seven Hundred and Eighty, and to end the ſecond* Tueſday *in* October, *One Thouſand Seven Hundred and Eighty-one incluſive.*

Paſſed Jan. 9, 1781.

Private.

CHAP. CCXLV. *An* Act *to confirm the Laſt Will and Teſtament of* Abraham Van-Neſte, *Eſquire, of* Millſtone, *in the County of* Somerſet, *and State of* New-Jerſey, *deceaſed.*

Paſſed Jan. 9, 1781.

CHAP. CCXLVI.

An ACT *to extend the Power of the Collectors in receiving certain Certificates in Payment of Taxes.*

Paſſed Jan. 9, 1781.

Preamble.

WHEREAS large Sums of Money remain due to the Inhabitants of this State for Supplies furniſhed, or Services performed, for the

* Salaries were by this Act allowed to the Superintendant of Purchaſes and to the Auditor of Accounts with the other Officers of Government.

the Uſe of the Army of the United States, and of the Militia of this State in actual Service, for which Certificates have been given: AND WHEREAS the Payment of the ſaid Certificates hath been, and ſtill is, through unavoidable Neceſſity, delayed, at the ſame Time that Taxes are demanded from thoſe who hold the ſame, to their great Inconvenience and Diſtreſs; and as a late Law of this State empowering the Collectors to receive certain Certificates in Payment of Taxes, has been found inſufficient to anſwer the good Purpoſes intended thereby; Therefore,

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Townſhip, Precinct and Ward Collectors within this State, ſhall, and they hereby are ſeverally required and directed to receive in Payment of State Taxes all ſuch Certificates as may have been given to the Inhabitants of this State by any Perſon properly authorized by, and acting under the Direction of the Quartermaſter-General or the Commiſſary-General of Purchaſes, or by the County Contractors for Articles of Supply furniſhed, or Services performed for the Uſe of the Army of the United States, or for the Militia of this State in actual Service, or ſuch Certificates as may have been given by the Collectors for any Surplus remaining on a Certificate from which former Taxes may have been taken; and the ſaid Collectors in receiving any Certificates as aforeſaid, ſhall have particular Reſpect to the Time the ſame became due, and alſo to the Time when the Tax or Taxes for which it may be tendered in Payment ought to have been paid according to Law, and ſhall adjuſt and determine the Depreciation both on the Certificate and on the Tax or Taxes to be paid thereby, agreeably to a Scale of Depreciation herein after eſtabliſhed; and if the Amount of the Certificate exceeds the Amount of the Tax or Taxes for which the ſame may be tendered in Payment, the Collector is hereby required to give a new Certificate for the Surplus, payable in the Bills of Credit iſſued on the Faith of this State, with an Intereſt at *Six per Centum* per Annum until paid, and to be receivable in Payment of any future Taxes, as follows:

Certificates to be received in Payment of Taxes.

How to ſettle them.

New Ones to be given.

Form thereof.

County of *Townſhip of*
THIS certifies that the Sum of *remains due to*
on a Certificate for *after deducting* *for*
Tax, (or for certain Taxes) which remaining Sum ſhall be paid in the Bills of Credit iſſued on the Faith of this State, with an Intereſt of Six per Centum *per Annum until paid. Witneſs my Hand this* *Day of*
One Thouſand Seven Hundred and

A. B. *Collector.*

2. AND BE IT FURTHER ENACTED, That the Collectors aforeſaid ſhall, and they hereby are ſeverally required and directed to receive any Certificate as aforeſaid in Payment of the Tax or Taxes, not only of the original Holder, or of any Perſon to whom the ſame may have been legally transferred, but alſo in Payment of the Tax or Taxes of any other Perſon or Perſons in Behalf of whom he or ſhe may tender the ſame, to the full Amount thereof, or for ſuch Part or Parts as the Sum of the Taxes may require. PROVIDED ALWAYS, That Nothing in this Act contained ſhall extend to authorize the ſaid Collectors to receive any transferred Certificate as aforeſaid, unleſs the Transfer was made before the paſſing of this Act, by proper Aſſignments endorſed thereon by the original Holder, and every other Perſon by whom the ſame may have been transferred.

One Perſon may pay Tax in Certificates for another.

Proviſo.

Collector to regiſter the Certificates.

3. AND BE IT FURTHER ENACTED, That the Collector of each Townſhip, Precinct and Ward, on Receipt of any Certificate for the Payment of Taxes as aforeſaid, ſhall regiſter the ſame in a Book to be kept by him for that Purpoſe, ſetting forth the Names of the Perſons from whom the ſaid Tax or Taxes are received, the Time when each became due, the Amount when due, and the Depreciation thereon until paid, the total Amount of the Taxes in Specie, and the Amount of the Certificate given for the Balance, if any there be, on one Side of the ſaid Book, and directly oppoſite on the other Side, he ſhall ſet forth the Name of the Perſon from whom the Certificate was received, the Name of the Signer, the Number, Date and nominal Amount thereof, with the Amount as depreciated, and the Value in Specie, and Amount of Caſh paid, if the Certificate ſhould not be ſufficient to diſcharge the Tax, agreeably to the Draught following:

Mode of keeping his Book.

Perſons from whom taxes are received.	John Dobbs,	John Caſh,		Job James,	John True,	Wiley Wood,
Time the taxes became due, and date of the balance certificate.	To tax due Sept. 1779,	To do. due April, 1780,	To bal. cer. Jan. 1780,	To tax due June, 1779,	To do. due May, 1778,	To do. due Sept. 1780,
The amount of taxes levied.	l. 50	100		50	20	100
	ſ. 0	0		0	0	0
	d. 0	0		0	0	0
The preſent value, allowing the depreciation.	l. 83	100		100	160	100
	ſ. 6	0		0	0	0
	d. 8	0		0	0	0
The amount of the balance certificate.	l.		718			
	ſ.		4			
	d.					
The preſent value in ſpecie.	l. 2	2	7	2	4	2
	ſ. 1	10	18	10	0	10
	d. 8	0	4	0	0	0
From whom the Certificate is received.	John Dobbs.			Job James.		
The ſigner's name.	Peter Day.			Peter Day.		
No. of certificate.	20			22		
Date of certificate.	March, 1779.			June, 1780.		
Caſh if paid in continental currency, in dollars.				160		
Amount of certificate in dollars and ninetieths.	400			800		
Preſent value in continental currency allowing the depreciation.	133 30/90			800		
The preſent value in ſpecie.	l. 12			12	7	9
	ſ. 10			10	10	0
	d. 0			0	0	0

And the ſaid Collector ſhall carefully ſeparate the Certificates, filing thoſe given under the Directions of each Department diſtinctly by themſelves, endorſing each File accordingly; which Certificates, together with a Copy of the Book in which the Dates and other principal Contents of the ſame are regiſtered as aforeſaid, he ſhall deliver to the Collector of the County to which he belongs, and the County Collector ſhall deliver to the Contractor or Contractors of his County the Certificates given under his or their Authority or Direction, taking his or their Receipt for the ſame, in which Receipt ſhall be particularized the Date and the Amount of each Certificate, and the Name of the Perſon to whom the ſame was given; which Receipt, together with the other Certificates received in Payment of Taxes, and a Tranſcript of the Book aforeſaid, he ſhall deliver to the Treaſurer of the State, taking his Receipt for the ſame.

Treaſurer to tranſmit a Copy of the Contractors Receipts to the Superintendant, &c.

4. AND BE IT FURTHER ENACTED, That the Treaſurer of the State for the Time being ſhall tranſmit a Copy of the ſeveral County Contractors Receipts to the Superintendent of Purchaſes, that he may be enabled to check the Accounts of the ſeveral County Contractors on a future Settlement, charging him with the Amount of the ſame; and thoſe Certificates heretofore given by the ſeveral Townſhip, Precinct and Ward Collectors, as mentioned above, and paid into the Treaſury as aforeſaid, he ſhall keep, to be diſpoſed of hereafter as the Legiſlature may direct; and all thoſe Certificates given under the Authority and Direction of the Quartermaſter-General and Commiſſary-General of Purchaſes, or either of their Agents, which he may receive as aforeſaid, he ſhall deliver or tranſmit to the Heads or Principals of the reſpective Departments, or their Agents in the City of *Philadelphia*, or elſewhere, taking their Receipts for the ſame, in ſuch a Manner as to make the ſaid Principals accountable for the Amount of the ſaid Certificates paid in; which Receipts the ſaid Treaſurer ſhall deliver to the Board of Treaſury of the United States, and if the Amount thereof ſhall exceed the Quota of Taxes aſſigned to be raiſed in this State by the firſt Day of *March* laſt, the Treaſurer is hereby required to receive the Payment for ſuch Surplus.

Townſhip Collectors, their Compenſation.

5. AND BE IT FURTHER ENACTED, That every Townſhip, Precinct and Ward Collector, ſhall be entitled to receive as a Compenſation for Paper and the extraordinary Services required of him by this Act, the Sum of *Two-pence* in the *Pound*, on the Amount of the Taxes received in Certificates by Virtue of this Act, over and above the Rewards allowed him heretofore for collecting Taxes.

Act repealed.

6. AND BE IT FURTHER ENACTED, That the Act, intitled, * *An Act to empower the Collectors to receive certain Certificates in Payment of Taxes*, paſſed the thirteenth Day of *June*, One Thouſand Seven Hundred and Eighty, ſhall be and the ſame is hereby repealed.

Table of Depreciation.

7. AND BE IT FURTHER ENACTED, That the following Table ſhall be, and the ſame hereby is declared to be the Rate of the Depreciation of the Continental Currency within this State, through the ſeveral Periods therein ſet forth, *videlicet*,

1777.

* Chap. CCX.

1777.		1778.		1779.	
January	1	*January*	4	*January*	8
February	2	*February*	4	*February*	10
March	2	*March*	5	*March*	12
April	2	*April*	5	*April*	16
May	2	*May*	5	*May*	20
June	3	*June*	5	*June*	20
July	3	*July*	5	*July*	20
Auguſt	3	*Auguſt*	5	*Auguſt*	24
September	3	*September*	5	*September*	24
October	3	*October*	5	*October*	30
November	4	*November*	6	*November*	36
December	4	*December*	6	*December*	40

Obſolete.

CHAP. CCXLVII. *An* Act *for defraying ſundry Incidental Charges.*

Paſſed Jan. 9, 1781.

At a GENERAL ASSEMBLY held at Princeton, from the fifteenth Day of May to the twenty-eighth Day of June, 1781, the following Laws were paſſed.

SESSION FIFTH—SITTING SECOND.

CHAP. CCXLVIII.

A Supplement to the Act, *intitled,* † *An* Act *for regulating Fences.*

Paſſed May 24, 1781.

Preamble.

WHEREAS by the Act, intitled, *An* Act *for regulating Fences*, paſſed *July* the eighth, One Thouſand Seven Hundred and Thirty, all Damages done by Cattle and Horſes, that jump over or break down any Fence by the ſaid Act declared to be lawful, are recoverable, and to be appraiſed by two ſufficient Men of the Neighbourhood, equally choſen by both Parties; and where the Owner of ſuch Creatures ſhall neglect or refuſe to chooſe one of the ſaid Appraiſers, then the Party treſpaſſed upon is to chooſe both: And whereas it ſometimes happens that the Appraiſers, choſen by the Parties as above ſet forth, cannot agree in aſſeſſing the ſaid Damages, whereby the Party injured is left without a Remedy;

Enacting Clauſe.

BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That in all Caſes where two Appraiſers, choſen purſuant to the ſaid Act, cannot agree in aſſeſſing the Damages done as aforeſaid, it ſhall and may be lawful for them, and they are hereby required to chooſe a third Perſon to aſſiſt them in aſſeſſing ſuch Damages, any two of whom agreeing, their

† *Allinſon*, Chap. CXLI.

their Aſſeſſment ſhall be concluſive, any Law or Uſage to the Contrary notwithſtanding.

CHAP. CCXLIX.

An ACT *to declare and aſcertain the Privileges of the Subjects of His Moſt Chriſtian Majeſty, reſiding within this State.*

Paſſed May 25, 1781.

Preamble. WHEREAS in and by the eleventh, originally the thirteenth, Article of the Treaty of Amity and Commerce between His Moſt Chriſtian Majeſty and the United States of *America*, it is provided, "That the Subjects and Inhabitants of the ſaid United States or any of them, ſhall not be reputed * *Aubains* in *France*, and conſequently ſhall be exempted from the † *Droit d' Aubaine*, or other ſimilar Duty, under what Name ſoever; and they may by Teſtament, Donation or otherwiſe, diſpoſe of their Goods, movable and immovable, in Favour of ſuch Perſons as to them ſhall ſeem good, and their Heirs, Subjects of the ſaid United States reſiding whether in *France* or elſewhere, may ſucceed them *ab Inteſtat*, without being obliged to obtain Letters of Naturalization, and without having the Effect of this Conceſſion conteſted or impeded, under Pretext of any Rights or Prerogatives of Provinces, Cities or private Perſons; and that ſaid Heirs, whether ſuch by particular Title or *ab Inteſtat*, ſhall be exempt from all Duty called ‡ *Droit de Detraction* or other Duty of the ſame Kind, ſaving nevertheleſs the local Rights or Duties as much and as long as ſimilar Ones are not eſtabliſhed by the United States or any of them." AND WHEREAS the Exemptions aforeſaid have been confirmed by a Declaration of the Moſt Chriſtian King, bearing Date the twenty-ſixth Day of *July*, One Thouſand Seven Hundred and Seventy-eight, by which it is alſo eſtabliſhed that the Subjects of the United States of *America* ſhall enjoy within his Dominions the Privileges of Nations the moſt favoured: AND WHEREAS, as well upon the Ground of Equality and Reciprocity, as becauſe of the generous and important Aid afforded to the United States by the Moſt Chriſtian King, their great and illuſtrious Ally in the preſent War with *Great-Britain*, ſuitable Returns are due from the ſaid States; Therefore,

Privileges, &c. granted to the Subjects of *France*. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That all the like Privileges, Rights and Immunities granted to the Subjects of the United States, or any of them, by the before recited Treaty and Declaration,

* An *Aubaine* is a Foreigner born in another Kingdom or State.

† The *Droit d' Aubaine* is the Right of ſucceeding to Strangers or Foreigners who die in the Kingdom of *France* without Children there born in lawful Wedlock. It alſo conſiſts in ſucceeding to Strangers, who, although naturalized in the Kingdom, have not diſpoſed of their Eſtates during their Life-time, or by Teſtament, and who leave no Relations Denizens or naturalized; and finally it conſiſts in ſucceeding to Frenchmen, who being ſettled in foreign Countries, have there obtained Letters of Naturalization, and by that Means renounced their own Country. The Treaty of Commerce aboliſhes all thoſe Reſtraints upon private Property, but without Prejudice to the Laws of either of the contracting Powers to prevent Emigrations.

‡ *Droit de Detraction* is unknown in *France*, but prevails in *Germany*. It is a Sum received upon the Effects of a Subject who leaves his Country in order to go into another; or upon the open Succeſſion in one Country, to the Benefit of an Heir or Legatee reſiding in another. It is one *per Cent.* and ſometimes extends to ten *per Cent.* In Treaties for aboliſhing the *Droit d' Aubaine* between the King of *France* and the *German* Princes, many of the latter reſerve the Privilege of receiving the *Droit d' Detraction*; and it is become the Style in the Treaties that reſpect the Abolition of the *Droit d' Aubaine* to mention alſo the *Droit d' Detraction*, and hence this Expreſſion is uſed in the Treaty of Commerce, *ex abundanti*, or by Way of Surpreſſage, although this *Droit* is unknown in *France* and the United States of *America*.

while in *France*, be, and they hereby are granted to and conferred upon the Subjects of His Moſt Chriſtian Majeſty, or any of them, while in this or any of the United States; and that the ſaid Subjects of His Moſt Chriſtian Majeſty, or any of them, while in this State, be, and they hereby are declared competent and capable in Law by Teſtament, Donation or otherwiſe, to diſpoſe of their Goods, movable or immovable, in Favour of ſuch Perſon as to them ſhall ſeem good, and their Heirs, Subjects of His Moſt Chriſtian Majeſty, whether reſiding in this State or elſewhere, may ſucceed them without Naturalization, in the ſame Manner as the Heirs of free Citizens of this State inherit the perſonal Property of their Relations who die inteſtate; and that the ſaid Subjects of His Moſt Chriſtian Majeſty ſhall and may be capable to commence and proſecute to final Judgment and Execution, Actions at Law for perſonal Injuries, or obtaining their Property, as fully and amply and in the ſame Manner as the Subjects of this State, and ſhall poſſeſs and enjoy in the fulleſt Manner, all the Privileges and Immunities intended by the ſaid recited Treaty and Declaration, agreeably to the Form and Spirit thereof.

CHAP. CCL.

An ACT *to revive and amend an Act, intitled,* * *An* Act *more effectually to apprehend and bring to Juſtice Perſons charged with certain attrocious Offences againſt the Peace of the State.*

Paſſed May 30, 1781.

Preamble. WHEREAS the Act, intitled, *An* Act *more effectually to apprehend and bring to Juſtice Perſons charged with certain attrocious Offences againſt the Peace of the State*, paſſed on the ninth Day of *June*, in the Year of our Lord One Thouſand Seven Hundred and Seventy-nine, has expired by its own Limitation; and as it is expedient the ſame ſhould be revived and amended,

Enacting Clauſe. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid recited Act, and every Article and Clauſe therein contained, (excepting the Section which limits its Duration) ſhall be, and the ſame hereby is revived and continued without Limitation, as fully and effectually to all Intents and Purpoſes as if the ſame had not expired: PROVIDED ALWAYS, That no greater Reward be offered by the Governor and Privy Council in any Caſe for apprehending Offenders than *One Hundred Pounds* lawful Money, the aforeſaid Law to the Contrary in anywiſe notwithſtanding.

Obſolete. CHAP. CCLI. *A Supplement to the Act, intitled,* † *An* Act *to raiſe, by voluntary Enliſtment, eight hundred and twenty Men, for the Defence of the Frontiers of this State.*

Paſſed June 1, 1781.

By this Act three Men were directed to be draughted by Lot, (if they did not offer voluntarily) from each of the Companies in the County of *Suſſex*, to be added to the Guards on the Frontiers of that County, and to continue in Service until *December* 1ſt, 1781, and to receive a Bounty of *Six Pounds* lawful Money.

* Chap. CXL. † Chap. CCXXXVI.

CHAP. CCLII.

* *An* ACT *to enable the Congreſs of the United States to levy Duties of* five per Centum, † ad Valorem, *on certain Goods and Merchandize imported into this State, and on Prizes and Prize Goods, and for appropriating the ſame.*

Paſſed June 2, 1781.

WHEREAS the Congreſs of the United States by their Act of the third Day of *February* laſt, did reſolve that it be recommended to the ſeveral States as indiſpenſably neceſſary, that they veſt a Power in Congreſs to levy, for the Uſe of the United States, a Duty of *five per Centum, ad Valorem*, at the Time and Place of Importation, upon all Goods, Wares and Merchandize of foreign Growth and Manufacture, which might be imported into any of the ſaid States, from any foreign Port, Iſland or Plantation, after the firſt Day of *May*, One Thouſand Seven Hundred and Eighty-one, except Arms, Ammunition, Clothing and Wool-Cards, and Cotton Cards, and Wire for making them, and alſo except Salt during the War; alſo a like Duty of *Five per Cent.* on all Prizes and Prize Goods condemned in the Court of Admiralty of any of theſe States as lawful Prizes; that the Monies ariſing from the ſaid Duties be appropriated to the Diſcharge of the Principal and Intereſt of the Debts already contracted, or which might be contracted on the Faith of the United States, for ſupporting the preſent War, that the ſaid Duties be continued until the ſaid Debts ſhould be fully and finally diſcharged; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the United States in Congreſs aſſembled ſhall be, and they are hereby fully authorized and empowered, at any Time after the paſſing of this Act, to levy, for the Uſe of the ſaid States, a Duty of *Five per Cent. ad Valorem*, at the Time and Place of Importation, upon all Goods, Wares and Merchandize of foreign Growth and Manufacture, which may be imported into this State, from any Port, Iſland or Plantation not within any of the United States, except Arms, Ammunition, Clothing and other Articles imported on Account of the ſaid States or any of them, and except Wool and Cotton Cards and Wire for making them, and alſo except Salt during the War; that the ſaid States in Congreſs aſſembled, be, and they hereby are empowered to levy for the Uſe aforeſaid, a like Duty of *Five per Cent.* on all Prizes and Prize Goods condemned by the Admiralty Court of this State as lawful Prize. PROVIDED ALWAYS, That the Monies ariſing from the ſaid Duties be appropriated to the Diſcharge of the Principal and Intereſt of the Debts already contracted, and which may be contracted on the Faith of the ſaid United States, for ſupporting the preſent War, and for no other Purpoſe whatſoever.

Congreſs empowered to levy a Duty of 5 *per Cent. ad Valorem.*

Except Arms, &c.

Alſo a like Duty on Prize Goods.

Proviſo.

2. AND WHEREAS it will conduce to the general Intereſt, that the

Collectors to be appointed.

* By the Act of Congreſs on which this Law was founded it was not to take Place unleſs the Meaſure was come into by the other States; ſome of them have as yet refuſed to come into it, and one which had, has repealed their Law for that Purpoſe, ſo that it is not probable this Law will ever take Effect.

† According to the Value.

the commercial Regulations throughout the ſaid States be uniform and conſiſtent; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That the ſaid United States in Congreſs aſſembled ſhall be, and they are hereby fully authorized to appoint one or more Collector or Collectors in this State, to collect the ſaid Duties, according to ſuch Rules and Ordinances for collecting and levying the ſame, as they ſhall judge expedient. PROVIDED ALWAYS, That ſuch Rules and Ordinances be not repugnant to the Conſtitution and Laws of this State.

Proviſo.

Continuance of this Act.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That this Act ſhall be and continue in Force until the full and final Diſcharge of the Debt herein before-mentioned, and no longer.

Repealed and ſupplied by Chap. CCXCIII.

CHAP. CCLIII. *An Act to direct the Naval Officers in clearing out Veſſels in any of the Ports of this State.*

Paſſed June 4, 1781.

CHAP. CCLIV.

* *An* ACT *to alter, amend and confirm the Charter of* Queen's-College, *in* New-Jerſey.

Paſſed June 5, 1781.

Preamble.

WHEREAS a Charter was granted by *William Franklin*, Eſquire, late Governor of the then Province of *New-Jerſey*, for eſtabliſhing a College, by the Name of *Queens College*, in the ſaid Province, on the twentieth Day of *March*, One Thouſand Seven Hundred and Seventy; which Charter has been laid before the Legiſlative-Council and General Aſſembly of this State, accompanied by a Petition of the Truſtees of the ſaid College, praying a Number of Alterations and Amendments to ſaid Charter, and a Confirmation of the ſame; and the Legiſlature being willing to grant the Prayer contained in the ſaid Petition,

Oaths ſubſtituted for thoſe required by the Charter.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Oaths of Abjuration and Allegiance ſet forth in the Act, intitled, † *An* Act *for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix, be ſubſtituted in the Room and Stead of thoſe required by the ſaid Charter.

Notice of the Meetings of the Truſtees to be given.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Notice for the Meetings of the Truſtees of ſaid College be given in the Gazette, or any publick Paper in the State of *New-Jerſey* or *New-York*, inſtead of *New-York* only.

Alterations.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That ſuch Part of the ſaid Charter as reſtricts thoſe ordained Miniſters of the Goſpel

* Although this be properly a private Act, yet as it refers to a publick Inſtitution it is inſerted at large. See Chap. CXCI.

† Chap. II.

Goſpel at any Time elected Truſtees, not to exceed one Third of the Whole, and alſo ſuch Part thereof as directs that the Governor of the Colony for the Time being, and in his Abſence the Preſident of the Council, and in his Abſence the Chief Juſtice, and in his Abſence the Attorney-General, ſhall be Preſident of the Truſtees, at their firſt and every Meeting, be, and the ſame hereby are made void; and that the ſaid Privileges be now, and at all Times hereafter ſhall be veſted in the Governor of the State for the Time being, when preſent at the ſaid Board.

Powers for granting Degrees, how far extended.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Powers for granting Degrees, veſted in the Preſident of the ſaid College, by and with the Conſent of the Majority of the ſaid Truſtees, eſtabliſhed as a Quorum in the ſaid Charter, be, and they hereby are extended to the confering of any Degrees granted by any other College or Univerſity.

Charter with Alterations ratified and confirmed.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid Charter, together with the before-mentioned Alterations and Amendments be, and the ſame hereby is ratified and confirmed, to all Intents and Purpoſes.

CHAP. CCLV.

An ACT *to preſerve the Buildings in this State belonging to the United States, from being deſtroyed, and for the Puniſhment of thoſe that ſhall ſeize on or injure the ſame.*

Paſſed June 5, 1781.

Preamble.

WHEREAS the United States in Congreſs aſſembled did, on the twenty-third Day of *July*, One Thouſand Seven Hundred and Seventy-nine, recommend to the Legiſlatures of the ſeveral States to enact Laws for the Preſervation of the Buildings belonging to the United States within their reſpective Juriſdictions, and for the Puniſhment of thoſe who ſhould ſeize upon or injure the ſame, and to oblige the Proprietors of the Ground on which any ſuch Buildings ſhould be erected, to permit the ſame to remain thereon, at leaſt during the War, they receiving ſuch Compenſation as ſhould be judged equitable by Perſons duly authorized to appraiſe and value the ſame; and likewiſe to authorize the Commanding Officer of any Poſt or Fortreſs to remove any Encroachments which were or might be made on the Dependencies of the Garriſon, Fort, or any Out-works thereof, ſo that ſuch Extent of Ground ſhould remain unoccupied for any private Purpoſe, as the Defence of ſuch Poſt might require;

Penalty for deſtroying publick Buildings.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That if any Perſon or Perſons, after the Publication of this Act, ſhall deſtroy or injure any Building or Fortreſs in this State, belonging to the United States, ſuch Perſon or Perſons being thereof legally convicted, ſhall be fined in ſuch Sum as the Court before whom ſuch Conviction ſhall be had, ſhall in their Diſcretion adjudge, not exceeding *Twenty*

Pounds lawful Money, and ſhall moreover be liable to pay all Damages thereby ſuſtained by the United States.

Mode of Proſecution.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the United States of *America*, by the Style and Title of the United States of *America*, to proſecute, ſue for and recover to their own Uſe, ſuch Damages, in any Court in this State where the ſame may be cognizable, with Coſts of Suit.

Mode of ouſting Perſons who have ſeized ſuch Buildings.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That if any Perſon or Perſons ſhall ſeize upon, poſſeſs, hold, occupy, or in any Manner detain from the Uſe of the United States, any Buildings in this State, belonging to the ſaid United States, ſuch Perſon or Perſons ſhall be liable to be ouſted of ſuch Poſſeſſion on an Action of forcible Entry and Detainer, at the Suit of ſuch Perſon in Behalf of the United States who may have Charge of ſuch publick Buildings, notwithſtanding any Claim, Right or Title they may have to the Ground on which ſuch Buildings are or may be erected.

Obſtructions to Fortreſſes to be removed.

4. AND BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Commanding Officer of any Fortreſs, Poſt, Garriſon or other Place occupied for Defence, to remove any Encroachments or Obſtructions that are or may be made in the Dependencies of the ſame, ſo that ſuch Extent of Ground ſhall remain unoccupied adjacent ſuch Forts or Garriſons as the Defence thereof may require.

Damages, how to be aſcertained and paid.

5. AND BE IT FURTHER ENACTED, That upon Application of the Owner or Owners of the Land whereon any Buildings, Fortreſſes or Garriſons have been or ſhall be erected, the Commanding Officer of the ſaid Fortreſs or Garriſon, or any Perſon in whoſe Charge, Care or Cuſtody the ſame may be, ſhall chooſe one reputable and judicious Freeholder of the County wherein ſuch Building, Fortreſs or Garriſon is ſituated, as an Appraiſer, and the Owner and Proprietor of the ſaid Land ſhall chooſe another; which two Perſons ſo choſen ſhall, in caſe of Diſagreement, mutually chooſe a third; and if the ſaid Commanding Officer or other Perſon in whoſe Charge, Care or Cuſtody the ſaid Building, Fortreſs or Garriſon may be, ſhall neglect or refuſe to elect as aforeſaid, the Owner or Proprietor of the ſaid Land ſhall chooſe both, who being duly qualified before a Juſtice of the Peace of the County to do impartial Juſtice between the United States and the Owner or Proprietor of the ſaid Land, ſhall proceed to eſtimate and appraiſe the yearly Value or annual Rent of the ſaid Land, and ſhall certify the Sum ſo allowed under their Hands, or under the Hands of any two of them, which ſhall entitle the Owner to receive of the United States the ſaid annual Rent or Value ſo fixed, agreeably to the aforeſaid Reſolution of Congreſs.

Proviſo.

PROVIDED ALWAYS, *and it is hereby further Declared and Enacted*, That Nothing in this Act contained ſhall be taken, deemed or conſtrued to ſubject the Owner or Proprietor of Land as aforeſaid, to ſuffer any Damages or to incur any Penalty for any Treſpaſs committed on the ſaid Land, or on the Buildings or Fortreſſes thereon, unleſs the Amount of the Certificate given by the ſaid Appraiſers ſhall be paid yearly and every Year if demanded, by the Quartermaſter-General of the Army of the United States, or by ſome other Perſon appointed and authorized for that Purpoſe on Behalf of the ſaid United States, or ſufficient Aſſurance given to the ſaid Owners therefor.

CHAP.

CHAP. CCLVI.

An ACT *for appointing an additional Number of Perſons to ſign and number the Bills of Credit iſſued on the Faith of this State.*

Paſſed June 6, 1781.

Preamble. WHEREAS the Perſons appointed to ſign and number the Bills of Credit directed to be iſſued in and by Virtue of two certain Acts, the one intitled, * *An* Act *for eſtabliſhing a Fund for ſinking and redeeming the Proportion of the Bills of Credit of the United States, aſſigned as the Quota of this State*, paſſed the ninth Day of *June*, One Thouſand Seven Hundred and Eighty; the other, intitled, ‡ *An* Act *for ſtriking the Sum of* Thirty Thouſand Pounds *in Bills of Credit, of the Denomination of* Seven Shillings and Six-pence *and under, and directing the Mode for redeeming the ſame*, paſſed the ninth Day of *January*, One Thouſand Seven Hundred and Eighty-one, are ſo often called off by the Duties of their other important Appointments, that they cannot attend to the ſigning of the ſaid Bills, ſo as to anſwer the Exigencies of the State; Therefore,

Enacting Clauſe. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That *Robert Niel* and *Benjamin Smith*, Eſquires, both of *Trenton*, be, and they hereby are appointed, in Addition to the Perſons appointed in and by Virtue of the above recited Acts, to ſign and number the ſaid Bills of Credit, who ſhall take the ſame Oaths, perform the like Duties, and be entitled to the ſame Rewards as thoſe appointed by the aforeſaid Acts. Proviſo. PROVIDED ALWAYS, That any two of the Signers appointed by this and the before recited Acts, ſhall be ſufficient to ſign the ſaid Bills of Credit.

CHAP. CCLVII.

An ACT *to repeal ſundry Acts reſtricting the Trade and Commerce of this State.*

Paſſed June 8, 1781.

Preamble. WHEREAS the preſent Intereſt of the State requires that all Reſtrictions on Trade and Commerce ſhould be taken off, except with the Enemies of this and the United States; Therefore,

Enacting Clauſe. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Act, intitled, ‡ *An* Act *to reſtrain the Exportation of Pitch, Tar and Turpentine, and other Naval Stores from the State of* New-Jerſey, paſſed the twentieth Day of *September*, One Thouſand Seven Hundred and Seventy-ſeven, and the Act, intitled, § *An* Act *to prevent engroſſing, foreſtalling and enhancing the Prices of Produce, Manufacture and Merchandize within this State*, paſſed the fifteenth Day of *December*, One Thouſand Seven Hundred and Seventy-nine, together with the ſecond, third, fourth, fifth, and ſeventh Sections

* Chap. CCVI.
‡ Chap. XLII.
† Chap. CCXLIII.
§ Chap. CLXXIII.

Sections of an Act, intitled, * *An Act for the more ſpeedy and effectual Procurement of Supplies for the Army of the United States*, paſſed the fourth Day of *December*, One Thouſand Seven Hundred and Eighty, ſhall be, and the ſame are hereby reſpectively repealed.

CHAP. CCLVIII.

An ACT *for raiſing the Penalties on delinquent Freeholders, and on Perſons refuſing to ſerve as Conſtables.* †

Paſſed June 8, 1781.

Preamble.

WHEREAS the Penalty to which the choſen Freeholders of the ſeveral Counties in this State are by Law ſubjected for Neglect or Refuſal of Duty, and the Penalty to which Perſons appointed Conſtables are, as aforeſaid, ſubjected for neglecting or refuſing to ſerve, have been found inſufficient to anſwer the Purpoſes intended;

Penalty on delinquent Freeholders.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That if any of the choſen Freeholders of any County ſhall neglect or refuſe to attend at any annual Meeting of the Juſtices and Freeholders of ſuch County, or at any ſpecial Meeting of the ſaid Juſtices and Freeholders appointed purſuant to Law, ſuch Freeholder or Freeholders ſo neglecting or refuſing, ſhall forfeit the Sum of *Three Pounds* in Gold or Silver, or the Value thereof in other current Money, to be levied by Diſtreſs and Sale of each Defaulter's Goods and Chattels, by Warrant from any one of the Magiſtrates attending ſuch Meeting; which when recovered ſhall be applied towards building and repairing the Gaols and Courthouſes of the reſpective Counties where levied.

Mode of Recovery.

And Application.

Penalty on Perſons refuſing to ſerve as Conſtables.

2. AND IT IS HEREBY FURTHER ENACTED, That if any Perſon hereafter elected or appointed Conſtable purſuant to Law, ſhall neglect or refuſe to ſerve, it ſhall and may be lawful for any three Juſtices of the Peace of the County where ſuch Neglect or Refuſal ſhall happen, to fine ſuch Perſon ſo neglecting or refuſing, in any Sum not leſs than *Ten Pounds* nor more than *Thirty Pounds*, in Gold or Silver, or the Value thereof in other current Money, to be levied by Diſtreſs and Sale of each Defaulter's Goods and Chattels, by Warrant from any Juſtice of the Peace of the ſaid County, and to be applied to the Uſe of the Poor of the Townſhip, Precinct or Ward in which the Delinquent reſides.

How to be recovered and applied.

Obſolete.

CHAP. CCLIX. *An Act to alter Part of an Act, intitled,* ‡ *An Act to raiſe a Fund by Loan, for diſcharging the Bounty to be paid to the Troops required by Congreſs as the Quota of this State.*

Paſſed June 9, 1781.

By this Act the Agents were directed to ceaſe to take in Money on Loan after *July* 1ſt, 1781, which is the Alteration referred to in the Title.

CHAP.

* Chap. CCXXXII.

† The Fine on a Freeholder for Neglect of Duty before the paſſing of this Act was *Twenty Shillings*, ſee *Allinſon*, Chap. XXXVII; and the Forfeiture of a Conſtable for Neglect or Refuſal to ſerve was *Six Pounds*, ſee Chap. XXIII of this Edition: So that this Act virtually repeals the Penalty in Chap. XXXVII of *Allinſon*, Section 3d; and that in Section 3d, Chap. XXIII of this Edition, in the ſpecial Caſes therein mentioned.

‡ Chap. CCXLI.

CHAP. CCLX.

* *An* ACT *to compel the Attendance of Witneſſes at Militia Courts-Martial.*

Paſſed June 9, 1781.

Preamble. WHEREAS it is highly neceſſary for the Adminiſtration of Juſtice by Courts-Martial appointed for the Trial of Offenders in the Militia of this State, that the neceſſary Witneſſes be compelled by Law to give their Attendance;

Enacting Clauſe. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That it ſhall and may be lawful for the Preſident of every Court-Martial appointed for the Trial of Offenders, by Virtue of the Act, intitled, † *An* Act *for the regulating, training, and arraying of the Militia, and for providing more effectually for the Defence and Security of the State,* paſſed the eighth Day of *January*, One Thouſand Seven Hundred and Eighty-one, to iſſue under his Hand and Seal a Subpœna directed to any Perſon reſiding in this State, requiring and commanding ſuch Perſon perſonally to be and appear at a Court-Martial to be held at a Time and Place to be ſpecified in ſuch Subpœna, then and there to give Teſtimony in a Cauſe depending before ſuch Court; and every Perſon to whom ſuch Proceſs is directed, who, after the ſame is ſerved on him, ſhall neglect or refuſe Obedience thereto, ſhall, upon being thereof legally convicted on Preſentment or Indictment, pay ſuch Fine, not exceeding *Fifteen Pounds*, in Specie, or other current Money equivalent thereto, as the Court before whom ſuch Conviction is had, ſhall in their Diſcretion adjudge.

CHAP. CCLXI.

An ACT *to repeal Part of ſundry Acts making the Bills of Credit iſſued on the Faith of this State a legal Tender, and for other Purpoſes therein mentioned.*

Paſſed June 13, 1781.

Preamble. WHEREAS the ſeveral compulſory Acts heretofore paſſed to ſupport the Credit of Paper Money have not anſwered the good Purpoſes thereby intended;

Parts of ſeveral Acts repealed. *Sect.* 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That the thirteenth and fourteenth Sections of the Act, intitled, § *An* Act *for eſtabliſhing a Fund for ſinking and redeeming the Proportion of the Bills of Credit of the United States, aſſigned as the Quota of this State,* paſſed the ninth Day of *June*, One Thouſand Seven Hundred and Eighty, declaring the Bills of Credit iſſued on the Faith of this State a legal Tender, in Payment of Debts, as of equal Value with Gold and Silver, and inflicting certain Fines and Penalties on any Perſon who ſhall be convicted of making any Difference in Favour of, or giving any Preference to Gold and Silver, compared in Value with the ſaid Bills of Credit, and

* See an Act to anſwer this Purpoſe at Continental Courts-Martial, Chap. CLXX.
† Chap. CCXLII. § Chap. CCVI.

the Supplement thereto paſſed the fourth Day of *January*, One Thouſand Seven Hundred and Eighty-one, as alſo the eleventh and twelfth Sections of the Act, intitled, † *An* Act *for ſtriking the Sum of* Thirty Thouſand Pounds *in Bills of Credit, of the Denomination of* Seven Shillings and Six-pence *and under, and directing the Mode for redeeming the ſame*, paſſed the ninth Day of *January*, One Thouſand Seven Hundred and Eighty-one, be, and the ſame hereby are reſpectively repealed.

Payment of Debts poſtponed.

‡ 2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That in all Caſes where any Perſon or Corporation, being a Creditor, ſhall, before the firſt Day of *May*, One Thouſand Seven Hundred and Eighty-two, ſue or proſecute for any Debt or Demand due by Contract, Obligation or otherwiſe, made and entered into before the paſſing of this Act, the Defendant in ſuch Action may, and he is hereby authorized to make a Tender in open Court, in the uſual Form of Law, of the principal Sum due, and the Intereſt thereon, together with the Coſts which have accrued on ſuch Suit, in the Bills of Credit iſſued on the Faith of this State, at their nominal Value, which Tender in Court of Debt and Coſts as aforeſaid, ſhall be, and hereby is declared to be a full Diſcharge of ſuch Debt and Coſts. PROVIDED ALWAYS, That Nothing herein contained ſhall prevent any Creditor from demanding Security of his Debtor, where he ſuppoſes himſelf in Danger of loſing his Debt; and in ſuch Caſe, if the Debtor ſhall neglect or refuſe to give ſufficient Security, he ſhall be deprived of the Benefit of the before mentioned Tender.

Proviſo.

CHAP. CCLXII.

An ACT *to revive and continue the Act, intitled,* § *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.*

Paſſed June 15, 1781.

Preamble.

WHEREAS the Act, intitled, *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*, paſſed the eleventh Day of *March*, One Thouſand Seven Hundred and Seventy-four, hath expired by its own Limitation: AND WHEREAS it is neceſſary to revive and continue the ſame to a further Period; Therefore,

Enacting Clauſe.

BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid Act, and every Clauſe, Matter and Thing thereby enacted, except the Section limiting the Continuation of the ſame, ſhall be revived, continue and remain in full Force for the Term of three Years, and no longer, any Thing in the ſaid Act to the Contrary notwithſtanding.

CHAP.

† Chap. CCXLIII.

‡ The ſecond Section is now obſolete, but as it is ſtill available with Reſpect to Tenders made, &c. it is inſerted entire.

§ *Allinſon*, Chap. DCII.

CHAP. CCLXIII.

An ACT *for raiſing the Value of* One Hundred and Fifty Thouſand Pounds *in Money and other Supplies, in the State of* New-Jerſey, *and for other Purpoſes therein mentioned.*

Paſſed June 21, 1781.

By this Act ſundry Articles of Proviſions and Clothing for the Army at fixed Prices, Certificates of particular Deſcriptions, and State Money, as well as Coin, were receivable in Payment of the Tax thereby laid, which was directed to be aſſeſſed and collected in two diſtinct Payments, two-thirds of the whole Sum at the firſt Payment, and the remaining one-third at the ſecond.

The firſt thirty-three Sections are obſolete.

Treaſurer to cauſe all Bills of Credit received for Tax to be marked.

34. AND BE IT FURTHER ENACTED, That the Treaſurer of the State for the Time being, ſhall, on Receipt of any of the Bills of Credit iſſued on the Faith of this State in Purſuance of the Reſolutions of Congreſs of the eighteenth of *March*, One Thouſand Seven Hundred and Eighty, in Payment of the Tax directed to be raiſed by this Act, or of any Part thereof, cauſe the ſaid Bills to be ſtamped or marked with red Ink, in Preſence of one of the Signers of the ſame, with the Letters Int. pd. on the Face of the Bills, and alſo with the Letters and Figures expreſſing the Period of Time to which the ſaid Intereſt is allowed, when to him paid forward by the reſpective County Collectors, and ſhall lay an Account of the Bills ſtamped or marked as aforeſaid, their Denominations and Value, certified by the Perſon in whoſe Preſence the ſaid Bills were ſtamped or marked as aforeſaid, and alſo an Account of the Charges ariſing therefrom, for Allowance and Payment, before the Legiſlature at their next ſubſequent Sitting.

Alſo thoſe received for State Debts, or from the Loan-Office.

35. AND BE IT ENACTED, That the ſaid Treaſurer ſhall alſo cauſe all Bills of the Currency aforeſaid, which he ſhall receive in Payment of any Debt due to the State, or which may be delivered to him out of the Continental Loan-Office in this State, in Exchange for the Bills of Credit of the United States, after the Publication of this Act, or which may have been received by him in Exchange as aforeſaid, and not iſſued out of the Treaſury of the State before the Publication hereof, to be ſtamped or marked in Preſence of one of the Signers as aforeſaid, and alſo with ſuch Letters as may expreſs the Period of Time to which the ſaid Intereſt is allowed or counted, as by him received in Payment of any Debt due to the State, or from the Continental Loan-Office of this State as aforeſaid; and ſhall lay an Account of the ſame, certified in Manner before directed, and of all Charges thereby incurred, before the Legiſlature at their next Sitting thereafter, for the Purpoſe before-mentioned.

Loan-Officer to mark the Bills in his Hands.

36. AND IT IS HEREBY FURTHER ENACTED, That the Continental Loan-Officer of this State ſhall cauſe all the Bills of the Currency aforeſaid, which now remain in his Office as the Proportion of the United States, or which may be hereafter left for their Uſe by Exchange, to be ſtamped or marked in Manner aforeſaid, in the Preſence

of

of the Treaſurer of the State for the Time being, or of one of the Signers of the ſaid Bills, and ſhall lay an Account of the ſame, and the Charges ariſing from this Service, before the Legiſlature, certified in Manner before-mentioned, for Allowance and Payment.

Not to bear Intereſt after ſtamped.

37. AND BE IT FURTHER ENACTED, That the Bills ſtamped or marked as aforeſaid ſhall not bear any Intereſt thereafter, any Law, Uſage or Cuſtom to the Contrary notwithſtanding.

Appropriation of Part of the Coin to be raiſed.

38. AND BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Treaſurer of the State for the Time being, and he is hereby authorized and required to appropriate ſo much of the Gold and Silver Coin by him received in Payment of the Tax directed to be raiſed by this Act, as may be neceſſary for the Diſcharge of the firſt Year's Intereſt on ſuch of the Bills of Credit iſſued on the Faith of this State, purſuant to the Reſolutions of Congreſs of the eighteenth of *March*, One Thouſand Seven Hundred and Eighty, as ſhall be to him tendered for that Purpoſe, after the firſt Day of *January*, One Thouſand Seven Hundred and Eighty-two, and to cauſe the ſame to be ſtamped or marked with the Letters and Figures following, in red Ink, *Int. pd. 1 Yr.* before he ſhall re-deliver the ſame to the Owner; and in caſe any of the Bills ſo ſtamped or marked ſhall thereafter be received by the Treaſurer in Payment of Taxes or of Debts due to the State, he ſhall cauſe the ſame to be ſtamped or marked as directed in a former Section of this Act, allowing the Intereſt thereon from the ninth Day of *June*, One Thouſand Seven Hundred and Eighty-one, to the Time of receiving the ſame into the Treaſury, and an Account of all Charges ariſing from the Performance of the ſaid Services, ſhall be laid before the Legiſlature in like Manner, for their Allowance and Payment.

Errors in ſettling the Quotas to be remedied.

39. AND WHEREAS through the Neglect of the Collectors of ſome of the Counties in this State, in not having tranſmitted the Duplicates of the Aſſeſſments to the Legiſlature, agreeably to the Directions of an Act, intitled, * *An Act to raiſe the Sum of* Three Million Three Hundred and Seventy-five Thouſand Pounds *in the State of* New-Jerſey, the Quotas laid upon the ſeveral Counties by this Act, may be diſproportionate; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That if it ſhall appear on the next Settlement of the Quotas of the ſeveral Counties, by a more clear and complete Account of the ſeveral Perſons, Articles and Things made rateable therein, that the Quota of any County, as laid in this Act, is greater than its juſt Proportion, the Surplus ſhall be credited to ſuch County in the Settlement of its next Quota.

CHAP. CCLXIV.

An ACT *to amend an Act, intitled,* § *An* Act *for ſtriking* One Hundred Thouſand Pounds *in Bills of Credit, and directing the Mode for ſinking the ſame, and for other Purpoſes therein mentioned.*

Paſſed June 22, 1781.

Preamble.

WHEREAS the Commiſſioners of the Loan-Office of ſeveral of the Counties in this State have, by their Repreſentation and Petitions

* Chap. CLXXIV.

§ *Allinſon*, Chap. DXCI.

titions preſented to the Legiſlature, ſet forth many Inconveniencies that attend the Mode of tranſacting the Buſineſs of the reſpective Loan-Offices in this State, as directed by the Laws which now regulate the ſame, and praying that the ſaid Laws may be amended: AND WHEREAS the Sale of ſuch Lands, the Mortgages whereof have been foreclоſed in the ſaid Offices, was ſuſpended by an Act of the Legiſlature, paſſed the ſixth Day of *June*, One Thouſand Seven Hundred and Eighty, and it being neceſſary to have the ſaid Buſineſs brought to a Cloſe as ſpeedily as poſſible; Therefore,

Loan-Officers to make Sale of Lands where Mortgages have been foreclоſed.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for the Commiſſioner or Commiſſioners of the Loan-Offices of the reſpective Counties in this State, where there may be any Mortgages foreclоſed in the Loan-Office of which he or they may be a Commiſſioner or Commiſſioners, immediately after the paſſing of this Act, to adverтiſe and proceed to the Sale of all Lands, the Mortgages whereof have been foreclоſed in their reſpective Offices, giving at leaſt twenty Days Notice, and proceeding in all other Reſpects relative to the Sale thereof as is directed in and by an Act, intitled, *An* Act *for ſtriking* One Hundred Thouſand Pounds *in Bills of Credit, and directing the Mode for ſinking the ſame*, paſſed the eleventh Day of *March*, One Thouſand Seven Hundred and Seventy-four.

And pay the Amount to the County Collector.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Commiſſioners of the Loan-Office of the reſpective Counties in this State, or any or either of them, are hereby empowered and directed to pay to the Collector of the County where ſuch Office may be, all ſuch Sums of Money as he or they have received, or may hereafter receive on Account of the Sales of Lands as aforeſaid, or on Mortgages and Bonds belonging to the ſame, within five Days after the ſame may come into their Hands, and take Receipts therefor; and the Collector of each and every County in this State is hereby required to receive and pay the ſame into the Treaſury of the State, together with the firſt Money he may occaſionally deliver therein after the Receipt of the ſame; and the Receipt of the County Collector ſhall be a ſufficient Voucher to diſcharge the ſaid Commiſſioner or Commiſſioners, and the Receipts of the Treaſurer ſhall be ſufficient Vouchers to the ſeveral Collectors reſpectively, for ſo much of the ſaid Money as they ſhall pay agreeably to the Directions of this Act.

New Commiſſioner to be appointed.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Court of General Quarter-Seſſions of the Peace in any County where there is a Loan-Office, at any Time between the paſſing of this Act and *March* next enſuing, to appoint one Commiſſioner of the Loan-Office for ſaid County, either out of the preſent acting Commiſſioners or any other Perſon they may judge proper; and the ſaid Commiſſioner ſo appointed ſhall be empowered and required to demand, receive, and take Charge of, all ſuch Books, Papers and Accounts, belonging to the ſaid Office, from the former Commiſſioner or Commiſſioners, who are hereby directed to deliver the ſaid Books, Papers and Accounts to the Commiſſioners ſo appointed, and that may demand the ſame, taking his Receipt therefor; and the ſaid Commiſſioner ſo appointed, ſhall take an Oath and give Bond for the faithful

Who is to qualify and give Bond, &c.

Diſcharge of the Duties of the Loan-Office, both of which ſhall be agreeably to the Directions for thoſe Purpoſes contained in the before-recited Act, only ſubſtituting State inſtead of Province, and His Excellency *William Livingſton*, Eſquire, Governor of the State of *New-Jerſey*, or the Name of the Governor or Commander in Chief of the State for the Time being, and his Succeſſors, for the Uſe of the State, inſtead of "our Sovereign Lord the King, his Heirs and Succeſſors," and expunging the following Words in the ſaid Bond, *viz.* "in the fifteenth Year of His Majeſty's Reign;" and ſhall be under the ſame Penalties, and veſted with all the Powers given to the Commiſſioners in and by Virtue of the ſaid Act, excepting ſo much and ſuch Parts thereof as may be altered in and by this Act. PROVIDED ALSO, and it is the Meaning of this Act, that if either of the preſent Commiſſioners be re-appointed as aforeſaid, their former Oath and Bond with Surety ſhall be ſufficient.

Proviſo.

Loan-Officers who may be ſuperceded to lay their Accounts before the Juſtices and Freeholders.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That ſuch of the Commiſſioners of the Loan-Office as ſhall be ſuperceded by any Appointment that may be made by Virtue of this Act, ſhall lay an Account of his or their Proceedings whilſt Commiſſioner or Commiſſioners, before the Board of Juſtices and choſen Freeholders of the County of which he or they may have been a Commiſſioner or Commiſſioners, at the next annual Meeting of the ſaid Board; and upon giving full Satisfaction to the ſaid Board of Juſtices and Freeholders of the faithful Diſcharge of the ſeveral Duties of their Office whilſt acting therein, ſhall obtain a Certificate thereof from the ſaid Board, which ſaid Certificate ſhall entitle the ſaid Commiſſioner or Commiſſioners to demand and receive from the Clerk of the County, or any other Perſon with whom the ſame may be lodged, his or their Bond or Bonds, conditioned for the true and faithful Performance of his or their Office or Duty; and the ſaid Clerk, or other Perſon with whom the ſaid Bond or Bonds may be lodged, is hereby required to deliver up the ſame, upon a Certificate being ſo produced as aforeſaid.

Whoſe Bonds are to be given up conditionally.

Commiſſioners, where to give their Attendance to receive Money.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That each and every Commiſſioner of the Loan-Office of either of the reſpective Counties in this State, that may hereafter be appointed in and by Virtue of this Act, ſhall attend at the Courthouſes of the reſpective Counties, or at ſome other convenient Place where the Loan-Office may have been formerly held, on the fourth *Tueſday* in *March* yearly, and every Year, for the Purpoſe of receiving ſuch Sum or Sums of Money as may become due to the Loan-Office of ſaid County; and in caſe any Perſon ſhall neglect to pay in ſuch Sum or Sums of Money as may be due to the ſaid Office on ſaid Day, then, and in ſuch Caſe, each and every Delinquent ſhall be obliged to apply to the Commiſſioner of ſaid County, at the Dwellinghouſe of the ſaid Commiſſioner, on or before the thirtieth Day of *April* then next enſuing ſuch Neglect, in order to pay the ſame; and if any Perſon or Perſons indebted as aforeſaid, ſhall neglect or refuſe to pay to the ſaid Commiſſioner the Sum or Sums of Money that may be due from him or them to the Office as aforeſaid, on or before the ſaid thirtieth Day of *April*, then and in ſuch Caſe the ſaid Commiſſioner ſhall proceed to the Foreclоſure of the Mortgage or Mortgages, and Sale of the Lands of the Delinquent or Delinquents, as directed in the aforeſaid recited Act.

Perſons neglecting to pay, how to be proceeded againſt.

6. AND

Fees, &c. of the Commiſſioners.

6. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That each and every Commiſſioner that may be appointed by Virtue of this Act, may retain in his Hands out of any Money that he may receive belonging to the ſaid Office, *Five per Centum*, as full Compenſation for his Trouble, except in Caſes where Mortgages may be foreclоſed and Lands ſold, then and in ſuch Caſe he ſhall receive, excluſive of the *Five per Centum*, the Fees and Perquiſites allowed in and by the before recited Act.

Delinquent Commiſſioners to be proſecuted by the Attorney-General.

7. AND WHEREAS Complaint has been made to the Legiſlature by the Board of Juſtices and Freeholders of the County of *Eſſex*, that *Iſaac Longworth*, Commiſſioner of the Loan-Office of the ſaid County, hath joined the Enemy, and taken off with him the Books, Papers and ſome of the Money belonging to the ſaid Office, and praying that a Law may be paſſed authorizing the Proſecution of the ſaid Commiſſioner's Bond againſt the Surety, in the Name of the State; Therefore, BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Attorney-General of this State, and he hereby is required immediately after the Publication of this Act, to commence a Suit againſt *David Rogers*, the only Surety of the ſaid *Iſaac Longworth*, Commiſſioner of the Loan-Office of the County of *Eſſex*, in the Name of the State of *New-Jerſey*, for the Sum of *Three Thouſand Two Hundred and Fourteen Pounds Thirteen Shillings and Four-pence*, in Gold or Silver or other current Money equivalent, and proſecute the ſame to Effect, or ſo far forth as the ſaid *Iſaac Longworth* ſhall appear to have been deficient in the faithful Diſcharge of his Duty as Commiſſioner of the Loan-Office; and in caſe of Delinquency in any other Commiſſioner or Commiſſioners of the ſaid Loan-Offices in any of the Counties in this State, the ſaid Attorney-General is hereby required and directed to commence a Proſecution or Proſecutions as the Caſe may require, and to proceed with the ſame to Effect, in Behalf of the State, as hereinbefore is directed.

Certain Acts repealed.

8. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Act, intitled, * *An Act to empower and direct the Commiſſioners of the Loan-Offices in the reſpective Counties in the State of* New-Jerſey, *to pay certain Monies by them received into the Treaſury, and alſo for applying certain Monies now therein*, paſſed the ſeventeenth Day of *April*, One Thouſand Seven Hundred and Seventy-eight, and the † ſupplemental Act thereto, paſſed the eighth Day of *March*, One Thouſand Seven Hundred and Eighty: And alſo, ‡ *An Act for ſuſpending the Sale of the Lands mortgaged to the Commiſſioners of the Loan-Office of the ſeveral Counties of this State*, paſſed the ſixth Day of *June*, One Thouſand Seven Hundred and Eighty, and ſuch Parts of the Act, intitled, ‖ *An Act for ſtriking* One Hundred Thouſand Pounds *in Bills of Credit, and directing the Mode for ſinking the ſame*, paſſed the eleventh Day of *March*, One Thouſand Seven Hundred and Seventy-four, as are altered by or repugnant to this Act, be, and the ſame hereby are repealed.

CHAP.

* Chap. LXXXV.
† Chap. CLXXXIX.
‡ Chap. CCIV.
‖ *Allinſon*, Chap. DXCI.

CHAP. CCLXV.

An ACT *to declare the Value of the Continental Currency, through the ſeveral Periods of its Depreciation, and to provide for the more equitable Payment of Debts.*

Paſſed June 22, 1781.

Preamble.

WHEREAS the Citizens of this State have been, and ſtill may be, involved in great Difficulties, on Account of the Depreciation of the Continental Money, notwithſtanding the Laws that have been paſſed from Time to Time to prevent it; and as no Rule has yet been eſtabliſhed competent to the Purpoſe, whereby to ſettle and determine the true Value of Debts and Contracts, made and entered into, during the ſeveral Periods of the ſaid Depreciation; Therefore,

Certain Debts, how to be adjuſted and paid.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That all Debts and Contracts of what Nature ſoever, made and entered into ſince the firſt Day of *January*, One Thouſand Seven Hundred and Seventy-ſeven, and before the ninth Day of *June*, One Thouſand Seven Hundred and Eighty, payable in the Current lawful Money of this State; and all ſuch as have been made or entered into ſince the ſaid ninth Day of *June*, which are ſpecially payable in the Continental Currency, or in the Bills of Credit of the United States, ſhall be adjuſted and ſettled, by reducing the Amount of all ſuch Debts and Contracts to their true Value in Specie, at the Time they were reſpectively made and entered into by the following Table of Depreciation.

The Table referred to in the firſt Section of this Act is repealed and ſupplied by Chap. CCXCVI.

Judges and Juſtices, diſcretionary Power lodged in them.

AND all Judges, Juſtices of the Peace, Jurors, and others whom it may concern, are hereby required to govern themſelves accordingly, except where the Debt due, or the Value thereof hath been tendered and refuſed, or where it ſhall appear that the Non-Payment thereof is owing to the Creditor, or where other Circumſtances ariſe, which, in the Opinion of the Court before whom the Matter is brought to Iſſue, would render a Determination agreeable to the above Table unjuſt; in which Caſes it ſhall and may be lawful for the Court to award ſuch Judgment as to them ſhall appear juſt and equitable: PROVIDED ALSO, That the Officers, and Non-commiſſioned Officers and Privates who have yielded perſonal Service in the Militia, before the paſſing of the Act, intitled, † *An* Act *for the regulating, training and arraying of the Militia, and for providing more effectually for the Defence and Security of the State*, paſſed the eighth Day of *January*, One Thouſand Seven Hundred and Eighty-one; and to whom Arrears are due, ſhall receive the Pay eſtabliſhed by the ſaid laſt recited Act, which ſhall be conſidered in full of Bounty, Pay and all other Allowances, by Way of Subſiſtence granted by any particular Act, any Thing in this Act contained to the Contrary notwithſtanding.

Part of an Act repealed.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Act, intitled, ‡ *An* Act *for aſcertaining the Value of the Continental Currency*

† Chap. CCXLII.
‡ Chap. CCXXXVIII.

Currency in the Payment of Debts, paſſed the fifth Day of *January*, One Thouſand Seven Hundred and Eighty-one, ſhall be, and the ſame is hereby repealed, except the Section repealing certain Acts therein mentioned; and that, from and after the paſſing of this Act, no Bills of Credit, emitted by Congreſs on the Faith of the United States, ſhall be a legal Tender, in the Payment of any Debt or Demand, in Virtue of any Law heretofore enacted for that Purpoſe.

CHAP. CCLXVI.

An ACT *for altering the Place of holding the Inferior Court of Common-Pleas, and Courts of General Quarter-Seſſions of the Peace, in and for the County of* Bergen.

Paſſed June 25, 1781.

Preamble. WHEREAS the Houſe of *Martin I. Ryerſon*, of *Pompton*, lately appointed by Law for holding the Inferior Court of Common Pleas, and Courts of General Quarter-Seſſions of the Peace, in the County of *Bergen*, hath become inconvenient for holding the ſaid Courts by Reaſon of its Diſtance from the temporary Gaol lately built in the ſaid County; Therefore,

Court, where to be held, *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the Publication of this Act, the ſaid Courts ſhall be opened and held at the new Gaol, near the Pond Church, in the Townſhip of *Franklin*, in ſaid County, at the Times appointed by Ordinance for holding the ſame; and that all Writs and every Proceſs whatſoever, returnable to either of the ſaid Courts at the Houſe of *Martin I. Ryerſon*, at *Pompton*, in ſaid County, ſhall be returned to the ſaid Courts reſpectively, at the Place aforeſaid, any Law, Uſage or Ordinance to the Contrary in anywiſe notwithſtanding.

Part of an Act repealed. 2. BE IT ENACTED *by the Authority aforeſaid*, That the firſt Section of the Act, intitled, * *An* Act *for altering the Place of holding the Inferior Court of Common Pleas, and Courts of General Quarter Seſſions of the Peace, in and for the County of* Bergen, *and for building a temporary Gaol in the ſaid County*, paſſed the twenty-fifth Day of *May*, One Thouſand Seven Hundred and Eighty, ſhall be, and the ſame is hereby repealed.

CHAP. CCLXVII.

An ACT *to raiſe, by voluntary Enliſtment, four hundred and fifty Men, for completing the Quota of Troops belonging to this State, in the Service of the United States.*

Paſſed June 25, 1781.

Preamble. WHEREAS it is neceſſary that effectual Means be adopted for immediately completing the Quota of Troops required of this State, by the Congreſs of the United States; Therefore,

* Chap. CCI.

Perſons appointed to enliſt Men.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the following Perſons be, and they hereby are appointed to recruit or enliſt Men in the ſeveral Counties for the Purpoſe of completing the Quota of Troops belonging to this State, in the Service of the United States; *that is to ſay*,

In the County of *Bergen*, Captain *Peter Ward.*
In the County of *Eſſex*, *Ephraim Marſh*, junior.
In the County of *Middleſex*, Captain *Robert Roſs.*
In the County of *Monmouth*, *Gilbert Longſtreet.*
In the County of *Somerſet*, Captain *Nathaniel Porter.*
In the County of *Burlington*, Captain *Marmaduke Curtis.*
In the County of *Glouceſter*, Captain *John Davis.*
In the County of *Salem*, Captain *John Kille.*
In the County of *Cape-May*, Lieutenant *Amos Creſſe.*
In the County of *Hunterdon*, Captain *John Mott.*
In the County of *Morris*, Captain *Jacob Arnold.*
In the County of *Cumberland*, Captain *Amos Woodruff.*

Proviſo.

In the County of *Suſſex*, Captain *George Reynolds.* PROVIDED ALWAYS, That it ſhall and may be lawful for any Officer of the *Jerſey* Brigade, properly authorized, to enliſt Men in any County of this State on the Terms in this Act expreſſed; and every ſuch Officer who ſhall enliſt Men in any County on the Terms aforeſaid, ſhall be, and hereby is authorized to draw Money from the Agent for ſuch County herein after mentioned, and ſhall give Bond with Security for the Money ſo drawn, and ſhall account for the ſame in like Manner, with the recruiting Officer by this Act appointed.

Money, how to be raiſed and paid.

2. AND BE IT FURTHER ENACTED, That the Agent appointed in each County in Virtue of the Act, intitled, * *An Act to raiſe a Fund by Loan for diſcharging the Bounty to be paid to the Troops required by Congreſs as the Quota of this State*, paſſed *January* the eighth, One Thouſand Seven Hundred and Eighty-one, ſhall be, and he is hereby empowered to borrow any Sum or Sums in Specie, not exceeding the Sum aſſigned to be raiſed in ſuch County by this Act, and to give Notes for the Payment of the ſame out of the Monies to be raiſed by Tax in Virtue of this Act, with Intereſt until paid, at the Rate of *Seven Pounds per Centum per Annum*; and the Collector of ſuch County is hereby authorized and required to pay the Monies ſo raiſed as faſt as they come into his Hands, or ſo much thereof as may be ſufficient for diſcharging the Principal and Intereſt of the ſaid Notes to the ſaid Agent accordingly, upon his Application, or to his Order, taking his Receipt, or that of the Perſon in whoſe Favour the Order is given, endorſed thereon, for the Sum ſo paid, which ſhall be a ſufficient Voucher to the ſaid Collector in the Settlement of his Accounts.

Which is to be delivered to the recruiting Officer,

3. AND BE IT ENACTED, That it ſhall and may be lawful for the ſaid Agents, and they are hereby ſeverally authorized and required to deliver to the Perſons herein before appointed to enliſt Men in their reſpective Counties, ſuch Sums of Money, borrowed as aforeſaid, as the ſaid recruiting Officer may judge neceſſary from Time to Time for the recruiting Service in ſuch County, who ſhall at the Time of receiving the Money borrowed as aforeſaid, give Bond with ſufficient Security

who is to give Bond.

* Chap. CCXLI.

rity to the ſaid Agent on Behalf of the State, for the faithful Diſpoſal of the Money ſo by him received, and for rendering an exact Account of the Expenditure of the ſame, agreeably to the Directions of this Act, to the ſaid Agent on or before the firſt Day of *October* next; and in caſe the recruiting Officer appointed in any County in Virtue of the Directions of this Act, ſhall neglect or refuſe to render ſuch Account within the Time herein before limited, or ſhall waſte or not ſufficiently account for the Diſpoſal of the Monies by him received as aforeſaid, the ſaid Agent ſhall be, and he is hereby authorized and required to proſecute the ſaid Bond, and by due Courſe of Law, to oblige the ſaid recruiting Officer to render an Account of the Monies by him received for the Purpoſe aforeſaid, and to refund the ſame, with Intereſt and Coſts of Suit; and the ſaid recruiting Officers appointed in Virtue of the Directions of this Act, are hereby made accountable to the ſaid Agents for the Diſpoſal of the Monies ſo by them received as before-mentioned.

Penalty for Neglect of Duty.

4. AND, for the Encouragement of able-bodied Men to enter into the Service of their Country during the War, BE IT ENACTED, That it ſhall and may be lawful for the ſaid recruiting Officers appointed as aforeſaid, and they are hereby reſpectively authorized and empowered to offer and pay to any able-bodied Man who is willing to enliſt himſelf into either of the Regiments of this State, in the Service of the United States, for the Term in this Act expreſſed, as a Bounty, any Sum not exceeding *Twelve Pounds* in Gold or Silver.

Bounty.

5. AND, that the ſaid recruiting Officers may be excited to a faithful Diſcharge of the Duties herein enjoined on them, BE IT ENACTED, That each recruiting Officer ſhall have and receive for every able-bodied Recruit by him enliſted, and who ſhall paſs Muſter as herein after directed, the Sum of *Thirty Shillings*, Money aforeſaid, to be allowed him in the Settlement of his Accounts with the Agent aforeſaid.

Allowance to the recruiting Officers.

6. AND BE IT FURTHER ENACTED, That the Men ſo to be enliſted ſhall be engaged to ſerve during the War, and for no other Term whatſoever; and the ſaid recruiting Officer ſhall cauſe them to ſign an Enliſtment accordingly, and ſhall lodge a Copy of the ſame, ſigned and certified by the Officer hereafter in this Act appointed to muſter the ſaid Recruits, with the Agent aforeſaid, in the Settlement of his Accounts, which the ſaid Agent ſhall tranſmit to the Legiſlature at their next ſubſequent Sitting, together with an Account of the Monies by him borrowed, and of the Expenditure of the ſame.

Term of Enliſtment.

7. AND BE IT ENACTED, That the ſaid Recruits ſhall be muſtered by the eldeſt Field-Officer in each County, and ſhall rendezvous at a Place to be by him appointed, and if found able-bodied and healthy, ſhall be forwarded without Delay, together with Duplicate Returns of their Names and Places of Abode, to the *Jerſey* Brigade, under the Conduct of a Subaltern, who ſhall deliver or cauſe them to be delivered to the Officer commanding the ſaid Brigade, taking his Receipt for the ſame, endorſed on one of the Returns aforeſaid; which endorſed Return ſhall by the ſaid Subaltern Officer be delivered to the aforeſaid eldeſt Field-Officer of the County, to be by him tranſmitted to the Legiſlature at their next ſubſequent Sitting; and in caſe of the Neglect, Refuſal

Soldiers, by whom to be muſtered, &c.

ſufal or other Diſability of the Officer herein before directed to muſter Recruits, the Officer next in Command ſhall be, and he is hereby required to muſter the ſaid Recruits, and ſhall be entitled to the Rewards allowed for that Purpoſe.

Vacancies, how to be ſupplied, where Perſons refuſe to accept their Appointment.

8. AND BE IT FURTHER ENACTED, That if any of the Perſons herein before appointed to recruit in the ſeveral Counties ſhall refuſe to accept of his Appointment, or ſhall by Death, Removal out of the County, or other Diſability, be rendered incapable of the Services herein enjoined on him, the Vacancy ſhall be ſupplied by the Repreſentatives of the County, or a Majority of them.

Officers, to produce Accounts to the Legiſlature.

9. AND BE IT ENACTED, That the Subaltern Officers who ſhall conduct the Recruits to the Brigade of this State, ſhall produce their Accounts for the Services by them performed, to the Legiſlature at their next Sitting thereafter, certified by the Officers herein before appointed to muſter the Recruits in their reſpective Counties, for Allowance and Payment; and the Officer who ſhall muſter Recruits ſhall in like Manner produce his Account to the Legiſlature, authenticated on Oath or Affirmation, for the Purpoſe aforeſaid.

Agents, their Allowance, *&c.*

10. AND BE IT FURTHER ENACTED, That the ſaid Agents appointed as aforeſaid, ſhall each of them have and receive *One per Centum*, on all Monies by them borrowed or drawn from the Collectors of their reſpective Counties, or from the Treaſurer of the State, as hereafter mentioned, and paid out for the Purpoſes of this Act, to be allowed them in the Settlement of their Accounts, and ſhall tranſmit their Accounts regularly made out, together with the Copies of the Enliſtments with them depoſited, to the Legiſlature, at their next ſubſequent Sitting.

Bounty Money, *&c.* how to be obtained.

11. AND WHEREAS in ſome of the Counties of this State, the Agent before mentioned may not be able to procure Gold or Silver on Loan for the Purpoſe of recruiting; therefore, BE IT ENACTED, That where in any County a ſufficient Sum of Money cannot be procured by Loan as aforeſaid for anſwering the immediate Purpoſes of this Act, the Agent appointed in ſuch County ſhall draw the Money for that End from the Collector of the County as ſoon as the ſame ſhall come into his Hands belonging to the State, and ſhall pay the Bounty allowed to the recruiting Officer, and alſo the Bounty and Subſiſtence in this Act allowed to the Recruits enliſted as aforeſaid, on Certificates to him produced, ſigned by the Perſon appointed to muſter the Men enliſted in ſuch County, deſcriptive of the Age and Stature of the ſaid Recruits, and ſpecifying that they were by him muſtered and approved, and the Number of Days for which Subſiſtence is allowed, and the Receipts of the ſaid recruiting Officer and Recruits, endorſed on the ſaid Certificates, ſhall be ſufficient Vouchers to the ſaid Agent for the Monies ſo paid; and in caſe the Monies belonging to the State in the Hands of the ſaid County Collector ſhall be inſufficient to diſcharge the ſaid Bounties and Subſiſtence, the Agent for ſuch County ſhall be, and he is hereby authorized and required to draw from the Treaſurer of the State ſuch Sum as may be adequate to the Purpoſe, whoſe Receipt ſhall be a ſufficient Diſcharge to the ſaid Treaſurer for the Money ſo drawn, in his Settlement with the State.

12. AND

12. AND BE IT FURTHER ENACTED, That each and every Recruit enliſted as aforeſaid, ſhall be entitled to the Pay and Emoluments allowed to the Troops of this State, in the Service of the United States, from the Day of his Enliſtment incluſively, and ſhall at his Election be admitted to enter into any Company in any or either of the Regiments of this State, provided ſuch Company be not already full, and ſhall be allowed *One Shilling and Three-pence* in Gold, Silver or Copper Coin, per Day, in Lieu of Subſiſtence, until he is muſtered and marched to join his Regiment, to be paid by the Agent appointed for the County to which he may belong, provided that no Allowance be made to any Recruit in Lieu of Subſiſtence as aforeſaid, for any longer Time than fifteen Days. Recruits, their Pay, &c.

13. AND IT IS HEREBY FURTHER PROVIDED AND ENACTED, That no Slave, nor any Perſon under the Age of ſixteen, nor above the Age of fifty Years, nor any Deſerter from the Army or Navy of the King of *Great-Britain*, being a Native of any Part of the *Britiſh* Dominions, and not heretofore an Inhabitant of ſome one of the United States, ſhall be enliſted, muſtered or entitled to any Bounty, under or by Virtue of this Act, and every recruiting Officer who ſhall enliſt a Deſerter as aforeſaid, knowing him to be ſuch, ſhall forfeit and pay the Sum of *Twenty Pounds* in Gold or Silver, or other current Money equivalent, to be recovered with Coſts in any Court where the Action may be cognizable, and applied one Half to the Uſe of the Proſecutor, and the other Half to be paid to the Collector of the County, where recovered, for the Uſe of the State. Perſons not to be enliſted.

14. AND BE IT FURTHER ENACTED, That the Sum of *Seven Thouſand Five Hundred Pounds* ſhall be levied and collected in the ſeveral Counties in this State, for the Payment of the Bounty and Subſiſtence allowed to the Recruits in this Act, and to diſcharge the Allowance granted to recruiting Officers, in the Proportion following, *videlicet:* Sum to be raiſed for Bounty, &c.

By the County of *Bergen*, (excluſive of the Townſhip of *Bergen*) the Sum of *Three Hundred and Eighty-ſeven Pounds Fourteen Shillings and Six-pence Half-penny.* Proportion of each County.

By the County of *Eſſex*, the Sum of *Five Hundred and Forty-five Pounds and Eight-pence.*

By the County of *Middleſex*, the Sum of *Five Hundred and Sixty-nine Pounds Thirteen Shillings and Six-pence Half-penny.*

By the County of *Monmouth*, the Sum of *Seven Hundred and Thirty-two Pounds Fourteen Shillings and Ten-pence Half-penny.*

By the County of *Somerſet*, the Sum of *Six Hundred and Forty-ſix Pounds Ten Shillings.*

By the County of *Burlington*, the Sum of *Seven Hundred and Seventy Pounds Two Shillings and Eight-pence.*

By the County of *Glouceſter*, the Sum of *Six Hundred and Nine Pounds Twelve Shillings.*

By the County of *Salem*, the Sum of *Five Hundred and Nine Pounds Thirteen Shillings and Five-pence.*

By the County of *Cape-May*, the Sum of *One Hundred and Fifty-ſix Pounds and One Penny Half-penny.*

By the County of *Hunterdon*, the Sum of *One Thouſand and Fifteen Pounds Fourteen Shillings and Eleven-pence Half-penny.*

By the County of *Morris*, the Sum of *Six Hundred and Nineteen Pounds Thirteen Shillings and Two-pence Half-penny.*

By the County of *Cumberland*, the Sum of *Three Hundred and Thirty-ſeven Pounds Ten Shillings.*

By the County of *Suſſex*, the Sum of *Six Hundred Pounds.*

Tax, when to be raiſed.

15. AND BE IT FURTHER ENACTED, That the Tax directed to be raiſed by this Act ſhall be aſſeſſed, levied and collected at the Times and in the Manner directed for the Aſſeſſment and Collection of the firſt Payment of the Tax laid by the Act, intitled, *An Act for raiſing the Value of* One Hundred and Fifty Thouſand Pounds *in Money and other Supplies, in the State of* New-Jerſey, *and for other Purpoſes therein mentioned*, paſſed the twenty-firſt Day of *June*, One Thouſand Seven Hundred and Eighty-one, and all Proceedings thereon had, as in the ſaid recited Act is directed: PROVIDED ALWAYS, That no Certificates nor Articles of Supply, nor any Species of Money whatſoever, other than Gold, Silver or Copper Coin, ſhall be receivable in Diſcharge of the Tax laid by this Act, or of any Part thereof, by the ſaid Collectors, or by Conſtables on Diſtreſs, any Law, Uſage or Cuſtom to the Contrary in anywiſe notwithſtanding.

To be paid in Gold, Silver and Copper only.

County Collectors, when to pay the Money to the Treaſurer.

Juſtices, County Collectors, *&c.* their Duty, Rewards and Forfeitures.

16. AND BE IT FURTHER ENACTED, That the Collector of each County ſhall pay the Monies by him received in Payment of the Tax laid by this Act, or ſo much thereof as ſhall remain in his Hands, to the Treaſurer of the State, at the Time of paying in the Quota of the firſt Aſſeſſment of the Tax directed to be raiſed by the ſaid laſt recited Act; and each and every Juſtice of the Peace, County Collector, Aſſeſſor, Precinct, Townſhip or Ward Collector, Freeholder and Conſtable, and each and every other Perſon on whom any Duty is enjoined reſpecting the Tax directed to be raiſed by the ſaid laſt recited Act, to which this Act is referred, ſo far forth as the ſame is applicable thereto, is hereby required to perform the like Duties accruing or ariſing under this Act, and ſhall be veſted with the ſame Powers, receive the ſame Fees and Rewards, be ſubject to the ſame Penalties, Fines and Forfeitures, for Refuſal or Neglect of Duty, to be recovered with Coſts, in the Mode therein pointed out, ſhall be entitled to the like Exemptions, and all Vacancies occurring by Death, Removal, Refuſal, or Neglect of Duty, or otherwiſe, ſhall be ſupplied in the ſame Manner, and every Perſon ſhall have the ſame Privilege of Appeal and Jury, as is therein ſet forth; and each and every Delinquent ſhall be ſubject to the ſame Puniſhment, Fine or Forfeiture, and the ſame Mode ſhall be purſued for the Recovery of ſuch Fine or Forfeiture, as is mentioned, preſcribed and directed in the ſaid laſt recited Act.

Militia Officer neglecting his Duty, what to forfeit.

17. AND BE IT FURTHER ENACTED, That every Militia Officer who ſhall neglect or refuſe to do any Duty herein enjoined on him, ſhall be liable to be caſhiered, or to ſuffer ſuch Fine or Forfeiture as a Court-Martial ſhall inflict; and the Fines inflicted by any Court-Martial in Virtue of this Act, ſhall be recovered in the ſame Manner as other Militia Fines are now by Law made recoverable, and paid into the Hands of the County Collector, to be by him paid forward to the Treaſurer for the Uſe of the State; and the Preſident of every Court-Martial which ſhall impoſe any Fine by Virtue of this Act, ſhall tranſmit an Account thereof to the Legiſlature at their next ſubſequent Sitting.

CHAP.

CHAP. CCLXVIII. *An* Act *for the Relief of certain Perſons who have been proſecuted for Debts contracted on Account of this State, or of the United States.* Obſolete—ſupplied by Chap. CCCXX.

Paſſed June 26, 1781.

By this Act Perſons who had purchaſed Proviſions and Forage for the Uſe of the Army, and had given their own Obligations therefor, againſt whom Proſecutions had been commenced, were entitled to the like Relief as was afforded to others by Chap. CCLXI; but as that Relief extended no farther than to the firſt of *May* 1782, this Act is of Conſequence become obſolete.

CHAP. CCLXIX.

An ACT *to ſuſpend the Sales of Real Eſtates which have, or hereafter may, become forfeited to and veſted in this State.*

Paſſed June 26, 1781.

WHEREAS continuing the Sales of ſuch Real Eſtates as have, or hereafter may, become forfeited to and veſted in this State, may prove injurious to the Intereſts of the ſame; Therefore, Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Commiſſioners of forfeited Eſtates of the ſeveral Counties be, and they hereby are reſpectively required and directed immediately after the paſſing of this Act, to deſiſt from making any further Sales of the Real Eſtates which have, or may hereafter, become forfeited to and veſted in this State, until the Legiſlature ſhall take further Order thereon. Commiſſioners to deſiſt ſelling Real Eſtates.

2. AND BE IT FURTHER ENACTED, That the ſaid Commiſſioners be, and they hereby are empowered and directed, from Time to Time, as Occaſion may require, to let and leaſe out all ſuch forfeited Eſtates, agreeably to the Directions of an Act, intitled, * *An* Act *for taking Charge of and leaſing the Real Eſtates, and for forfeiting the Perſonal Eſtates of certain Fugitives and Offenders, and for enlarging and continuing the Powers of Commiſſioners appointed to ſeize and diſpoſe of ſuch Perſonal Eſtates, and for aſcertaining and diſcharging the lawful Debts and Claims thereon*, paſſed the eighteenth Day of *April*, One Thouſand Seven Hundred and Seventy-eight. Such Eſtates to be leaſed.

3. AND BE IT FURTHER ENACTED, That ſo much of the Act, intitled, † *An* Act *for forfeiting to and veſting in the State of* New-Jerſey, *the Real Eſtates of certain Fugitives and Offenders, and for directing the Mode of determining and ſatisfying the lawful demands which may be due from or made againſt ſuch Fugitives and Offenders, and for other Purpoſes therein mentioned*, paſſed the eleventh Day of *December*, One Thouſand Seven Hundred and Seventy-eight, as reſpects the ſelling the ſaid forfeited Real Eſtates, ſhall be, and the ſame is hereby ſuſpended. Part of an Act ſuſpended.

CHAP.

* Chap. LXXXVII.

† Chap. CXXII.

Obſolete. CHAP. CCLXX. *An Act to amend an Act, intitled, * An Act to provide for the Clothing of the Quota of Forces raiſed or to be raiſed in this State, for the Service of the United States, and to repeal the Laws now in Force for that End.*

Paſſed June 26, 1781.

The firſt Section of this Act excluded ſundry Deſcriptions of Perſons from the Privilege of Clothing from the State, and the ſecond repealed Chap. CCIX. And all the Clothing-Laws being repealed by Chap. CCLXXXII, this falls of Courſe with them.

Obſolete. CHAP. CCLXXI. *An Act to authorize the Governor or Commander in Chief of this State for the Time being, to call out a Part of the Militia of this State, and to continue them in Service for three Months.*

Paſſed June 27, 1781.

By this Act the Governor was authorized to call out ſeven hundred and fifty of the Militia of the State in the uſual Courſe to ſerve for three Months in Conjunction with the fœderal Army, with the ſame Pay and Rations as the Troops raiſed for the Defence of the Frontiers, and with an Exemption for nine Months thereafter from actual Service in the Militia, unleſs in caſe of an Invaſion.

CHAP. CCLXXII.

An ACT *authorizing the Governor to grant Commiſſions for Guard-Boats and Coaſting Veſſels.*

Paſſed June 27, 1781.

Preamble. WHEREAS great Advantages may be derived by this State, from Guard-Boats and Coaſting Veſſels under proper Regulations, and commanded by ſuitable Officers; Therefore,

Governor to grant Commiſſions to Perſons commanding armed Boats. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for His Excellency the Governor or Commander in Chief of this State, for the Time being, to grant to ſuch and ſo many Perſons of good Reputation as he may judge proper and neceſſary, Commiſſions for commanding armed Boats or other Veſſels of War, taking a Bond of the Perſon ſo commiſſioned, in the Penalty of *Five Thouſand Dollars*, with at leaſt one good and ſufficient Freeholder in this State, as Security for the faithful Obſervation of the following Inſtruſtions; *to wit*,

Inſtructions to be obſerved by ſuch Perſons. *Firſt.* You may by Force of Arms attack, ſubdue and take all Ships, Boats or other Veſſels belonging to the Crown of *Great-Britain* or any of the Subjects thereof, on the High-Seas, or between High-Water and Low-Water Marks, (except ſuch Ships and Veſſels as are bringing Perſons with Intent to ſettle and reſide within the United States, which you ſhall ſuffer to paſs unmoleſted, the Commanders thereof permitting a peaceable Search, and giving ſatisfactory Information of the Contents of the Ladings and Deſtination of the Voyages) and you may alſo annoy the Enemy by all the Means in your Power, by Land as well as by

* Chap. CXLVI.

by Water, taking Care not to infringe or violate the Laws of Nations or the Laws of Neutrality.

Second. You are to pay a ſacred Regard to the Rights of Neutral Powers, and the Uſage and Cuſtom of civilized Nations, and on no Pretence whatever preſume to take or ſeize any Ships or Veſſels belonging to the Subjects of Princes or Powers in Alliance with theſe United States, except they are employed in carrying contraband Goods or Soldiers to our Enemies, and in ſuch Caſe you are to conform to the Stipulations contained in the Treaties ſubſiſting between ſuch Princes or Powers and theſe States; and you are not to capture, ſeize or plunder any Ships or Veſſels of our Enemies being under the Protection of Neutral Coaſts, Nations or Princes, under the Pains and Penalties expreſſed in a Proclamation iſſued by Congreſs the ninth Day of *May*, *Anno Domini* One Thouſand Seven Hundred and Seventy-eight.

Third. You ſhall bring ſuch Ships, Boats and other Veſſels as you ſhall take, with their Guns, Rigging, Tackle, Apparel, Furniture and Ladings, to ſome convenient Port or Ports, that Proceedings may thereupon by a Court of Admiralty be had in due Form of Law concerning ſuch Captures.

Fourth. You ſhall ſend the Maſter or Pilot and one or more principal Perſon or Perſons of the Company of every Ship, Boat or Veſſel, by you taken in ſuch Ship, Boat or Veſſel, as ſoon after the Capture as may be, to be by the Judge or Judges of ſuch Court as aforeſaid examined upon Oath, and to make Anſwer to ſuch Interrogatories as may be propounded touching the Intereſt or Property of the Ship, Boat or Veſſel, and her Lading; and at the ſame Time you ſhall deliver or cauſe to be delivered to the Judge or Judges, all Paſſes, Seabriefs, Charterparties, Bills of Lading, Cockets, Letters and other Documents and Writings found on Board, proving the ſaid Papers by the Affidavit of yourſelf or of ſome other Perſon preſent at the Capture, to be produced as they were received, without Fraud, Addition, Subduction or Embezzlement.

Fifth. You ſhall keep and preſerve every Ship, Boat or Veſſel and Cargo by you taken, until they ſhall, by Sentence of the Court aforeſaid, be adjudged lawful Prize or acquitted, not ſelling, ſpoiling, waſting or diminiſhing the ſame, or breaking the Bulk thereof, nor ſuffering any ſuch Thing to be done.

Sixth. If you or any of your Officers or Crew ſhall, in cold Blood, kill or maim, or by Torture or otherwiſe cruelly, inhumanly and contrary to common Uſage, and the Practice of civilized Nations in War, treat any Perſon or Perſons ſurprized in the Ship, Boat or Veſſel you ſhall take, the Offender ſhall be ſeverely puniſhed.

Seventh. You ſhall, by all convenient Opportunities, ſend to the Governor or Commander in Chief of this State for the Time being, written Accounts of the Captures you ſhall make, with the Number and Names of the Captives, and Intelligence of what may occur or be obſerved, concerning the Deſigns of the Enemy, and the Deſtinations, Motions and Operations of their Fleets and Armies.

Eighth. You ſhall not ranſom or diſcharge any Priſoner or Captives, but you are to take the utmoſt Care to bring them into Port; and if, from any Neceſſity you ſhall be obliged to diſmiſs any Priſoners at Sea, you ſhall, on your Return from your Cruize, make Report thereof on Oath to the Judge of the Admiralty of this State, or of the State in which you may arrive, within twenty Days after your Arrival, with your Rea-

ſons for ſuch Diſmiſſion; and you are to deliver at your Expence or the Expence of your Owners, the Priſoners you ſhall bring into Port, to a Commiſſary of Priſoners neareſt the Place of their Landing.

Ninth. You ſhall obſerve all ſuch further Inſtructions as the Governor and Privy-Council ſhall hereafter give in the Premiſes, when you ſhall have Notice thereof.

Tenth. If you ſhall do any Thing contrary to theſe Inſtructions, or to others hereafter given as aforeſaid, or willingly ſuffer ſuch Thing to be done, you ſhall not only forfeit your Commiſſion, and be liable to an Action for Breach of the Condition of your Bond, but be reſponſible to the Party aggrieved for Damages ſuſtained by ſuch Malverſation.

Reward for capturing Priſoners.

2. AND BE IT FURTHER ENACTED, That every Perſon commiſſioned as aforeſaid ſhall receive from the Treaſurer of this State *Three Pounds* for every Priſoner captured on the High-Seas, and delivered agreeably to the eighth Article in the preceding Inſtructions; and the ſaid Treaſurer is hereby authorized and required to pay the ſame upon a Receipt from the Commiſſary of Priſoners, containing the Names of the Priſoners by him received, and ſpecifying that they were captured in Manner aforeſaid, which Receipt ſhall be kept by the Treaſurer, and a certified Copy thereof ſhall by him be ſent as ſoon as may be to the Governor or Commander in Chief of this State for the Time being.

Repealed by Chap. CCCXVII. See Appendix, No. 9.

CHAP. CCLXXIII. *An* Act *to amend an Act, intitled,* * *An* Act *more effectually to prevent the Inhabitants of this State from trading with the Enemy, or going within their Lines, and for other Purpoſes therein mentioned.*

Paſſed June 28, 1781.

Obſolete.

CHAP. CCLXXIV. *An* Act *for defraying ſundry Incidental Charges.*

Paſſed June 28, 1781.

At a GENERAL ASSEMBLY held at Princeton from the nineteenth Day of September, to the ſixth Day of October, 1781, the following Laws were paſſed.

SESSION FIFTH—SITTING THIRD.

Private.

CHAP. CCLXXV. *An* Act *for procuring to* Thomas Marſhall *a Title for certain Lands in the County of* Glouceſter, *purchaſed by his Father* Randall Marſhall, *deceaſed, of* John Hinchman, *now a Fugitive with the Enemy.*

Paſſed Sept. 21, 1781.

Private.

CHAP. CCLXXVI. *An* Act *for the Relief of* Adam Boyd, *Sheriff of the County of* Bergen, *reſpecting the Loſs of a Sum of publick Money by the Enemy.*

Paſſed Oct. 2, 1781.

* Chap. CCXXXIV.

CHAP.

CHAP. CCLXXVII. *An* Act *to enable* Iſaac Watſon, *ſurviving Executor of the Laſt Will and Teſtament of* Samuel Watſon, *deceaſed, to fulfil the Purpoſes of the ſaid Will.* Private.

Paſſed Oct. 3, 1781.

CHAP. CCLXXVIII. *An* Act *for recovering the Arrearages of certain Taxes.* * Obſolete.

Paſſed Oct. 4, 1781.

CHAP. CCLXXIX.

An ACT *to require Sheriffs to give Security, and for other Purpoſes therein mentioned.*

Paſſed Oct. 5, 1781.

WHEREAS it is neceſſary that the Sheriffs ſhould give Security for the due Execution of their Office; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That every Perſon hereafter elected Sheriff ſhall, before he takes upon him the Execution of his Office, repair to the Clerk of the Peace of the County where he reſides, and before ſuch Clerk enter into Bond to the State, with two ſufficient Sureties, Freeholders in ſuch County, jointly and ſeverally in the Sum of *Twelve Hundred Pounds* of Gold or Silver Money; which Bond ſhall be kept by the ſaid Clerk, in Behalf of the ſaid County, and ſhall be in the Words following, *viz.* Sheriffs to enter into Bond.

KNOW all Men by theſe Preſents, That We A. B. C. D. *and* E. F. *all of the County of are held and firmly bound unto the State of* New-Jerſey, *in the Sum of* Twelve Hundred Pounds, *Gold or Silver Money, to be paid to the ſaid State; for which Payment well and truly to be made, We bind Ourſelves, our Heirs, Executors and Adminiſtrators, jointly and ſeverally, firmly by theſe Preſents. Sealed with our Seals and dated this Day of in the Year of our LORD*

The Condition of the above Obligation is ſuch, That if the above bound, A. B. *ſhall well and truly execute the Office of Sheriff of the County of and in all Things touching and concerning his ſaid Office, ſhall well and truly, juſtly and faithfully, execute and perform the ſame, as well with Reſpect to all Perſons concerned, as the State aforeſaid; then this Obligation ſhall be void, otherwiſe it ſhall remain in full Force and Virtue.* Form thereof.

2. AND IT IS HEREBY FURTHER ENACTED, That each and every Perſon elected Sheriff as aforeſaid, ſhall, before he takes upon him the Execution of the ſaid Office, take the Oaths (or Affirmations, if a *Quaker*) ſet forth in the firſt Section of the Act, intitled, † *An* Act *for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix, and alſo an Oath of Office, in the Words following, *videlicet:* And to take an Oath or Affirmation.

I

* The Taxes in Arrear were thoſe laid by Chap. CCCCXCV and DCXXVIII of *Allinſon*, and Chap. CXIV, CXXXVIII, CLXXIV and CCVI of this Compilation.

† Chap. II.

Form thereof

I A. B. *do ſwear*, (or if a Quaker, ſolemnly, ſincerely and truly declare and affirm) *that I will well and truly ſerve the State of* New-Jerſey, *in the Office of Sheriff for the County of* *that I will to the utmoſt of my Power, duly and faithfully execute, or cauſe to be ſo executed, all Writs and Precepts to me directed, and which ſhall come to my Hands, and will faithfully and truly return the ſame according to the beſt of my Knowledge and Abilities; that I will in no Caſe knowingly uſe or exerciſe the Office of Sheriff illegally, corruptly or unjuſtly; that I will neither directly or indirectly by any Means or Device, or under any Colour or Pretence whatſoever, in any Caſe accept, receive, take, uſe or enjoy, or conſent to the accepting, receiving, taking, uſing or enjoying, any Fee or Reward, of or from any Perſon or Perſons whatſoever for the impannelling or returning of any Inqueſt, Jury or Tales, to or in any Court within this State, other or more than ſuch Fees or Rewards as now are or hereafter ſhall be allowed and eſtabliſhed by ſome Law or Laws of this State, but will to the utmoſt of my Skill and Power truly and impartially impannel or cauſe to be ſo impanneled with all convenient and neceſſary Speed, all Jurors which it ſhall pertain to my Office to impannel, and will in all Things touching the Duties of the ſaid Office of Sheriff, demean myſelf impartially and uprightly, as becometh an honeſt Man and a good Officer, to the beſt of my Skill and Underſtanding.*

Sheriff to be a Freeholder.

3. AND IT IS HEREBY FURTHER ENACTED, That no Perſon ſhall hereafter hold or exerciſe the Office of Sheriff in any County of this State, unleſs he is an Inhabitant and Freeholder of ſuch County.

Penalty on unqualified Perſons preſuming to execute the Office.

4. AND IT IS HEREBY FURTHER ENACTED, That if any Perſon ſhall henceforth preſume to execute the Office of Sheriff without having given Bond, and taken the Oaths or Affirmations aforeſaid, or without being an Inhabitant and Freeholder as above ſet forth, he ſhall for ſuch Offence be indicted and fined at the Diſcretion of the Court, in any Sum not leſs than *One Hundred* nor more than *One Thouſand Pounds*, Money aforeſaid.

Parts of ſeveral Acts repealed.

5. AND IT IS HEREBY FURTHER ENACTED, That the Act, intitled, * *An* Act *to oblige the ſeveral Sheriffs of this Colony of* New-Jerſey *to give Security, take the Oaths or Affirmations therein directed for the Diſcharge of their Offices, and to prevent their too long Continuance therein*, paſſed *January* the nineteenth, 1747-8; and the third Section of the Act, intitled, † *An* Act *for the Removal of Criminals for their more ſafe Cuſtody, and for other Purpoſes therein mentioned*, paſſed *June* the 12th, One Thouſand Seven Hundred and Seventy-nine, ſhall be, and the ſame are hereby repealed.

Private.

CHAP. CCLXXX. *An* Act *for veſting in* Richard Morris, *Eſquire, the Power, Authority, Title and Eſtate, given unto* David Ogden *and* Richard Morris, *by the Laſt Will and Teſtament of* Robert-Hunter Morris, *Eſquire, deceaſed; and for other Purpoſes therein mentioned.*

Paſſed Oct. 5, 1781.

CHAP.

* *Allinſon*, Chap. CCVIII.

† Chap. CLIII of this Edition.

CHAP. CCLXXXI.

* *An* ACT *for veſting the Powers of Agency for the* Weſt-Jerſey *Society in* Joſeph Reed, *Eſquire, one of the ſaid Society.*

Paſſed Oct. 5, 1781.

WHEREAS the ſaid *Joſeph Reed* hath, by his Petition, repreſented, that on or about the fourth Day of *April*, in the Year of our Lord One Thouſand Six Hundred and Ninety-two, Sir *Thomas Lane*, Knight, *Machiel Watts*, Eſquire, and divers other Perſons, then reſiding in the Kingdom of *Great-Britain*, aſſociated together by the Name of the *Weſt-Jerſey Society*, for the Purpoſes of locating and improving Lands in *North-America*, and did accordingly purchaſe of Doctor *Daniel Coxe*, divers Lands, Tenements and Rights of Propriety in *Weſt-Jerſey*, *Eaſt-Jerſey*, *Pennſylvania*, and *New-England*; and that the Society by their Agents have ſince, from Time to Time, located other large Tracts within the State of *New-Jerſey*, which they have by their ſaid Agents managed, governed and ordered for the common Benefit of the ſaid Society; that the laſt appointed Agent died in the Year One Thouſand Seven Hundred and Seventy-eight, leaving the Affairs of the ſaid Society in a very unſettled Condition, of which divers ill-diſpoſed Perſons have taken Advantage, and committed and are ſtill committing great Waſte and Spoil of the Timber growing on ſaid Lands; that large Sums have accrued and are daily accruing for Taxes upon ſaid Lands; that the Petitioner hath advanced conſiderable Sums of Money therefor, and propoſes to continue the Payment of the ſame, if legally authorized to manage the Affairs of the ſaid Society. And the ſaid Petitioner having alſo ſet forth, that in the Year of our Lord One Thouſand Seven Hundred and Seventy-three, he purchaſed a conſiderable Share and Intereſt in the ſaid Society, and is now a principal Proprietor therein; wherefore he hath prayed that a Law may be paſſed to veſt in him ſufficient Powers of Agency for the Preſervation of the Eſtate and Intereſt of the ſaid Society; and to enable him to pay the Taxes accruing, until the State of publick Affairs ſhall permit an Appointment agreeably to the Rules of the ſaid Society; which appearing reaſonable, and the Facts ſet forth in the ſaid Petition being ſufficiently aſcertained, Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for the ſaid *Joſeph Reed*, in his own Name to commence, ſue and proſecute, any Action or Suit in Law or Equity, in any Court of Judicature within this State, againſt any Perſon or Perſons whatſoever, holding any of the Lands or Tenements of the ſaid Society, or committing any Waſte, Spoil or Deſtruction therein, or on any Part thereof, and alſo to recover and receive all Debts, Rents or other Dues which have accrued to the ſaid Society within this State, and to take all legal Remedies therefor, and to compound any ſuch Debt or Due when the Whole cannot be obtained; and when received to give Acquittances therefor, and alſo to perform, fulfil and complete Powers inveſted in *Joſeph Reed*, Eſq.

* Although this be properly a private Act, yet, as the State and many Individuals are or may be intereſted therein, it was judged proper to inſert it at large.

complete any juſt and lawful Contract heretofore made between the ſaid Society by their Agents and any Perſon or Perſons whatſoever, and generally to manage, order and direct, the Affairs and Concerns of the ſaid Society as fully and completely as if the ſaid *Joſeph Reed* had been conſtituted and appointed Agent of the ſaid Society in the uſual and accuſtomed Manner, and that the ſaid *Joſeph Reed*, his Heirs, Executors and Adminiſtrators, ſhall from Time to Time, and at all Times, be accountable to ſuch Perſon or Perſons as ſhall or may hereafter be legally appointed for the ſettling with him for all the Monies by him received, and all Acts by him done in the ſaid Agency. PROVIDED ALWAYS, That he ſhall not have any Power or Authority to diſpoſe of or make a Title in Fee Simple to any Part of the Real Eſtate belonging to the ſaid Society, nor to demiſe or rent the ſame or any Part thereof, for a longer Term than ſeven Years, calculating from the Time of paſſing this Act.

Proviſo.

Diſputes, how to be ſettled.

2. *And be it alſo Enacted by the Authority aforeſaid*, That it ſhall and may be lawful for the ſaid *Joſeph Reed*, in caſe of Diſpute ariſing touching any of the ſaid Lands or Eſtate of the ſaid Society, or any lawful Contract relating thereto, to arbitrate or refer to indifferent Perſons, or otherwiſe compromiſe and adjuſt the ſame, for the Benefit of the ſaid Society, and for avoiding Expence.

Power to continue 7 Years.

3. *Be it alſo Enacted by the Authority aforeſaid*, That the Power, Right and Authorities, herein and hereby given and granted, ſhall be and continue from and after the paſſing hereof, for and during the Term of ſeven Years, unleſs he ſhall ſooner be ſuperſeded by the legal Appointment of another Agent.

CHAP. CCLXXXII.

An ACT *to repeal the ſeveral Acts made and provided for the Clothing of the Quota of Troops belonging to this State, in the Service of the United States, and for other Purpoſes therein mentioned.*

Paſſed Oct. 5, 1781.

Preamble.

WHEREAS the United States in Congreſs aſſembled have, by their Act of the eighteenth Day of *June* laſt, reſolved, that all State Purchaſes, Appointments and Regulations in the Clothing Departments, on Continental Account, be aboliſhed; Therefore,

State-Clothier to whom to deliver Clothing.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Clothier of this State be, and he is hereby directed to deliver to the Clothier-General or his Order, all ſuch Clothing as he may have on Hand belonging to this State, taking his Receipt therefor, and that he tranſmit a Duplicate of the ſaid Receipt to the Treaſury-Office of the United States.

Several Acts repealed.

2. *And be it further Enacted by the Authority aforeſaid*, That the ſeveral * Acts heretofore made and enacted to provide for the Clothing of the Troops

* The Acts hereby repealed are Chap. LXI, LXXXVI, CXLVI, and CCIX. See alſo Chap. CCLXX.

Troops of this State in the Service of the United States, ſhall be and they and each of them are hereby declared to be ſeverally repealed.

CHAP. CCLXXXIII. *An* Act *to repeal Part of a certain* * *Act therein mentioned.* Repealed by Chap. CCCXVII. See Appendix No. X.

Paſſed Oct. 6, 1781.

CHAP. CCLXXXIV.

An ACT *to amend an Act, intitled,* † *An* Act *for regulating the Election of Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners, of the State of* New-Jerſey, *and alſo to direct the Election of Delegates to repreſent the ſaid State in the Congreſs of the United States.*

Paſſed Oct. 6, 1781.

Preamble. WHEREAS there is no Proviſion made by the Act, intitled, *An* Act *for regulating the Election of Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners, of the State of* New-Jerſey, *and alſo to direct the Election of Delegates to repreſent the ſaid State in the Congreſs of the United States*, paſſed the twenty-fourth Day of *December*, One Thouſand Seven Hundred and Seventy-nine, for authorizing the Council and Aſſembly at their firſt Sitting to meet at any Place other than *Trenton;* and inaſmuch as the State would be reduced to great Difficulties in caſe the Enemy ſhould be in Poſſeſſion of the aforeſaid Place or its Vicinity, unleſs further Proviſion is made by Law; Therefore,

Enacting Clauſe. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That in caſe it ſhould be dangerous or unſafe for the Legiſlature to meet at *Trenton* at the firſt Sitting, on Account of the Vicinity of the Enemy, it ſhall and may be lawful for the ſaid Council and Aſſembly to meet ſeparately at any other ſafe and convenient Place within the State, which ſhall be publickly notified by the Governor or Commander in Chief of the State for the Time being; or in caſe of his Diſability, by the Secretary; or in caſe of the Secretary's Diſability, by the Chief-Juſtice of the Supreme Court; and in caſe of the Diſability of the ſaid Chief-Juſtice, by either of the other Judges of the ſaid Court, any Thing in the ſaid recited Act to the contrary notwithſtanding.

CHAP. CCLXXXV. *An* Act *for defraying ſundry Incidental Charges.*

Paſſed Oct. 6, 1781.

At

* Chap. CLXXXIV. Appendix No. VII. † Chap. CLXXVIII.

At a GENERAL ASSEMBLY held at Trenton from the twenty-third Day of October, to the twenty-ninth Day of December, 1781, the following Laws were paſſed.

SESSION SIXTH—SITTING FIRST.

CHAP. CCLXXXVI.

* *A ſupplemental* ACT *to an Act, intitled,* † *an* Act *for amending and eſtabliſhing the Charter of the College of* New-Jerſey.

Paſſed Nov. 2, 1781.

Preamble. WHEREAS the Truſtees of the College of *New-Jerſey*, by their Petition to the Ligiſlature, have repreſented, that by their Charter of Incorporation the Number of thirteen Truſtees is neceſſary to conſtitute a Quorum for the Tranſaction of all Buſineſs relating to the ſaid Inſtitution, to the great Injury of their Truſt, by Reaſon of the Non-Attendance of many of their Members who live at a Diſtance, and have prayed that the ſaid Quorum may be leſſened; and have alſo ſet forth, that notwithſtanding the Laws heretofore made and provided, divers Soldiers of the Troops and Militia of theſe United States are often billeted and quartered in the Buildings and their Appurtenances provided for the Reception, Convenience and Improvement, of the Students belonging to the ſaid Inſtitution, to the great Injury and Deſtruction thereof: And as it is thought reaſonable, in order to promote the Ends of ſo valuable and important an Inſtitution, to grant the Prayer of the Petitioners;

Nine to form a Board. *Sect.* 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the paſſing of this Act, it ſhall and may be lawful for any nine of the ſaid Truſtees, or a greater Number of them, to convene and meet together; and being ſo convened and met together, to form a Board of the Corporation inſtituted by the ſaid Charter, and be in all Things a ſufficient Quorum for the doing, performing and tranſacting all and every the Duties and Buſineſs of their ſaid Truſt, to all Intents and Purpoſes whatever, as effectually as if thirteen of the ſaid Truſtees had ſo met and convened together for the Purpoſes aforeſaid, and ſhall, for and during the Continuance of this Act, be taken and conſidered as a full Quorum of the ſaid Truſtees, in as full and ample Manner, and with the like Powers, Authorities and Intereſts, as are given to and veſted in thirteen of the ſaid Truſtees, in and by their ſaid Charter of Incorporation, and ſhall be under the ſame Directions, Conditions, Reſtrictions, Proviſos and Limitations as to the Benefit, Conveniency and Meetings of the ſaid Truſtees, as are contained in the ſaid Charter with Reſpect to the Quorum of thirteen Truſtees, aforeſaid. *Provided always*, That the Governor of this State for the Time being, or in caſe of his Death or Abſence, the Preſident of the ſaid

* The above Act is publiſhed at large for the Reaſons aſſigned at Chap. CXCI. † Chap. CXCI.

ſaid College for the Time being, and in caſe of the Death or Abſence of both the ſaid Governor and Preſident, then the eldeſt Truſtee of the ſaid College, ſhall always be one of the ſaid nine Truſtees ſo at any Time conſtituting a Quorum as aforeſaid.

Troops not to be quartered therein.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That, from and after the paſſing hereof, if any Magiſtrate, military Officer, Quartermaſter, or any other Perſon whatever, ſhall billet, quarter or place in, or cauſe to be billeted, quartered or placed in, the ſaid College or the Steward's Houſe adjoining thereto, any Officer, Soldier or other Perſon belonging to or following the Troops or Militia of theſe United States, or either of them, without the Conſent of the ſaid Truſtees or of ſome Perſon or Perſons duly authorized by them; every ſuch Perſon ſo offending ſhall forfeit to and for the Uſe of the ſaid Truſtees and their Succeſſors the Sum of *Twenty Shillings* for every ſuch Officer, Soldier or other Perſon ſo billeted, quartered or placed in the ſaid Buildings, and that for each and every Day ſuch Officer, Soldier or other Perſon aforeſaid, ſhall continue therein, the ſame to be recovered by the ſaid Truſtees, or their lawful Attorney, from the Perſon ſo offending, together with the Damages ſuſtained and Coſts of Suit, by Action of Debt in any Court where the ſame may be cognizable.

Penalty.

Limitation.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That this Act, and every Clauſe and Article therein contained, ſhall continue and be in Force for the Term of five Years, and from thence to the End of the next Sitting of the General Aſſembly, and no longer.

CHAP. CCLXXXVII.

An ACT *to continue an Act, intitled,* * *An* Act *to alter the Place of holding the Supreme Court of Judicature of this State, and to aſcertain the Times for holding the ſame, and alſo to alter and aſcertain the Times of holding the Inferior Court of Common Pleas, and Court of General Quarter Seſſions of the Peace, for the County of* Hunterdon.

Paſſed Nov. 9, 1781.

Preamble.

WHEREAS the Act, intitled, *An* Act *to alter the Place of holding the Supreme Court of Judicature of this State, and to aſcertain the Times for holding the ſame, and alſo to alter and aſcertain the Times of holding the Inferior Court of Common Pleas, and Court of General Quarter Seſſions of the Peace, for the County of* Hunterdon, paſſed the fourth Day of *December*, One Thouſand Seven Hundred and Seventy-nine, will expire on the fourth Day of *December* next: AND WHEREAS it is neceſſary that the ſaid Act ſhould be continued; Therefore,

Enacting Clauſe.

BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid recited † Act, and every Article and Clauſe therein contained, except the Section that limits the Continuance thereof, ſhall be, and the ſame

* Chap. CLXVIII.
† See Chap. CCCV, by which Part of the Act herein alluded to is altered.

ſame is hereby declared to be continued in Force, any Thing in the ſaid Act to the contrary notwithſtanding.

CHAP. CCLXXXVIII.

An ACT *to continue an Act, intitled,* * *An* Act *to alter the Place of holding the Inferior Courts of Common Pleas, and General Quarter Seſſions of the Peace, for the County of* Middleſex.

Paſſed Nov. 9, 1781.

Preamble. WHEREAS the Act, intitled, *An* Act *to alter the Place of holding the Inferior Courts of Common Pleas, and General Quarter Seſſions of the Peace, for the County of* Middleſex, paſſed at *Princeton*, the ſecond Day of *October*, One Thouſand Seven Hundred and Seventy-eight, will expire at the End of the next Sitting of the General Aſſembly, and it being neceſſary to continue the ſame for a longer Time; Therefore,

Enacting Clauſe. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid Act, and every Clauſe, Matter and Thing therein contained, except that Part which limits the Continuation thereof, ſhall be and continue in full Force, any Thing in the ſaid Act to the contrary notwithſtanding.

Private. CHAP. CCLXXXIX. *An* Act *to empower* John Ely, *on the Part of* † George Ely, *to divide a certain Tract of Land belonging to the ſaid* George Ely *and Captain* George Coryell.

Paſſed Nov. 29, 1781.

CHAP. CCXC.

An ACT *for regulating and eſtabliſhing Admiralty Juriſdiction.*

Paſſed Dec. 18, 1781.

Preamble. WHEREAS it is neceſſary that due Proviſion be made for the Trial and Determination of Offences, Crimes, Controverſies and Suits within the Cognizance of the Maritime Law, and not enquirable at Common Law;

Judge, how to be appointed, &c. *Sect.* 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That a ſuitable Perſon ſhall be appointed and commiſſioned in like Manner as the Judges of the Supreme Court are by the Conſtitution directed to be appointed and commiſſioned, for and during the Term of three Years, by the Name and Title of *The Judge of the Admiralty*; which Judge ſhall hold a Court of Admiralty, and therein have Cognizance in all Caſes of Prize, Capture or Re-capture, upon the Water from Enemies, or by Way of Repriſal, or from Pirates, and, in general, of all Controverſies, Suits and Pleas of Maritime Juriſdiction, and thereupon

* Chap. C. See alſo Chap. CLXXII and CCXXXIII.

† This *George Ely* was inſane.

upon the ſaid Judge ſhall paſs Sentence and Decree, according to the Maritime Law and the Law of Nations, and the Ordinances of the Honourable the Congreſs of the United States of *America*, and the Laws of this State ſhall require.

2. AND IT IS HEREBY FURTHER ENACTED AND PROVIDED, That if any Perſon or Perſons ſhall, eight Days before the Day of Trial of the Veſſel and Cargo advertiſed as herein after mentioned for Trial and Condemnation, file, or cauſe to be filed in the Regiſter's Office, a Claim or Claims in Writing for the ſaid Veſſel and Cargo, or any Part thereof, then the ſaid Regiſter, in ſuch Caſe, is hereby directed to iſſue a Writ of *Venire Facias*, under the Seal of the ſaid Court, directed to the Marſhal, commanding him to ſummons twenty-four good and lawful Men of the County where the Court ſhall be holden, to be and appear before the ſaid Judge at the Time and Place appointed for the holding the ſaid Court and Jury ſummoned and returned as aforeſaid, ſhall in all Reſpects be eſtabliſhed by the ſame Rules, and be ſubject to the like Challenges, as in the Courts of Common Law, and governed in their Determination, as well on the Queſtion whether Prize or not, as to the Claims filed by the Parties intereſted or pretending to be intereſted in the ſame, by the Maritime Law and the Law of Nations, and the Ordinances of the Honourable the Congreſs of the United States of *America*, and the Laws of this State; and the Decree and Judgment of the ſaid Judge, where Claims are filed and a Jury ſworn as aforeſaid, ſhall be paſſed, given and entered, agreeably to the Verdict of the ſaid Jury, and in all Caſes of Prize, Capture, Re-capture and Seizure upon the Water as aforeſaid, an Appeal from the final Decree of the ſaid Judge of Admiralty ſhall lie and be allowed to ſuch Judges or Court, as the ſaid Congreſs have appointed or may appoint for the hearing and determining of the ſaid Appeal. PROVIDED ALWAYS, That ſuch Appeals be brought and conducted in the Manner and within the Times directed in and by the Acts and Ordinances aforeſaid. AND PROVIDED ALSO, That Security be firſt given before ſaid Judge, by the Party appellant to the oppoſite Party, in a Sum of Money not exceeding double the Value of the Prize or Matter in Controverſy, under Condition to proſecute ſuch Appeal to Effect.

Mode of Proceeding.

Proviſoes.

3. AND BE IT FURTHER ENACTED, That an able and upright Perſon ſhall be appointed and commiſſioned as aforeſaid, to be Regiſter of the ſaid Court of Admiralty for and during the Term of three Years, and that the Examination of all Witneſſes in any of the Cauſes which may come before the ſaid Court of Admiralty being taken by the ſaid Regiſter, and atteſted before the ſaid Judge, ſhall be filed in the Office of the ſaid Regiſter, ſuch Examination to be taken *exparte*, after reaſonable Notice to the adverſe Party; and the Atteſtations of the ſaid Regiſter ſhall, on all proper Occaſions, be received as Evidence in all Courts of Juſtice and elſewhere. PROVIDED ALWAYS, That no Perſon, ſo to be appointed Regiſter, ſhall, during the Time of his Continuance in ſuch Office, practice in the ſaid Court of Admiralty as Attorney, Council, Proctor or Advocate.

Regiſter, how to be appointed, *&c.*

Proviſo.

4. AND BE IT FURTHER ENACTED, That the Council and Aſſembly, in Joint-Meeting, ſhall yearly appoint a Marſhal of the ſaid Court, who ſhall be commiſſioned by the Governor or Commander in Chief for

Marſhal, how to be appointed, *&c.*

for the Time being, and ſhall become bound to the ſaid Governor or Commander in Chief, and his Succeſſors, for the Uſe of the State, with two or more ſufficient Sureties, approved by him or them reſpectively, in the Sum of *Ten Thouſand Pounds*, with Condition for the juſt and faithful Diſcharge of his Duty and Truſt; which Obligation ſhall be lodged in the Secretary's Office.

Perſons having Charge of Prizes, their Duty.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Captain or Commander of every Ship or Veſſel of War, or Prize-maſter, or other Perſon having Charge of any Capture or Re-capture, or other Property, ſeized upon the Water as aforeſaid, who ſhall conduct or bring the ſame into Port, ſhall immediately deliver the ſame, without Diminution, to the Marſhal of the ſaid Court of Admiralty, and, within ten Days after the Arrival of ſuch Prize as aforeſaid, ſhall exhibit or cauſe to be exhibited a Libel or Bill in Writing, before the ſaid Judge, therein ſetting forth, in ample and particular Manner, the Time and other Circumſtances of the ſeizing and taking of the ſame, and of the Service or Employment that the Ship or Veſſel ſo ſeized was in at the Time when ſuch Ship or Veſſel was taken or ſeized, and the Parties aiding therein, to the beſt of his Knowledge; and ſhall alſo, without Delay or Diminution, deliver or cauſe to be delivered to the Regiſter of the ſaid Court of Admiralty, upon the Oath or Affirmation of ſuch Perſon, all Books, Documents, Commiſſions, Parchments, Papers and other Writings appertaining to or found on Board any ſuch Ship or Veſſel, to be laid before the ſaid Court when required.

How to be proceeded againſt for Neglect, &c.

6. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Perſon ſhall neglect or refuſe to deliver up any ſuch Capture or Seizure as aforeſaid to the Marſhal of the ſaid Court of Admiralty, or ſhall embezzle or keep back any Part of any ſuch Capture, or ſhall withhold, embezzle or deſtroy any Books, Documents, Commiſſions, Papers, Parchments or other Writings appertaining to or found on Board of any Ship or Veſſel ſeized as a Prize as aforeſaid, ſuch Perſon ſo offending ſhall be liable to Attachment and to Fine, or to Fine and Impriſonment, at the Diſcretion of the ſaid Judge, as a Contemner of the ſaid Court of Admiralty, and moreover ſhall forfeit to the Uſe of this State all ſuch Offender's Share or Part of ſuch Capture, to be recovered by Indictment; and the ſaid Judge ſhall, by Order, ſtay, during the Proſecution, ſuch Share or Part in the Hands of the Marſhal, to the End that the ſame may be ſecured upon the Conviction of ſuch Offender, and paid to the Treaſurer of this State. PROVIDED NEVERTHELESS, That if at any Time after ſuch Capture or bringing into Port, it ſhall be made appear unto the ſaid Judge that the ſaid Veſſel and Cargo, or either of them, are in a periſhing Condition, he may in his Diſcretion make an Order for the Sale thereof, at the ſame Time directing the Marſhal to retain in his Hands the net Proceeds of ſuch Sale, until the Determination of the Property thereof be had. AND PROVIDED ALSO, That in any Caſe where ſuch Veſſel and Cargo ſhall be in apparent and imminent Danger of falling into the Hands of an Enemy, or of being otherwiſe unavoidably loſt, the Cargo and Appurtenances may be landed and ſecured, and upon Proof being made to the ſaid Judge that ſuch Proceeding was neceſſary, and that the ſaid Cargo and Appurtenances have been carefully preſerved, he ſhall certify the ſame under his Hand, for the Juſtification of the Party concerned.

Veſſels and Cargoes in a periſhing Condition, to be ſold.

or in Danger of falling into the Enemies Hands, to be landed.

7. WHEREAS

7. WHEREAS ſundry Maſters and Owners of Veſſels have made a Practice, after bringing Prizes into this State, to remove them out of the ſame into ſome other of the United States, in Violation of the Reſolutions of Congreſs in ſuch Caſe made and provided, and to the great Detriment and Injury of the commercial Intereſt of this State; THEREFORE BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if the Captor, Maſter, Owner or Owners of any Veſſels captured and brought into any of the Ports or Harbours of this State, ſhall remove ſuch Veſſel or her Cargo from the ſaid Port or Harbour to any of the Ports of either of the United States, before Trial thereof is had in the Court of Admiralty of this State, and Sale thereof is made by the Marſhal of the ſaid Court in this State, ſhall forfeit the Sum of *Five Hundred Pounds*, to be recovered with Coſts of Suit, by Action of Debt, by any Perſon who will ſue for the ſame, one Half to the Perſon who ſhall proſecute the ſame to Effect, and the other Half to the Uſe of the State.

Maſters of Veſſels, &c. removing Prizes out of the State before Trial and Sale, what to forfeit.

8. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That, immediately after any ſuch Libel as aforeſaid ſhall be exhibited before the ſaid Judge, he ſhall direct the Regiſter of the ſaid Court of Admiralty to give three Weeks Notice in ſome publick Newſpaper of this State, if any at the Time ſhall be printed, if not, in one or more of the Newſpapers of the adjacent States, of the Day appointed for the Trial of ſuch Prize; and the ſaid Regiſter ſhall inſert therein, if known, the Name, Size or Burden, and other Deſcription of the Veſſel ſo taken and brought into Port, and alſo the Name and Surname of the late Maſter or Commander of the ſame, and of the Port or Place from whence ſuch Ship or Veſſel laſt ſailed, and of the Port or Place for which ſuch Ship or Veſſel was deſtined, and in caſe of Re-capture he ſhall ſet forth by what Ship or other Veſſel the ſame was firſt taken, to the End that all Perſons concerned may appear and ſhew Cauſe, if any there be, wherefore ſuch Capture or Re-capture, Goods, Merchandize or other Property ſhould not be condemned and adjudged to the Libellants.

Notice of Trials to be publiſhed in a Newſpaper.

9. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Execution of the Decree of the ſaid Judge in any Caſe of Capture, Re-capture or Prize, taken upon the Water, from which an Appeal to the ſaid Judges or Court of Appeal ſhall be entered, ſhall not be ſuſpended or delayed by Reaſon of ſuch Appeal, in caſe the Party or Parties appellant ſhall enter ſufficient Security, to be approved by the ſaid Judge, in at leaſt double the Value of the Prize or other Subject of Controverſy, the ſame Value to be eſtimated and appraiſed at the Price at which the ſaid Prize might then be ſold for current Money; for which Purpoſe the ſaid Judge ſhall appoint three ſkilful and indifferent Appraiſers, who ſhall exactly number, meaſure or weigh the ſeveral Articles of which ſuch Prize ſhall conſiſt, and return a particular Inventory and Appraiſement of the ſame, atteſted by the Oaths or Affirmations of the ſaid Appraiſers, to the Regiſter of the ſaid Court, to be filed in his Office; and the Stipulation or Security ſo given and entered, in caſe of an Appeal as aforeſaid, ſhall and may be ſued for and recovered by Proceſs to be iſſued out of the Supreme Court or other Court of Record, at the Election of the Party who ſhall have a Right to inſtitute ſuch Suit.

Execution, how to be tried.

Security, how to effect.

10. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That in caſe the ſaid Judge, upon the Evidence produced to him, ſhall pronounce

Prizes to be ſold.

nounce Sentence of Condemnation againſt any ſuch Ship or Veſſel, or Goods, Merchandize or other Property captured or taken as Prize, or re-captured, or ſeized by Way of Repriſal or from a Pirate, he ſhall order the ſame to be immediately ſold by publick Auction to the beſt and higheſt Bidder, for the Benefit of the Captors, unleſs in the Caſe of Re-capture the former Owner or Owners in thirty Days after ſuch Sentence be pronounced pay down the full Salvage, together with all ſuch Coſts and Charges as ſhall be awarded thereupon; and the ſaid Marſhal ſhall keep fair and exact Accounts of the Sales of all Ships and other Veſſels, Goods, Merchandize and other Property which ſhall be condemned in the ſaid Court of Admiralty, and ſold by the ſaid Marſhal as aforeſaid, and as ſoon afterwards as may be, ſuch Account of Sales ſhall be filed in the Office of the Regiſter of the ſaid Court of Admiralty, for the Inſpection and Uſe of all Perſons who may be intereſted therein.

Prizes, in certain Caſes, to remain in Cuſtody of the Marſhal.

II. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That any Ships or Veſſels, Goods or other Property taken as Prize, or retaken, belonging to Foreigners, whether Allies of the United States of *America* or Neutrals, which have come or may come to the Poſſeſſion of the ſaid Marſhal, and who ſhall have no Attorney in Fact, or Agent duly authorized to take and receive from the ſaid Marſhal ſuch Ships or Veſſels or other Property, that the ſame, unleſs they be of a very periſhable Nature, and too bulky to keep without great Charges, ſhall remain in the Cuſtody of the ſaid Marſhal, without Sale, for three Months at leaſt after the Trial of the ſame ſhall be finiſhed, and the Owners thereof and their ſaid Ships or other Veſſels, Goods and other Property ſhall be liable to the Charges and Expences which may accrue by ſuch Delay of Sale.

Purchaſe-Money not paid within 5 Days, Goods to be put up again.

12. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That in caſe any Veſſels, Goods, Wares or Merchandize, ſo as aforeſaid ſold by the Marſhal, ſhall not be paid for by the Purchaſer within five Days after the Sale thereof, that then the ſaid Marſhal ſhall or may again expoſe ſuch Veſſels, Goods, Wares or Merchandize, to publick Auction for the Account of the Captors, and having diſpoſed of them for Money, ſhall and may recover againſt the firſt Purchaſer all Loſs whatſoever which may ariſe on ſuch ſecond Sale, together with Coſts, Damages and Charges, in any Court of Record in this State where the ſame may be cognizable.

Fees.

13. AND BE IT ENACTED *by the Authority aforeſaid*, That the Fees of the Judge, Regiſter, Marſhal, Proctors, Advocates and Witneſſes, ſhall be as they here ſeverally follow, *that is to ſay*,

To the Judge, for

Atteſting every Depoſition, *One Shilling*.

Examining and ſigning interlocutory Order for Sale, and every other ſpecial Order, *Five Shillings*.

Attendance for the Trial of every Cauſe, *Three Pounds*.

Every Decree or Judgment, *Seven Pounds Ten Shillings*.

Taking every Stipulation or Recognizance, *Five Shillings*.

Examining and ſigning Judgment Roll, *Ten Shillings*.

Taxing Coſts, *Two Shillings and Six-pence*.

To the Regiſter, for

Atteſting the Veſſels Papers and every Depoſition, *One Shilling*.

Entering

Entering every Action, Rule and Order of Court, *Two Shillings and Six-pence.*
Copy thereof, *One Shilling and Six-pence.*
Filing every Libel, Claim, Replication, Rejoinder and other Pleadings, *Nine-pence.*
Drawing Advertiſement and ſending to the Printer, *Ten Shillings.*
Drawing interlocutory Order for Sale, *Ten Shillings.*
Drawing every Writ, and Seal, *Seven Shillings and Six-pence.*
Recording by the Sheet, containing ninety Words, *One Shilling and Six-pence.*
Every Witneſs ſworn or affirmed, *One Shilling.*
Iſſue and Rule, *Seven Shillings and Six-pence.*
Drawing Depoſitions by the ninety Words, *One Shilling and Six-pence.*
Any other Matter by the ninety Words, *One Shilling and Six-pence.*
Reading Libel, Claim, Evidence, and every other Paper, *Six-pence.*
Every Proclamation, *One Shilling.*
Entering Judgment, *Five Shillings.*
Drawing and enrolling every Decree, *Ten Shillings.*
Every Exemplification, Atteſtation or Certificate, under Seal of Office, *Ten Shillings.*
Attendance for the Trial of a Cauſe where not tried, *Three Pounds.*
Iſſuing Venire, *Ten Shillings.*
Docqueting Judgment, *Two Shillings and Six-pence.*

To the Marſhal, for

Serving every Writ, *Ten Shillings.*
Every *Non Eſt Inventus*, *Two Shillings.*
Serving every Subpœna, *Three Shillings and Nine-pence.*
Serving every Subpœna of Appraiſers, *Seven Shillings and Six-pence.*
Every Return of Writs, *Nine-pence.*
Every Proclamation, to be paid to the Tipſtaff attending Court, *Two Shillings and Six-pence.*
Every Venire, *Forty-five Shillings.*
Mileage, beſides Ferriages, *Six-pence.*
Every Veſſel acquitted, *Three Pounds.*
Swearing every Jury, *Seven Shillings and Six-pence.*
Selling, collecting and paying over, any Sum not exceeding *Two Thouſand Pounds*, three per Cent.
Any Sum above *Two Thouſand*, and not exceeding *Ten Thouſand*, two per Cent.
Any Sum above *Ten Thouſand Pounds*, one and a Half per Cent.

To the Proctors and Advocates, for

Retaining Fee, *Forty-five Shillings.*
Drawing every Libel, by the ninety Words, *One Shilling and Six-pence.*
Copy thereof, by the ninety Words, *One Shilling and Six-pence.*
Every Motion, allowed to be ſuch by the Court, *Seven Shillings and Six-pence.*
Attendance for every Motion, *One Pound.*
Interrogatories, by the ninety Words, *One Shilling and Six-pence.*
Copy thereof, by the ninety Words, *One Shilling and Six-pence.*
Breviat and Copy, *Fifteen Shillings.*
Copy for the Judge, *Three Shillings and Nine-pence.*
Pleading Fee for Advocate, *Three Pounds.*
Drawing every Claim, by the ninety Words, *One Shilling and Six-pence.*

To Witneſſes, for

Attendance

Attendance by the Day, *Seven Shillings and Six-pence.*

Mileage for each Mile he lives diſtant from the Place of Trial, *One Shilling.*

Jurors Fees.

For Attendance by the Day, *Seven Shillings and Six-pence.*

Every Cauſe tried, to each Man ſworn or affirmed, *Three Shillings and Nine-pence.*

Caſes in which a Veſſel may be tried before a Judge of the Pleas and two Juſtices.

* 14. AND WHEREAS the Value of ſmall coaſting Veſſels, Boats, Shallops and other ſmall Craft and the Cargoes thereof, captured or re-captured from the Enemy, will frequently not admit of their being brought for Trial before a Court of Admiralty, becauſe of the Expences and Coſts attending the ſame; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That where in any Caſe of the Capture or Re-capture of any ſmall coaſting Veſſel, Boat, Shallop or other ſmall Craft, it ſhall be certified by the Chief-Juſtice or either of the other Judges of the Supreme Court, that proper and ſufficient Proof has been made before him that the real ſaleable Value of ſuch coaſting Veſſel, Shallop, Boat, Sloop or other ſmall Craft and Cargo does not exceed the Sum of *Two Hundred Pounds*, then and in ſuch Caſe the Captor ſhall be at Liberty to bring the Cauſe for Trial before one of the Judges of the Inferior Court of Common Pleas of the County where ſuch Veſſel, Shallop, Boat, Sloop or other ſmall Craft ſhall be brought into Port, and two of the Juſtices of the Peace of the ſaid County, any Thing in this Act to the contrary notwithſtanding, who ſhall in all Caſes proceed in the Trial of ſuch Veſſel and Cargo in the ſame Manner, and award Judgment thereon, with the ſame Coſts of Trial, as is or ſhall be allowed and preſcribed by Law in Caſes of the Capture of Goods ſeized or taken in coming out of the Enemies Lines; and upon Condemnation the ſaid Veſſel and Cargo ſhall be diſpoſed of at publick Vendue in like Manner, unleſs in caſe of Re-capture and Salvage, paid within the Time herein before limited in this Act. PROVIDED ALWAYS, That all Proceedings of the ſaid Judge and Juſtices ſhall be liable to the Prohibition of the Supreme Court, in like Manner as hereafter in this Act is directed with Reſpect to the Court of Admiralty. AND PROVIDED ALSO, That there ſhall be allowed the Sum of *Thirty Shillings* to the Judge and each of the Juſtices who ſhall conſtitute the Court aforeſaid, and the like Sum to the Conſtable who ſhall ſerve at the ſame, over and above the Fees allowed them in the caſe of Goods captured on Land, for their Attendance on the ſaid Trial. AND PROVIDED ALSO, That the Captor or Captors ſhall advertiſe the ſaid Veſſel and Cargo for the like Space of Time and in as particular Manner as is herein before directed in this Act, in caſe ſuch Cauſe had been brought before the Court of Admiralty for Trial; and that all Papers found on Board or appertaining to ſuch Veſſel, which have come into the Hands of the Captor or Captors, ſhall, in like Manner, be laid before the ſaid Court for their Inſpection, Information and Aſſiſtance, in the Deciſion of the Subject in Controverſy.

Proviſo.

Proviſo.

Proviſo.

Mode of trying Pirates, &c.

15. AND WHEREAS the Trial of Pirates and other Sea Felons in the late *Britiſh* Colonies, now the United States of *America*, hath been heretofore without a Jury, and in a Method much conformed to the Civil Law, the Exerciſe of which Juriſdiction in Criminal Caſes was

* See Chap. CCCXVII.

was contrary to the Spirit of the Common Law, although the Legiſlature of *England* had, by a Statute paſſed in the Reign of King *Henry* the Eighth, intitled, 'For Pirates,' relieved the Subjects within the Realm from this Grievance, BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That all Traitors, Pirates, Felons and Criminals, who ſhall offend upon the Sea or within the Admiralty Juriſdiction, ſhall be enquired of, tried and judged by Grand and Pettit Juries, according to the Courſe of the Common Law, in like Manner as if the Treaſon, Felony or Crime, were committed within one of the Counties of this State; and the Juſtices of the Supreme Court or any two of them, and the Judge of the Admiralty, are hereby conſtituted Juſtices of Oyer and Terminer, and ſhall hold a Court of Oyer and Terminer at ſuch Time and Place as ſhall be expreſſed in the Commiſſion for the hearing and trying of ſuch Offenders; and the ſaid Judge of Admiralty, in the Abſence of the Chief-Juſtice of the Supreme Court, ſhall preſide in ſuch Court of Oyer and Terminer; and if any Perſon upon being arraigned before the ſaid Court of Oyer and Terminer ſhall ſtand Mute, or ſhall not make direct Anſwer, ſuch Perſon ſhall be deemed to have pleaded not guilty, and the Trial ſhall proceed accordingly.

Subjects of this or any of the United States committing Piracy under foreign Commiſſions, how tried and puniſhed.

16. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any of the Subjects of this State, or of any of the United States of *America*, ſhall commit any Piracy or Robbery, or any Act of Hoſtility againſt other the Subjects of this State or of any of the other United States of *America*, upon the Sea, under Colour of any Commiſſion from any foreign Prince or State, or Pretence of Authority from any Perſon whatſoever, ſuch Offender and Offenders, and every of them, ſhall be deemed, adjudged and taken to be Pirates, Felons and Robbers, and they, and every of them, being duly convicted thereof agreeably to this Act, ſhall have and ſuffer ſuch Puniſhment and Forfeitures as Pirates, Felons and Robbers, upon the Seas ought to have and ſuffer.

Perſons betraying their Truſt at Sea, how puniſhed.

17. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Commander or Maſter of any Ship, or any Seaman or Mariner ſhall, in any Place where the Admiralty hath Juriſdiction, betray his Truſt and turn Pirate, Enemy or Traitor, and piratically and feloniouſly run away with his or their Ship or Ships, or any Barge, Boat, Ordnance, Ammunition, Goods or Merchandize, or yield them up traitorouſly to any Pirate, Enemy or Traitor, or bring any ſeducing Meſſage from either of them, or conſult, combine or confederate with, or attempt or endeavour to corrupt any Commander, Maſter, Officer or Mariner, to yield up or run away with any Ship, Goods or Merchandize, or turn Pirate, or go over to Pirates or Enemies, or if any Perſon ſhall lay violent Hands upon his Commander, whereby to hinder him from fighting in Defence of his Ship and Goods committed to his Truſt, or ſhall confine his Maſter, or make or endeavour to make a Revolt in his Ship, he ſhall be adjudged to be a Pirate, Felon and Robber, and being convicted thereof as aforeſaid, ſhall have and ſuffer ſuch Pains of Death, Loſs of Lands, Goods and Chattels, as Pirates, Felons and Robbers, upon the Seas ought to have and ſuffer.

How Offences partly on Land and partly on Sea, ſhall be tried.

18. AND BE IT ENACTED *by the Authority aforeſaid*, That if any Perſon ſhall be felonioufly ſtricken or poiſoned at Sea, or out of this State, and ſhall die of the ſame in this State, the Offenders and their

Aiders and Abettors may be indicted, tried and adjudged for ſuch Felony in the Court of Oyer and Terminer of this State where ſuch Perſon ſhall die, before the Ordinary Juſtices of Oyer and Terminer and General Gaol Delivery; and if any Perſon ſhall be felonioufly ſtricken or poiſoned in this State, and ſhall die of the ſame at Sea or out of *New-Jerſey*, the Offenders and their Aiders and Abettors may be indicted, tried and adjudged, for ſuch Felony before the Court of Oyer and Terminer conſtituted by this Act for the Trial of Crimes committed at Sea.

Regiſter to be Clerk of the Admiralty Seſſions.

19. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Regiſter of the Court of Admiralty ſhall attend the Juſtices of Oyer and Teminer at the Courts of Admiralty Seſſions held agreeably to this Act as Clerk of the ſaid Court, and ſhall keep the Minutes and file the Records and Proceedings had therein in his Office.

Court of Admiralty liable to the Prohibition of the Supreme Court.

20. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That all and every the Proceedings of the Court of Admiralty of this State ſhall be liable to the Prohibition of the Supreme Court of Judicature, in like Manner and with like Effect as the Prohibition of the Court of King's Bench in *England* in like Caſe.

Officers to take the Oaths.

21. AND BE IT ENACTED, That the ſeveral Officers of the ſaid Court, from Time to Time, appointed as aforeſaid, ſhall take the Oaths or Affirmations of Abjuration and Allegiance ſet forth in an Act, intitled, * *An* Act *for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix, and alſo an Oath or Affirmation for the faithful Execution of their reſpective Offices, before one of the Judges of the Supreme Court of this State, previous to their entering upon the Diſcharge of the ſame.

Manner of ſupplying Vacancies.

22. AND BE IT HEREBY FURTHER ENACTED, That if the Judge, Regiſter or Marſhal of the ſaid Court, or other Officer appointed by Joint-Meeting agreeably to the Directions of this Act, ſhall by Death, Removal out of this State or other Incapacity, ceaſe to hold and diſcharge his reſpective Office during any Receſs of the Legiſlature, the Governor or Commander in Chief of the State for the Time being, with the Advice of the Privy Council, ſhall appoint a Succeſſor, who ſhall exerciſe the ſame as fully and amply as if he had been appointed by the Joint-Meeting, until the Vacancy is ſupplied at the next ſubſequent Meeting of the Legiſlature. PROVIDED ALWAYS, That ſuch Vacancy be filled within fifteen Days after ſuch ſubſequent Meeting. AND PROVIDED ALSO, That each and every Perſon ſo in any Caſe appointed, do qualify himſelf for the Office he is to hold in Manner as is herein before directed.

Mode of Impeachment and Diſmiſſion for Miſbehaviour.

23. AND BE IT ENACTED, That all or any of the Officers appointed by Virtue of this Act ſhall be liable to a Diſmiſſion from Office when adjudged guilty of Miſbehaviour by the Council, on an Impeachment of the Aſſembly, as is provided by the Conſtitution in ſimilar Caſes.

Seal of the Court, and Device.

24. AND BE IT ENACTED *by the Authority aforeſaid*, That a Seal of a

* Chap. II.

a proper Size ſhall be made under the Direction of the Judge of the Admiralty, with the Device of an Anchor and thirteen Stars on the Face of it, and a Legend round the Border in theſe Words, "Admiralty Seal, *New-Jerſey*," and which ſhall be uſed as the Seal of the Court of Admiralty.

Part of former Act repealed.

25. AND BE IT FURTHER ENACTED, That ſo much of the Act, intitled, * *An Act for inſtituting a Court of Admiralty, and for directing the Mode of appointing Cuſtomhouſe Officers in the State of* New-Jerſey, paſſed *December* the fifth, One Thouſand Seven Hundred and Seventy-eight, as reſpects Admiralty Juriſdiction, ſhall be and the ſame is hereby repealed.

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An ACT *for the more ſpeedy Settlement of the publick Accounts.*

Paſſed Dec. 20, 1781.

Preamble.

WHEREAS in and by the Act, intitled, *An* † *Act for the more eaſy and expeditious Recovery of Penalties on forfeited Recognizances, and for the Appropriation of Monies ariſing from the ſame, and from Fines and Amercements, and for other Purpoſes therein mentioned*, paſſed the twenty-ſecond Day of *September*, in the Year One Thouſand Seven Hundred and Seventy-ſeven, it is directed, "That every Sheriff ſhall "annually, at the Cloſe of his Office, pay to the Collector of the "County in which he reſides, the Sum of Money he ſhall have collected "and received by Virtue of Executions iſſued againſt recognizors;" and alſo, "That every ſuch Sheriff who, ſince the ſecond Day of *July*, "in the Year One Thouſand Seven Hundred and Seventy-ſix, hath "received or hereafter ſhall receive any Money ariſing from Fines and "Amercements awarded by any Court within this State, againſt any "Offender whatever, ſhall, yearly and every Year, at the Cloſe of his "Office, pay the ſame to the Collector of the County in which he "reſides:" AND WHEREAS by the ‡ *Supplement to the ſaid Act*, paſſed the eleventh Day of *June*, in the Year One Thouſand Seven Hundred and Seventy-nine, it is directed, that the Clerks of the ſeveral Courts ſhall make out and tranſmit to the Legiſlature in the firſt Week of their firſt Sitting after the annual Election, a complete Liſt of all the Fines and Amercements which ſhall have been awarded in ſuch Court, and alſo of the Amount of every Judgment entered on *Scire Facias*, for the forfeiting of any Recognizance; neither of which Laws appear to have been fully complied with, inſomuch that conſiderable Sums are yet outſtanding in ſome of the Counties, and complete Returns of the ſame are not now in the Hands of the Legiſlature; and the ſaid Returns being directed to be made to a collective Body, it is found by Experience that ſufficient Attention cannot be paid thereunto;

Sheriffs to pay Monies collected by them into the Treaſury.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That all Monies which have been received by any Sheriff of any County in this State, and which by the ſaid Law was directed to be paid by him to the County Collector, and have not yet been paid accordingly, ſhall be paid to the Treaſurer of the State, any Thing in the

* Chap. CXV. † Chap. XLIII. ‡ Chap. CXLIX.

the ſaid Law to the contrary notwithſtanding; and every Sheriff who has received any ſuch Monies, and has not already paid the ſame agreeably to the Directions of the ſaid recited Act, is hereby required to pay the ſame into the Treaſury on or before the firſt Day of *June* next enſuing.

Fines and Forfeitures to be paid into the Treaſury.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That every Sheriff ſhall annually, at the Cloſe of his Office, or within one Month after, pay into the Treaſury of this State ſuch Sums of Money as he ſhall have collected or received in Virtue of Executions iſſued againſt Recognizors, or ariſing from Fines and Amercements awarded by any Court within this State, againſt any Offender whatever, (except thoſe awarded in Virtue of the fourth Section of the above recited Supplement) retaining in his own Hands *Five per Cent.* for his Trouble in collecting, receiving and paying the ſame; and every Sheriff who ſhall neglect or refuſe to pay all ſuch Sums of Money into the Treaſury agreeably to the Directions of this Act, ſhall forfeit for every Offence the Sum of *Fifty Pounds*, to be recovered by the Treaſurer of the State for the Time being, in any Court of Record where the ſame ſhall be cognizable, with Coſts of Suit, and applied to and for the Uſe of the State, and ſhall alſo be ſubject to an Action of Debt at the Suit of the ſaid Treaſurer, on Behalf of the State, for Recovery of the whole Sum ſo by him received, with Intereſt and Coſts of Suit.

Fees.

Penalty.

County Collectors to pay up Arrears.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That every County Collector who has received any Monies in Virtue of the Directions of the ſaid recited Act, and who has not or ſhall not pay the ſame into the Treaſury on or before the ſaid firſt Day of *June* next enſuing, ſhall forfeit for every ſuch Offence the Sum of *Fifty Pounds*, to be recovered and applied in Manner aforeſaid, and ſhall likewiſe be ſubject to an Action of Debt at the Suit of the Treaſurer on Behalf of the State, for the Recovery of the whole Sum ſo by him received, with Intereſt and Coſts of Suit.

Penalty.

Clerks of Courts to furniſh Extracts of Fines, Amercements and Forfeitures.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Clerks of the ſeveral Courts in this State reſpectively ſhall make out true and full Extracts from the Minutes of ſuch Courts of the Amount of every Judgment entered in ſuch Court on *Scire Facias*, for the forfeiting of any Recognizance ſince the twenty-ſecond Day of *September*, in the Year One Thouſand Seven Hundred and Seventy-ſeven; and of all the Fines and Amercements awarded in ſuch Court, and which were payable into the Treaſury by the Directions of thoſe Laws, ſince the ſecond Day of *July*, in the Year One Thouſand Seven Hundred and Seventy-ſix; which Extracts ſhall likewiſe ſpecify the Names of the Perſons who were Sheriff and Collector in ſuch Counties reſpectively, at the Time ſuch Judgment was entered, or Fine or Amercement awarded, and ſhall alſo make out true Extracts of all final Judgments entered on forfeited Eſtates, and tranſmit the ſame to the Auditor of Accounts on or before the firſt Day of *May* next enſuing; and the ſaid Clerks ſhall in future, within ten Days after the Expiration of any Seſſion or Term, make out a true Extract from the Minutes of all Fines and Amercements awarded during ſuch Seſſion or Term, which are payable into the Treaſury of the State, and alſo the Amount of every Judgment entered on *Scire Facias*, for the forfeiting any Recognizance during ſuch Seſſion

Seſſion or Term, with Extracts of all final Judgments entered on forfeited Eſtates, and ſhall tranſmit the ſame to the Auditor of Accounts of the State for the Time being, on or before the firſt Day of *November* yearly and every Year; and any Clerk who ſhall neglect or refuſe to make out ſuch Extract and tranſmit the ſame to the Auditor on or before the firſt Day of *May* next, and on or before the firſt Day of *November* yearly, ſhall for ſuch Offence forfeit and pay the Sum of *Twenty-five Pounds*, to be recovered with Coſts of Suit by the Treaſurer of the State, in any Court of Record where the ſame ſhall be cognizable, and applied to and for the Uſe of the State; and the ſaid Auditor is hereby required within ten Days after the ſaid firſt Day of *May* next, and within ten Days after the ſaid firſt Day of *November* yearly, to make Return to the Treaſurer of the Names of all ſuch delinquent Clerks, if any there be, who is hereby required, immediately upon Receipt thereof, to commence Actions againſt them for the Penalties hereby inflicted on them for ſuch their Default. Penalty.

5. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſecond, third and fourth Sections of the ſaid recited Law, and the ſecond Section of the Supplement to the ſame, ſhall be, and the ſame hereby are repealed. Parts of former Acts repealed.

6. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Auditor of Accounts ſhall, immediately upon the Receipt of ſuch Extracts, open an Account in the publick Books in his Office againſt ſuch County reſpectively, in which he ſhall charge the Amount of ſuch Extract to the Debit of the Sheriff who ought to have collected the ſame, and ſhall credit his ſaid Account by all ſuch Monies as ſhall appear to have been paid into the Treaſury or to the County Collector on Account of the ſame; and if on ſtating the ſaid Accounts there ſhall appear to be a Balance due to the State, after the ſaid firſt Day of *May* next, or after the firſt Day of *November* yearly, then the ſaid Auditor ſhall immediately write to the Delinquent, acquainting him with the Amount of ſuch Deficiency, and requiring him to diſcharge the ſame, or give in his Reaſons why a Suit ſhould not be commenced againſt him for the Recovery thereof; and if the ſaid Delinquent ſhall not pay the ſame before the next Sitting of the Legiſlature, the Auditor ſhall make Return of the ſaid Deficiency to the Legiſlature, with the Reaſons, if any be rendered; and if no ſufficient Reaſons ſhall be rendered, to be judged of by the Legiſlature, then the Auditor ſhall make Return of ſuch Neglect and Deficiency to the Treaſurer of the State, who is hereby authorized and required immediately to commence an Action or Actions againſt ſuch Defaulter for the Recovery of the ſame, and of the Penalty inflicted by this Act for ſuch his Neglect of Duty; and if it ſhall appear that any Monies have been paid to any of the County Collectors by any Sheriff, as directed in the before recited Laws, which have not been nor ſhall be paid into the Treaſury before the ſaid firſt Day of *May* next, then the Auditor ſhall make Return of ſuch Delinquency to the Treaſurer of the State, who is hereby authorized and required immediately to commence an Action or Actions againſt ſuch delinquent Collector for the Sums ſo deficient, and the Penalty inflicted by this Act, for ſuch his Neglect of Duty. Auditor of Accounts to open Accounts againſt the Sheriffs.

7. AND WHEREAS the * *Act for expediting the Supplement of the Accounts of the Commiſſioners of forfeited Eſtates*, paſſed the fifteenth Day of *June*, One Thouſand Seven Hundred and Eighty, doth not appear to have the deſired Effect, and it appearing probable that the Buſineſs in future will not be ſo extenſive nor attended with ſo much Difficulties, BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That the Commiſſioners who have been appointed for taking Charge of the forfeited Eſtates in the ſeveral Counties, by or in Virtue of any Law of this State heretofore paſſed, ſhall be diſcharged from their appointments on the firſt Day of *February* next, and each of them are hereby diſcharged accordingly. PROVIDED ALWAYS, That Nothing in this Act contained ſhall be taken or conſtrued to extend to the preventing ſuch Commiſſioners from giving the neceſſary Deeds of Conveyance for Lands which they may have already ſold, or from giving ſuch Deeds after the Time above-mentioned, but all ſuch Deeds ſhall be taken and deemed to be good and valid notwithſtanding their having been given after the firſt Day of *February* next enſuing, nor to prevent the ſuing for (if need be) and recovering all ſuch Debts as ſhall be outſtanding at the Time aforeſaid for Goods or Chattels, Lands or Tenements, by them ſold in Purſuance of their Appointment.

Commiſſioners of Forfeitures diſcharged.

Proviſo.

8. AND BE IT ENACTED, That the Commiſſioners of the ſeveral Counties appointed as aforeſaid, ſhall and they are hereby required to render fair, juſt and true Accounts of all Monies by them received or paid in Purſuance of their Appointment, with the proper Vouchers to ſupport the ſame, together with a juſt and true Inventory of all the Perſonal Eſtates, and a fair Liſt of all Real Eſtates which remain unſold, to the Auditor of Accounts, and pay the Balance into the Treaſury, on or before the firſt Day of *June* next; and each and every Commiſſioner who ſhall refuſe or neglect to perform the Duty hereby required of him at the Time before-mentioned, ſhall forfeit and pay the Sum of *Five Hundred Pounds*, to be recoverd by the Attorney-General, in an Action of Debt at the Suit of the State, in any Court of Record where the ſame may be cognizable, with Coſts of Suit.

Commiſſioners to render fair Accounts *&c.* to the Auditor.

Penalty.

9. AND BE IT ENACTED, That the Auditor of Accounts ſhall, immediately after the aforeſaid firſt Day of *June*, make Return of every Commiſſioner delinquent of the Duties in this Act required to the Attorney-General, who is hereby directed to proſecute the ſaid Delinquents without Delay, for the Recovery of the Fine incurred by ſuch Neglect or Refuſal.

Auditor to make Return of Delinquents to the Attorney General,

10. AND BE IT ENACTED *by the Authority aforeſaid*, That the Auditor of Accounts ſhall, from Time to Time, make Return to the Treaſurer of the State, of all ſuch Accounts as are or ſhall be produced to and ſettled by him, with the Balance due from each Commiſſioner; and every Commiſſioner having Monies in his Hands or Poſſeſſion, ariſing from the Sale of any Eſtate Real or Perſonal, forfeited to the State in Manner aforeſaid, and who ſhall neglect or refuſe to account for the ſame, or ſhall make Default in paying the ſaid Monies into the Treaſury, ſhall be ſubject to an Action on the Caſe, at the Suit of the Treaſurer, for the Recovery of the ſame, with Intereſt and Coſts of Suit; and the ſaid Treaſurer is hereby directed to proſecute every ſuch delinquent

And to make Return of Accounts ſettled by him to the Treaſurer.

* Chap. CCXII.

delinquent Commiſſioner for ſuch Balance in his Hands without Delay.

Agents.

II. AND BE IT ENACTED *by the Authority aforeſaid*, That the Perſons hereafter named ſhall be, and they are hereby for the Counties in which they reſpectively reſide, appointed Agents for taking Charge of all ſuch forfeited Eſtates, in their reſpective Counties, *to wit*,

For the County of *Bergen*, *Hendrick Kuyper*.
For the County of *Eſſex*, Major *Samuel Hayes*.
For the County of *Middleſex*, *Benjamin Manning*.
For the County of *Suſſex*, *Edward Dunlop*.
For the County of *Somerſet*, *Roeloff Sebring*.
For the County of *Hunterdon*, *Moore Furman*.
For the County of *Burlington*, *Thomas Fenimore*.
For the County of *Glouceſter*, *John Gruffyth*.
For the County of *Salem*, *William Garriſon*.
For the County of *Cumberland*, *Theophilus Elmer*.
For the County of *Cape-May*, *Jeſſe Hand*.
For the County of *Monmouth*, *John Stillwell*, Son of *Joſeph*.
For the County of *Morris*, *Abraham Kitchel*.

Powers, &c. inveſted in them.

And ſhall be veſted with all the Powers and Privileges, and entitled to all ſuch Fees and Perquiſites, and ſubject to all ſuch Fines and Forfeitures, as the ſaid Commiſſioners are veſted with, entitled or made ſubject to by the ſeveral Laws in which their Duties, Powers and Privileges are defined.

Manner of ſupplying Vacancies.

12. AND BE IT FURTHER ENACTED, That in caſe any Vacancy ſhould happen by Non-Acceptance, Neglect or Refuſal of Duty, Death or Diſability of the ſaid Agents, the Repreſentatives of the County for the Time being, or the Majority of them, ſhall be, and they are hereby required to ſupply the ſame by a new Appointment; and the Agents ſo appointed ſhall be veſted with the like Powers, entitled to the ſame Rewards, and ſubjected to the ſame Penalties for Neglect or Refuſal of Duty, as are veſted in, allowed to or inflicted on the Agents appointed in this Act.

Commiſſioners to deliver up to the Agents all Inquiſitions, &c.

Penalty.

13. AND BE IT ENACTED, That the preſent Commiſſioners in each and every County ſhall, on or before the ſaid firſt Day of *February*, deliver up to the Agent of ſuch County all ſuch Inquiſitions, Draughts of Land, Deeds, Leaſes, and all other Papers and Documents as may remain in their Hands, belonging to their Appointment, together with a juſt and true Inventory of all Perſonal Eſtates, and a fair Liſt of all Real Eſtates which remain unſold, under the Penalty of *Fifty Pounds*, to be ſued for and recovered with Coſts of Suit, by ſuch Agent in his own Name, but to and for the Uſe of the State, excepting ſuch Papers and Vouchers as may be neceſſary in the Settlement of their Accounts, or for the giving proper Conveyances for Lands which they may have already ſold.

Agents to do the like to their Succeſſors.

14. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid Agents and each of them, their and each of their Executors and Adminiſtrators, ſhall be, and they hereby are required to deliver over into the Hands of their Succeſſors appointed as herein before directed in this Act, all ſuch Inquiſitions, Surveys of Land, Leaſes, and other

other Papers and Documents as may remain in their or any of their Hands, which may belong or in anywiſe appertain to their Duty or Truſt (excepting as before excepted as in the Caſe of the Commiſſioners of forfeited Eſtates in this Act) together with a juſt and true Inventory of all Perſonal Eſtates, and a fair Liſt of all Real Eſtates which ſhall remain unſold, under the Penalty of *Fifty Pounds*, to be ſued for and recovered by their reſpective Succeſſors, with Coſts of Suit, in their own Name, and paid into the Treaſury for the Uſe of the State; and that the ſaid Agents in the ſeveral Counties ſhall, yearly and every Year, on the ſecond *Tueſday* in *November*, render juſt and true Accounts of all Monies received and paid by them in Purſuance of their ſaid Appointment, with the neceſſary Vouchers to ſupport the ſame, to the Auditor of Accounts for the Time being, under the Penalty of *One Hundred Pounds*, to be ſued for and recovered with Coſts of Suit, by the Treaſurer of the State for the Time being, on Behalf of the State.

Penalty.

Agents to pay Monies they may receive to the Treaſurer.

15. AND BE IT ENACTED, That the Agents of the ſeveral Counties reſpectively ſhall be, and they are hereby required from Time to Time to pay all ſuch Monies as they ſhall receive in Conſequence of this Appointment, to the Treaſurer of the State for the Time being, taking his Receipt for the ſame; and any Agent who ſhall neglect or refuſe to pay in all ſuch Monies on or before the ſaid ſecond *Tueſday* in *November* yearly, ſhall forfeit and pay the Sum of *One Hundred Pounds*, to be ſued for and recovered by the ſaid Treaſurer with Coſts of Suit, in any Court of Record where the ſame ſhall be cognizable, and applied to and for the Uſe of the State, and ſhall likewiſe be ſubject to an Action of Debt at the Suit of the Treaſurer, for the Recovery of the Whole of the Money which ſhall ſo remain unpaid, with Intereſt and Coſts of Suit.

Penalty for Neglect.

Militia Paymaſters, when to render Accounts.

16. AND WHEREAS, in the ſeveral Reſolutions appointing Paymaſters to the Militia, there are no ſtated Times appointed for the Settlement of their Accounts, BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That the Paymaſters to the Militia in the ſeveral Counties in this State ſhall be, and they and each of them hereby are directed and required to render juſt and fair Accounts of all Monies by them received and paid in Purſuance of their Appointment, to the Auditor of Accounts for the Time being, on or before the firſt Day of *May* next, together with the Rolls and Vouchers in ſupport of the ſame, under the Penalty of *Fifty Pounds*, to be ſued for and recovered by the Treaſurer of the State for the Time being, with Coſts of Suit, in any Court of Record where the ſame may be cognizable, and applied to and for the Uſe of the State.

Penalty.

Alſo annual Accounts.

17. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid Paymaſters, and each and every of them, ſhall, on or before the firſt Day of *May*, and on or before the firſt Day of *November* yearly, and in every Year, render a like Account to the Auditor for the Time being, with the proper Rolls and Vouchers to ſupport the ſame, under the like Penalty for every Neglect, to be recovered and applied as aforeſaid.

18. AND WHEREAS Monies are frequently coming into the Treaſury of the State on various Accounts, by which Means no regu-

lar

lar Check can be had on the Accounts of the Treaſurer, BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That all Perſons, paying Monies into the Treaſury of this State on any Account whatever, ſhall immediately, on receiving the Treaſurer's Receipt for the ſame, carry the ſaid Receipt to the Auditor of Accounts, to be by him entered in the publick Books in his Office, in an Account to be opened therein againſt the Treaſurer; and the ſaid Auditor is hereby required, on ſuch Receipt being offered to him for that Purpoſe, without Fee or Reward, to enter the ſame accordingly, and to endorſe thereon the Time when, and the Book and Page where the ſame was entered, ſigning his Name to the ſaid Endorſement, and no Receipt from the Treaſurer ſhall hereafter be deemed valid, or allowed to operate againſt the State without ſuch Endorſement thereon; and that no one may plead Ignorance of this Law, the Treaſurer is hereby directed to cauſe a fair Copy of the enacting Clauſe of this Section to be ſet up in ſome conſpicuous Part of his Office, for the information of every Perſon concerned.

Check on the Treaſurer's Accounts, how to be made.

CHAP. CCXCII.

* *An* ACT *to procure an Eſtimate of the Damages ſuſtained by the Inhabitants of this State from the Waſte and Spoil committed by the Troops in the Service of the Enemy and their Adherents, by the Continental Army, or by the Militia of this or of the neighbouring States.*

Paſſed Dec. 20, 1781.

WHEREAS many of the loyal and faithful Subjects of this State have ſuffered, or may hereafter ſuffer, great Damages from the wanton Spoil and Ravages of the Troops in the Service of the Enemy or their Adherents, and from the Waſte committed by the Continental Army, or by the Militia of this or of the neighbouring States: AND WHEREAS it is neceſſary that an Eſtimate be made of the ſame, in order to enable the Legiſlature to deviſe Ways and Means for the Relief of thoſe who have ſuffered, that equal Juſtice may be done to all the Inhabitants of this State;

Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the following Perſons be, and they hereby are appointed Appraiſers in the ſeveral Counties of this State, for the Purpoſe of valuing, eſtimating and appraiſing the ſaid Damages, in the Counties for which they are ſeverally appointed; *that is to ſay*,

Appraiſers of Damages.

For the County of *Bergen*, *James Board*, *Henry Mead* and *John Hogan*, jun. Eſquires.

For the County of *Eſſex*, *William Wilcocks*, Doctor *Matthias Pierſon* and *Henry Garritſe*.

For the County of *Middleſex*, *Benjamin Manning*, *Joſeph Olden* and *Nathaniel Hunt*, Eſquires.

For the County of *Monmouth*, Colonel *Aſher Holmes*, *Peter Covenhoven*, of *Upper-Freehold*, and *Kenneth Anderſon*, Eſquires.

* This Meaſure has been earneſtly recommended by Congreſs to the different States, that the Account might be tranſmitted by the Miniſter of foreign Affairs to the Commiſſioners or Miniſters of theſe States at *Paris*.

For the County of *Somerſet*, *Nathaniel Ayares*, *Abraham Staats* and *Abraham Van-Dorn*, Eſquires.

For the County of *Burlington*, *Joſiah Foſter*, *William Newbold* and *Iſaac Cowgill*.

For the County of *Glouceſter*, *John Wilkins*, Eſq. *Matthew Gill*, jun. and *James Sloan*.

For the County of *Salem*, *Thomas Carney*, *Thomas Carpenter* and *William Smith*, Eſquires.

For the County of *Cape-May*, *Jeſſe Hand*, *Eli Eldredge* and *Nicholas Stillwell*, Eſquires.

For the County of *Hunterdon*, *Peter Gordon*, *Sidney Berry* and Colonel *Joſeph Phillips*.

For the County of *Morris*, *Benjamin Halſey*, *Aaron Forman* and *Benjamin Lindſly*, Eſquires.

For the County of *Cumberland*, *Ephraim Harris*, *Ephraim Seeley* and *Samuel Ewing*, Eſquires.

For the County of *Suſſex*, *Robert Hoops*, *William Maxwell* and *Edmund Martin*, Eſquires.

Who are to take an Oath of Office.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Appraiſers of each reſpective County ſhall, before they proceed to the Performance of the Duties of their Office, ſeverally repair to a Juſtice of the Peace of the County, and take an Oath or Affirmation faithfully to diſcharge the Duties on them enjoined by this Act, according to the beſt of their Skill and Underſtanding.

Appoint Times of Meeting,

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Appraiſers of each County, or any two of them, ſhall meet together at ſuch Time or Times, and ſo often as may be neceſſary, to anſwer the Purpoſes of their Appointment, and at ſuch Place or Places within the County as may be moſt convenient to the Inhabitants, giving Notice thereof by Advertiſements ſet up in five of the moſt publick Places of the County, at leaſt four Weeks previous to their Meeting, that all Perſons having any Claim for Goods, Chattels or other Property, whether Real or Perſonal, damaged, waſted, ſpoiled, plundered, burned or deſtroyed by the Troops in Service of the Enemy or their Adherents, or by the Continental Army, or by the Militia of this or of the neighbouring States, may produce Inventories thereof; which Inventories ſhall contain a Liſt of the ſpecifick Goods, Chattels or Property of what Nature or Kind ſoever, ſo damaged, waſted, ſpoiled, plundered, burned or deſtroyed, expreſſing the Time when and the Troops by whom the ſame was done.

And value and appraiſe the Articles inventoried.

4. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Appraiſers, when ſo met, or any two of them, ſhall receive and admit ſuch Inventories as may be delivered to them by the Applicants or Claimants reſpectively, in Virtue of the Directions of this Act, and ſhall value and appraiſe the Articles therein contained ſeverally, and as nearly as may be, agreeably to the current Prices ſuch Articles would have borne reſpectively in the Year One Thouſand Seven Hundred and Seventy-five, and ſhall cauſe the ſame to be regiſtered in Manner herein after directed.

Proviſo.

PROVIDED ALWAYS, That no ſuch Inventory ſhall be received, admitted or regiſtered, or any Appraiſement thereon made, unleſs the ſame ſhall be proved to the Satisfaction of the ſaid Appraiſ-

ers,

ers, by the Oath or Affirmation of one or more creditable Witneſſes, knowing to the Fact, and that the Truth thereof ſhall be teſtified upon Oath or Affirmation by the Claimants reſpectively, and that no Reſtitution, Satisfaction or Payment has been received of or for the Goods, Chattels or other Property therein contained. AND PROVIDED ALSO, That no Inventory of any Goods, Chattels or other Property whatſoever, which have been or hereafter may be damaged, ſpoiled, plundered, burned or deſtroyed by the Troops in Service of the Enemy or their Adherents, or pretended ſo to be, ſhall be admitted, regiſtered, or any Appraiſement thereon made in Behalf of any Perſon who ſhall be deemed by the Appraiſers of a ſuſpicious Character, unleſs the Claimant ſhall produce a Certificate under the Hands of at leaſt two of the Juſtices of the Peace of the County wherein he reſides, of his being a Friend to the preſent Government as eſtabliſhed under the Authority of the People, and that he has taken the Oaths of Abjuration and Allegiance, preſcribed in an Act, intitled, * *An Act for the Security of the Government of* New-Jerſey.

Damages not to be allowed to ſuſpicious Perſons.

5. BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the ſaid Appraiſers, or any or either of them, and they are hereby reſpectively authorized and empowered to cite before them, by Summons, under their or any or either of their Hands and Seals, directed to any Conſtable of the County, who is hereby required to pay Obedience thereto, ſuch Perſon or Perſons as may appear likely or qualified to give Information in the Premiſes, and him or them to examine, upon Oath or Affirmation, touching the ſame; which Oath or Affirmation either of the ſaid Appraiſers is hereby empowered to adminiſter; whoſe Depoſitions ſhall be committed to Writing, and regiſtered by the ſaid Appraiſers as herein after directed, and the Conſtable ſhall be entitled to receive *Two Shillings and Six-pence* for the Service of every Summons, and the Witneſſes *Two Shillings* for every Day they ſhall attend, to be paid by the County Collector, out of any publick Money in his Hands, on Certificates being produced to him of the reſpective Services, ſigned by the ſaid Appraiſers or any two of them.

Appraiſers empowered to ſummon Perſons to give Information.

6. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid Appraiſers ſhall cauſe to be tranſcribed and regiſtered in a Book, Copies of all Inventories to them properly authenticated, of ſuch Property as may have been or hereafter may be damaged or deſtroyed by the Enemy or their Adherents, together with their Appraiſements thereon, and Copies of the Vouchers on which they were founded, and ſhall alſo, in a ſeparate Book, cauſe to be tranſcribed and regiſtered all Inventories to them properly authenticated of ſuch Property as may have been or hereafter may be damaged or deſtroyed by the Continental Army, or by the Militia of this or of the neighbouring States, together with their Appraiſements thereon, and Copies of the Vouchers on which they were founded, and ſhall tranſmit the ſame to the Legiſlature at their firſt Sitting after each annual Election.

Copies of Inventories to be regiſtered.

7. AND BE IT ENACTED *by the Authority aforeſaid*, That if any Perſon or Perſons ſhall preſume to deliver in, upon Oath, a falſe, feigned or forged Inventory (of Goods, Chattels, or Real Property deſtroyed or pretended ſo to be) knowing the ſame to be falſe, or for which he, ſhe or

Perſons delivering in falſe Inventories excluded from any Benefit.

* Chap. II.

or they hath received Satisfaction, Reſtitution or Payment, ſuch Perſon or Perſons ſo offending, ſhall forever thereafter be excluded from deriving any Benefit from this Act, and ſhall moreover be liable to the ſame Pains and Penalties as are by Law inflicted upon Perſons guilty of wilful and corrupt Perjury.

Conſtable neglecting his Duty, what to forfeit.

8. AND BE IT FURTHER ENACTED, That if any Conſtable ſhall neglect or refuſe to perform any Duty of him by this Act required, he ſhall for each Offence forfeit the Sum of *Five Pounds;* and if any Witneſs, ſummoned to give Evidence before the ſaid Appraiſers, ſhall neglect or refuſe to attend and give Evidence accordingly, he ſhall for ſuch Offence forfeit the Sum of *Five Pounds;* which ſeveral Penalties ſhall be recovered by the Appraiſers or any or either of them, with Coſts of Suit, in their or either of their Names, in any Court where the Action ſhall be cognizable, to and for the Uſe of the County.

Appraiſers' Wages.

9. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Appraiſers reſpectively ſhall be allowed the Sum of *Seven Shillings and Six-pence* by the Day, for each Day they ſhall be employed in the Duties of them required by this Act, and *Nine-pence* per Sheet, containing ninety Words to the Sheet, for regiſtering the Inventories and Vouchers on which the ſame are founded, to the Appraiſers for regiſtering the ſame, to be paid by the Collector of the County for which they were appointed, out of any Monies which may be in his Hands, on Accounts to him produced for that Purpoſe, authenticated before a Juſtice of the Peace of the County, by the Oath or Affirmation of the Appraiſers claiming the ſame, whoſe Receipt ſhall be a ſufficient Voucher to the ſaid Collector for ſo much of the Publick Money, in the Settlement of his Accounts.

Vacancies, how to be ſupplied.

10. AND BE IT FURTHER ENACTED, That in caſe the ſaid Appraiſers appointed in any County of this State, by Virtue of this Act, or either of them, ſhall neglect or refuſe to accept their Appointment, or ſhall by Death, Reſignation, Removal out of the County, or other Diſability, ceaſe to perform the Duties of them required by this Act, the Vacancy ſhall be ſupplied by the Rrepreſentatives of ſuch County, or a Majority of them; and the Perſons ſo appointed ſhall be veſted with the Powers, perform the Duties, and be entitled to the Rewards of Appraiſers to all Intents and Purpoſes.

Authority of Appraiſers, how far to extend.

11. AND IT IS HEREBY FURTHER PROVIDED AND ENACTED, That Nothing in this Act contained ſhall be taken, deemed or conſtrued, to extend to authorize the Appraiſers of any County in this State, who are or ſhall be appointed in Virtue of the Directions of this Act, to receive or admit Inventories of any Privateers or Veſſels of War, Merchant Ships or trading Veſſels, their warlike Stores, Tackle, Apparel, Funiture or Cargo, which have or hereafter may be taken or deſtroyed by the Enemy, or piratically ſeized and carried off by the Sailors on the High Seas, or to Regiſter or make any Appraiſement thereon.

CHAP.

CHAP. CCXCIII.

An ACT *for regulating Navigation and Trade in this State.*

Paſſed Dec. 21, 1781.

Preamble. WHEREAS it is of great Importance to this State that the Trade and Navigation in her Ports and Harbours, and the Importation and Exportation of all Goods, Wares and Merchandize in and out of the ſame, ſhould be regulated and aſcertained by Law; Therefore,

Naval Officers, how to be appointed, where to reſide, and Continuance in Office. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Council and Aſſembly, in Joint-Meeting, ſhall appoint a Naval Officer, reſiding in each of the Counties of *Middleſex*, *Burlington* and *Cumberland*, to be commiſſioned by the Governor or Commander in Chief for the Time being, and to continue in Office for and during the Term of three Years, who ſhall make Returns annually of all Imports and Exports entered in their reſpective Offices, to be lodged in the Secretary's Office on or before the firſt Day of *November* yearly. PROVIDED ALWAYS, That no Perſon appointed a Naval Officer as aforeſaid ſhall, during his Continuance in ſuch Office, be concerned directly or indirectly in any foreign Trade or Commerce. AND PROVIDED ALSO, That the ſaid Naval Officer appointed as aforeſaid ſhall be liable to a Diſmiſſion from Office within the aforeſaid Term, when adjudged guilty of Miſbehaviour by the Council, on an Impeachment of the Aſſembly, as provided in the Conſtitution in ſimilar Caſes.

Proviſo.

Liable to be diſmiſſed.

Maſter of a Ship to deliver a Manifeſt in three Days after his Arrival. 2. AND BE IT ENACTED *by the Authority aforeſaid*, That the Maſter, or in caſe of his Diſability, the Mate of every Ship or other Veſſel (except Ships or Veſſels of War, Privateers and their Prizes) arriving in any Port of this State ſhall, within three Days after ſuch Arrival, repair to ſome one of the Naval Officers of this State, and exhibit and deliver to ſuch Naval Officer a true Manifeſt, ſigned by the ſaid Maſter, of all the Goods, Wares and Merchandize laden and imported in ſuch Ship or Veſſel, ſetting forth the Packages, Marks and Numbers thereof, and the Nature and Quantity of their Contents, in Number, Weight and Meaſure, as they are commonly counted, eſtimated and ſold, and alſo his own Name and Surname, the Name and Burden of the Ship or Veſſel, the Names and Abodes of the Owner or Owners thereof, and the Country, Port or Place where the Cargo was ſhipped, together with ſuch Documents as are uſually furniſhed in ſuch Place of Lading to Maſters of Veſſels ſailing from thence with Goods, Wares and Merchandize.

Maſters of Ships outward bound, to make Report. 3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Maſter of any Ship or other Veſſel to be laden at any Port or Place within this State (except Ships or Veſſels of War, and Privateers taking in neceſſary Stores or Proviſions) ſhall firſt perſonally make his Report to one of the Naval Officers of this State, of the intended Voyage of his Veſſel, and of the Goods, Wares and Merchandize, intended to be ſhipped and exported, and ſhall obtain the ſaid Naval Officer's Permit, under his Hand and Seal of Office for that Purpoſe; and before ſuch Ship or Veſſel ſhall proceed or ſail, the ſaid Maſter

ſhall exhibit and deliver at the Office of the ſaid Naval Officer who ſhall have granted the Permit aforeſaid, a fair and true Manifeſt of his outward Cargo, ſigned by him in Manner and Form as the Manifeſts and Declarations of Importers of Goods into this State are by this Act directed to be made out and ſtated: AND IT IS HEREBY PROVIDED AND ENACTED, That in the Manifeſts, as well of Cargoes imported, as of Cargoes ſhipped off and outward bound, the Number, Weight and Meaſure of the Particulars of ſaid Cargoes ſhall be expreſſed in Words at full Length, and not in Figures only; and the ſaid Naval Officer ſhall adminiſter an Oath or Affirmation to the Maſters of Veſſels coming in and going out of the Ports or Places of this State, in Subſtance as followeth, *to wit*,

Their Oath.

THAT the called the now at Anchor in the Port of and her Cargo, is the Property of the Perſon or Perſons in his Manifeſt named, and that no Enemy or Subject of an Enemy to this or any of the United States of America, *is the Owner or Proprietor of the ſaid or her Cargo, or of any Part or Share of either of them, to his Knowledge and Belief, and that the Goods, Wares and Merchandize now on Board the ſaid are in Number, Quantity and Quality, the ſame as in his ſaid Manifeſt ſpecified and declared, to the beſt of his Knowledge.*

Who are to give Bond not to land the Cargo in the *Britiſh* Dominions.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That, during the Continuance of the preſent War between the United States of *America* and *Great-Britain*, the Maſter of any Veſſel ſailing from any Port or Place of this State, ſhall, at the Office of the ſaid Naval Officer where Application is made for Clearance, give Bond to the Governor or Commander in Chief of this State for the Time being, to and for the Uſe of the State, with two ſufficient Sureties reſident in this State, in at leaſt double the Value of his Cargo, with Condition that the ſame Cargo ſhall be landed and delivered at ſome Place or Port not under the Dominion of the King of *Great-Britain*; and that he the ſaid Maſter ſhall, within the Space of eighteen Months from the Date of ſuch Bond, produce and deliver to the ſaid Naval Officer who granted his Clearance, a Certificate from the Officer of any Port in the Dominions of the United States of *America* or elſewhere, that the Goods and Merchandize mentioned in his Clearance or Cocket were actually landed at the Place where ſuch Certificate was given, the Danger of the Seas and of Enemies only excepted.

No *Britiſh* Goods to be imported, except Prize Goods.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That, during the Continuance of the preſent War between the United States of *America* and *Great-Britain*, no Goods, Wares and Merchandize of the Growth, Produce or Manufacture of *Great-Britain* or any of her Dominions, other than Goods taken as Prize Property, or regularly and fairly imported from Places under the Dominion of the Allies of theſe United States, or of neutral Powers, and certified to be ſuch, ſhall be imported by Land or Water into this State; nor ſhall any Goods, Wares and Merchandize of the Growth, Produce or Manufacture of *Eaſt-India*, or any other Country not belonging to *Great-Britain*, be imported from *Great-Britain* or any of her Dominions, on Pain of Penalty. Confiſcation of all ſuch Goods, Wares and Merchandize, one Half thereof to the Uſe of the Informer, and the other Half the Uſe of this State, to be recovered either by Seizure of ſuch Goods, in the Nature

ture of an Attachment, and a Proſecution *in Rem*, or elſe by an Action of Debt againſt the Importer, for the Value of ſuch Goods, Wares and Merchandize, in any Court of Record in this State. PROVIDED ALWAYS, That ſuch Action or Proſecution ſhall be brought and commenced within ſix Months from the Time the Cauſe hath ariſen. Proviſo.

6. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That in order to enable the Owner of any Ship or Veſſel to navigate the ſame under the Protection of the United States of *America* and this State, and to claim the ſame as the Property of a Subject of this State, either within the ſame or elſewhere, and to detect Frauds and Abuſes which may be attempted to cover the Ships, if an Enemy, all the Ships and Veſſels of and belonging to any Subject of this State ſhall be regiſtered with one of the Naval Officers of this State, when ſuch Ship or Veſſel ſhall be built or firſt brought into any Port of the ſame, and before the next Departure of ſuch Ship or Veſſel; for which Purpoſe one or more of the Owners thereof ſhall certify, on Oath or Affirmation to the ſaid Naval Officer, the Name, Burden, Shape and Kind of ſuch Ship or Veſſel, together with the Name of the Maſter, the Place of Conſtruction, and Age of ſuch Ship or Veſſel, and the Name or Names of the Owner or Owners thereof, their Occupation and Abodes, and the Parts and Shares they reſpectively hold in the ſame; and the Naval Officer ſhall enter and regiſter ſuch Ship or Veſſel in a Book to be provided for that Purpoſe, and furniſh to the ſaid Owners or any other Perſons who ſhall require it, an atteſted Copy of ſuch Regiſter. All Veſſels to be regiſtered.

7. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if the Maſter of any Ship or Veſſel arriving in any Port of this State, or proceeding on a Voyage from any Port or Place within the ſame, ſhall neglect to exhibit and deliver to one of the Naval Officers of this State ſuch Manifeſt as is herein before required to be made, within the Time before limited, the Maſter ſo neglecting as aforeſaid ſhall forfeit and pay to the Naval Officer who ſhall proſecute the ſame the Sum of *Two Hundred Pounds* for every ſuch Neglect, moreover he ſhall recompenſe and pay the ſaid Naval Officer or other Perſon any reaſonable Charge and Expence he may be at in ſearching ſuch Ship or Veſſel, in order to diſcover any illicit Practice in the Import or Export of any Goods, Wares and Merchandize; to which Search ſuch Ship or Veſſel is hereby made liable for the Space of ten Days, and no longer; and if any Goods, Wares or Merchandize, ſhall be landed in this State from any Ship or Veſſel, and not reported in the Manifeſt thereof, all ſuch Goods, Wares and Merchandize, ſhall be forfeited and ſeized by any of the ſaid Naval Officers, or any Perſon duly authorized by either of them, one Half to the Informer, and the other Half to the Uſe of the State. PROVIDED ALWAYS, That no Veſſels employed in tranſporting Lumber, Fuel, Hay, Stone, or any Produce or Manufacture of this State or the other United States, plying within the Bay or River *Delaware*, within the *Raritan* River, within the Sound or *Arthur-Cull-Bay*, or within the North or *Hudſon*'s River, ſhall be included in the Regulations aforeſaid. Maſters neglecting to exhibit a Manifeſt, what to forfeit. Proviſo.

8. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That every of the Naval Officers appointed as aforeſaid ſhall have the ſame Seal of Office as directed for the Court of Admiralty by the Act, intitled, Naval Officers' Seal.

* *An*

* *An Act for regulating and eſtabliſhing Admiralty Juriſdiction*, which ſhall be affixed to all Regiſters, Clearances and other Writings requiring the Naval Officer's Seal.

Maſters to underſign Clearances.

9. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That each and every Naval Officer within this State, ſhall, before he ſhall diſpatch or ſuffer any Veſſel, whether armed or unarmed, to depart from any Port within the ſame, require the Captain or Maſter and Chief Mate of every ſuch Veſſel to underſign the Clearance, in the Preſence of the ſaid Naval Officer, who is alſo hereby required and directed to inſert on the Back of the Clearance a minute Deſcription of the Perſons of the ſaid Captain or Maſter, and his Mate, with their Age, Stature and Complexion reſpectively, and to certify the ſame under his Signature and Seal of Office.

Penalty on Officers clearing out Veſſels contrary to this Act.

10. AND BE IT FURTHER ENACTED, That if any Naval or other Officer, from and after the paſſing of this Act, ſhall preſume to clear out or diſpatch any Veſſel without complying with the Directions herein contained, he ſhall forfeit and pay for every ſuch Offence the Sum of *One Hundred Pounds*, to be recovered in an Action of Debt by any Perſon who will ſue for the ſame, with Coſts of Suit, one Half to the Uſe of the Proſecutor, and the other Half to be paid into the Treaſury for the Uſe of the State.

Parts of Acts repealed.

11. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Act, intitled, † *An Act to direct the Naval Officers in clearing out Veſſels in any of the Ports of this State*, paſſed the fourth Day of *June*, One Thouſand Seven Hundred and Eighty-one, and ſo much of the Act, intitled, ‡ *An Act for inſtituting a Court of Admiralty, and for directing the Mode of appointing Cuſtomhouſe Officers in the State of* New-Jerſey, as reſpects the Appointment of Cuſtomhouſe Officers, ſhall be, and the ſame are hereby repealed.

CHAP. CCXCIV.

An ACT *to ſecure the Profits of Lands upon the Frontiers of the State, to the Owners reſpectively, who have been compelled to abandon the ſame.*

Paſſed Dec. 22, 1781.

Preamble.

WHEREAS many of the Owners and Poſſeſſors of Lands, lying on the Frontiers of this State, have, by their Attachment to the Cauſe of Freedom, and on Account of their Activity againſt the common Enemy, rendered themſelves obnoxious to the ſame, and conſequently have been obliged to leave their accuſtomed Habitations; and as a Number of diſaffected and ill-diſpoſed Perſons, who can with Safety remain in the Vicinity of ſuch Lands, ſuffer their Horſes, Sheep and Neat-Cattle, to graze on ſaid Lands;

Enacting Clauſe.

BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That every

* Chap. CCXC. † Chap. CCLIII. ‡ Chap. CXV.

every Perſon, who ſhall have been compelled to remove from his Lands through Fear of the Enemy, ſhall have his Action of Debt in any Court of Record within the State where ſuch Suit may be cognizable for the Recovery of the Value of ſuch Paſturage as the Horſes, Sheep and Neat-Cattle of any Perſon in the Vicinity of ſuch Lands ſhall have conſumed from off the ſame, ſuch Value to be adjudged by judicious and diſintereſted Freeholders indifferently choſen by the Parties in the uſual Way, any Law, Uſage or Cuſtom, to the contrary notwithſtanding.

Proviſo. PROVIDED ALWAYS, That Nothing in this Act contained ſhall be deemed, conſtrued or taken to interfere with or in anywiſe alter the Act, intitled, * *An* Act *to ſecure to the Owners and Poſſeſſors of ſuch Lands lying in the Townſhips of* Woodbridge *and* Piſcataway, *in the County of* Middleſex, *the Encloſures of which have been deſtroyed in the Courſe of the preſent War, the Uſe and Benefit of the ſaid Lands as Common of Paſture under certain Regulations*, paſſed *June* the twelfth, One Thouſand Seven Hundred and Seventy-nine, or in anywiſe to affect or alter one other Act, intitled, † *An* Act *to ſecure to the Owners of Lands, lying in the North Ward of* New-Brunſwick, *in the County of* Middleſex, *and in the Eaſtern Precinct of the County of* Somerſet *adjoining, the Encloſures of which have been deſtroyed in the Courſe of the preſent War, the Uſe of the ſaid Lands*, paſſed *March* the fifteenth, One Thouſand Seven Hundred and Eighty.

CHAP. CCXCV. *An* Act *for recovering certain Monies due for the Hire of Subſtitutes.* Private.

Paſſed Dec. 22, 1781.

This Law was paſſed for the Relief of *Joſeph Haight*, late Colonel of the ſecond Regiment of Militia of the County of *Burlington*, in order to enable him to recover Monies which he had engaged to pay for the Hire of Subſtitutes enliſted into the Service of the State, in Virtue of Chap. CXXXII.

CHAP. CCXCVI.

An ACT *to amend an Act, intitled,* ‡ *An* Act *to declare the Value of the Continental Currency through the ſeveral Periods of its Depreciation, and to provide for the more equitable Payment of Debts.*

Paſſed Dec. 25, 1781.

Preamble. WHEREAS the Scale of Depreciation eſtabliſhed by the Act, intitled, *An* Act *to declare the Value of the Continental Currency through the ſeveral Periods of its Depreciation, and to provide of the more equitable Payment of Debts*, paſſed *June* the twenty-ſecond, One Thouſand Seven Hundred and Eighty-one, is too general in the early Periods of Depreciation, and in other Reſpects does not anſwer the equitable Purpoſes thereby intended;

Part of an Act repealed. *Sect.* 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That ſo much of the ſaid recited Act as reſpects the eſtabliſhing

* Chap. CLI. † Chap. CXCII. ‡ Chap. CCLXV.

the Table of Depreciation therein ſpecified, ſhall be, and the ſame is hereby repealed.

Table of Depreciation.

2. AND BE IT FURTHER ENACTED, That, from and after the paſſing of this Act, the following Table ſhall be, and the ſame is hereby eſtabliſhed in the Place and Stead of the above-mentioned Table, *viz.*

TABLE ſhewing the Value in Specie of *One Hundred Dollars*, Continental Currency.

1777.	dol.	90ths.	1777.	dol.	90ths.	1778.	dol.	90ths.	1778.	dol.	90ths.
Sept. 1	100		Nov. 10	80	48	Jan. 19	64	77	March 30	50	14
2	99	62	11	80	26	20	64	59	31	49	84
3	99	34	12	80	3	21	64	41	April 1	49	64
4	99	6	13	79	71	22	64	24	2	49	44
5	98	69	14	79	49	23	64	6	3	49	24
6	98	41	15	79	27	24	63	78	4	49	4
7	98	14	16	79	5	25	63	60	5	48	74
8	97	77	17	78	73	26	63	42	6	48	54
9	97	50	18	78	51	27	63	25	7	48	35
10	97	23	19	78	29	28	63	7	8	48	15
11	96	85	20	78	7	29	62	80	9	47	86
12	96	59	21	77	76	30	62	62	10	47	66
13	96	32	22	77	54	31	62	45	11	47	47
14	96	5	23	77	32	Feb. 1	62	27	12	47	28
15	95	68	24	77	11	2	62	10	13	47	9
16	95	42	25	76	80	3	61	83	14	46	80
17	95	15	26	76	58	4	61	66	15	46	61
18	94	79	27	76	37	5	61	48	16	46	42
19	94	52	28	76	16	6	61	31	17	46	23
20	94	26	29	75	84	7	61	14	18	46	5
21	94		30	75	63	8	60	87	19	45	76
22	93	64	Dec. 1	75	42	9	60	70	20	45	58
23	93	38	2	75	21	10	60	54	21	45	39
24	93	12	3	75		11	60	37	22	45	21
25	92	76	4	74	70	12	60	20	23	45	3
26	92	50	5	74	49	13	60	3	24	44	74
27	92	24	6	74	28	14	59	77	25	44	56
28	91	89	7	74	8	15	59	60	26	44	38
29	91	63	8	73	77	16	59	43	27	44	20
30	91	38	9	73	56	17	59	27	28	44	3
Oct. 1	91	12	10	73	36	18	59	10	29	43	75
2	90	87	11	73	16	19	58	84	30	43	57
3	90	52	12	72	85	20	58	67	May 1	43	40
4	90	27	13	72	65	21	58	51	2	43	22
5	90	1	14	72	45	22	58	35	3	43	5
6	89	66	15	72	25	23	58	19	4	42	77
7	89	42	16	72	5	24	58	2	5	42	60
8	89	17	17	71	74	25	57	76	6	42	43
9	88	82	18	71	55	26	57	60	7	42	26
10	88	57	19	71	35	27	57	44	8	42	9
11	88	33	20	71	15	28	57	28	9	41	81
12	88	8	21	70	85	March 1	57	12	10	41	65
13	87	73	22	70	65	2	56	79	11	41	48
14	87	49	23	70	46	3	56	56	12	41	31
15	87	25	24	70	26	4	56	34	13	41	14
16	87	1	25	70	7	5	56	11	14	40	88
17	86	66	26	69	77	6	55	78	15	40	71
18	86	42	27	69	58	7	55	56	16	40	55
19	86	18	28	69	38	8	55	33	17	40	38
20	85	84	29	69	19	9	55	11	18	40	22
21	85	60	30	69		10	54	79	19	40	6
22	85	37	31	68	71	11	54	56	20	39	80
23	85	13	Jan. 1	68	52	12	54	34	21	39	63
24	84	79	(1778.) 2	68	32	13	54	12	22	39	47
25	84	56	3	68	13	14	53	81	23	39	32
26	84	32	4	67	85	15	53	59	24	39	16
27	84	9	5	67	66	16	53	37	25	39	
28	83	75	6	67	47	17	53	16	26	38	74
29	83	52	7	67	28	18	52	84	27	38	58
30	83	29	8	67	9	19	52	63	28	38	43
31	83	6	9	66	81	20	52	42	29	38	27
Nov. 1	82	73	10	66	62	21	52	20	30	38	12
2	82	50	11	66	44	22	51	89	31	37	87
3	82	27	12	66	25	23	51	68	June 1	37	71
4	82	4	13	66	7	24	51	47	2	37	56
5	81	71	14	65	78	25	51	27	3	37	41
6	81	48	15	65	60	26	51	6	4	37	26
7	81	26	16	65	42	27	50	75	5	37	11
8	81	3	17	65	24	28	50	55	6	36	86
9	80	70	18	65	5	29	50	34	7	36	71

1778.	dol.	90ths.	1778.	dol.	90ths.	1778.	dol.	90ths.	1779.	dol.	90ths.
June 8	36	56	Sept. 1	25		Nov. 25	16	23	Feb. 18	10	51
9	36	41	2	24	78	26	16	15	19	10	46
10	36	26	3	24	67	27	16	8	20	10	41
11	36	12	4	24	56	28	16	1	21	10	37
12	35	87	5	24	44	29	15	83	22	10	32
13	35	73	6	24	33	30	15	76	23	10	27
14	35	58	7	24	22	Dec. 1	15	69	24	10	23
15	35	44	8	24	11	2	15	62	25	10	18
16	35	29	9	24		3	15	55	26	10	13
17	35	15	10	23	79	4	15	48	27	10	9
18	35	1	11	23	68	5	15	40	28	10	4
19	34	77	12	23	58	6	15	33	March 1	10	
20	34	63	13	23	47	7	15	26	2	9	87
21	34	49	14	23	36	8	15	19	3	9	84
22	34	35	15	23	26	9	15	13	4	9	81
23	34	21	16	23	15	10	15	6	5	9	78
24	34	7	17	23	4	11	14	89	6	9	75
25	33	83	18	22	84	12	14	82	7	9	72
26	33	70	19	22	74	13	14	75	8	9	70
27	33	56	20	22	63	14	14	69	9	9	67
28	33	43	21	22	53	15	14	62	10	9	64
29	33	29	22	22	43	16	14	55	11	9	61
30	33	16	23	22	32	17	14	48	12	9	58
July 1	33	2	24	22	22	18	14	42	13	9	56
2	32	79	25	22	12	19	14	35	14	9	53
3	32	66	26	22	2	20	14	29	15	9	50
4	32	53	27	21	82	21	14	22	16	9	47
5	32	39	28	21	72	22	14	16	17	9	45
6	32	26	29	21	62	23	14	9	18	9	42
7	32	13	30	21	52	24	14	3	19	9	39
8	32		Oct. 1	21	43	25	13	87	20	9	36
9	31	77	2	21	33	26	13	80	21	9	34
10	31	64	3	21	23	27	13	74	22	9	31
11	31	52	4	21	13	28	13	68	23	9	28
12	31	39	5	21	4	29	13	61	24	9	26
13	31	26	6	20	84	30	13	55	25	9	23
14	31	14	7	20	75	31	13	49	26	9	20
15	31	1	8	20	65	Jan. 1	13	43	27	9	18
16	30	79	9	20	56	(1779.) 2	13	37	28	9	15
17	30	66	10	20	46	3	13	31	29	9	12
18	30	54	11	20	37	4	13	25	30	9	10
19	30	41	12	20	28	5	13	18	31	9	7
20	30	29	13	20	18	6	13	12	April 1	9	5
21	30	17	14	20	9	7	13	7	2	9	2
22	30	5	15	20		8	13	1	3	8	89
23	29	82	16	19	81	9	12	85	4	8	87
24	29	70	17	19	72	10	12	79	5	8	84
25	29	58	18	19	63	11	12	73	6	8	82
26	29	46	19	19	54	12	12	67	7	8	79
27	29	35	20	19	45	13	12	61	8	8	77
28	29	23	21	19	36	14	12	55	9	8	74
29	29	11	22	19	28	15	12	50	10	8	72
30	28	89	23	19	19	16	12	44	11	8	69
31	28	77	24	19	10	17	12	38	12	8	66
Aug. 1	28	66	25	19	1	18	12	33	13	8	64
2	28	54	26	18	83	19	12	27	14	8	62
3	28	43	27	18	74	20	12	22	15	8	59
4	28	31	28	18	66	21	12	16	16	8	57
5	28	20	29	18	57	22	12	10	17	8	54
6	28	8	30	18	49	23	12	5	18	8	52
7	27	87	31	18	40	24	11	89	19	8	49
8	27	76	Nov. 1	18	32	25	11	84	20	8	47
9	27	64	2	18	23	26	11	79	21	8	44
10	27	53	3	18	15	27	11	73	22	8	42
11	27	42	4	18	7	28	11	68	23	8	39
12	27	31	5	17	89	29	11	62	24	8	37
13	27	20	6	17	80	30	11	57	25	8	34
14	27	9	7	17	72	31	11	52	26	8	32
15	26	88	8	17	64	Feb. 1	11	47	27	8	30
16	26	77	9	17	56	2	11	41	28	8	27
17	26	66	10	17	48	3	11	36	29	8	25
18	26	56	11	17	40	4	11	31	30	8	23
19	26	45	12	17	32	5	11	26	May 1	8	20
20	26	34	13	17	24	6	11	21	2	8	18
21	26	24	14	17	17	7	11	16	3	8	15
22	26	13	15	17	9	8	11	10	4	8	13
23	26	2	16	17	1	9	11	5	5	8	11
24	25	82	17	16	83	10	11		6	8	8
25	25	71	18	16	76	11	10	85	7	8	6
26	25	61	19	16	68	12	10	80	8	8	4
27	25	51	20	16	60	13	10	75	9	8	1
28	25	40	21	16	53	14	10	71	10	7	89
29	25	30	22	16	45	15	10	66	11	7	87
30	25	20	23	16	38	16	10	61	12	7	85
31	25	10	24	16	30	17	10	56	13	7	82

1779.	dol.	90ths.	1779.	dol.	90ths.	1779.	dol.	90ths.	1780.	dol.	90ths.
May 14	7	80	Aug. 7	6	1	Oct. 31	4	33	Jan. 24	3	9
15	7	78	8	5	89	Nov. 1	4	31	25	3	8
16	7	75	9	5	88	2	4	29	26	3	7
17	7	73	10	5	86	3	4	28	27	3	6
18	7	71	11	5	84	4	4	26	28	3	4
19	7	69	12	5	82	5	4	25	29	3	3
20	7	67	13	5	81	6	4	23	30	3	2
21	7	64	14	5	79	7	4	22	31	3	1
22	7	62	15	5	77	8	4	20	Feb. 1	3	
23	7	60	16	5	76	9	4	19	2	2	89
24	7	58	17	5	74	10	4	17	3	2	88
25	7	55	18	5	72	11	4	16	4	2	87
26	7	53	19	5	71	12	4	14	5	2	86
27	7	51	20	5	69	13	4	13	6	2	85
28	7	49	21	5	67	14	4	11	7	2	84
29	7	47	22	5	66	15	4	10	8	2	83
30	7	45	23	5	64	16	4	8	9	2	82
31	7	42	24	5	62	17	4	7	10	2	81
June 1	7	40	25	5	61	18	4	5	11	2	79
2	7	38	26	5	59	19	4	4	12	2	78
3	7	36	27	5	58	20	4	2	13	2	77
4	7	34	28	5	56	21	4	1	14	2	76
5	7	32	29	5	54	22	3	89	15	2	75
6	7	30	30	5	53	23	3	88	16	2	74
7	7	28	31	5	51	24	3	86	17	2	73
8	7	25	Sept. 1	5	50	25	3	85	18	2	72
9	7	23	2	5	48	26	3	84	19	2	71
10	7	21	3	5	46	27	3	82	20	2	70
11	7	19	4	5	44	28	3	81	21	2	69
12	7	17	5	5	42	29	3	79	22	2	68
13	7	15	6	5	40	30	3	78	23	2	67
14	7	13	7	5	38	Dec. 1	3	77	24	2	66
15	7	11	8	5	36	2	3	75	25	2	65
16	7	9	9	5	34	3	3	74	26	2	64
17	7	7	10	5	32	4	3	72	27	2	63
18	7	5	11	5	30	5	3	71	28	2	62
19	7	3	12	5	28	6	3	70	29	2	61
20	7	1	13	5	26	7	3	68	March 1	2	60
21	6	89	14	5	24	8	3	67	2	2	59
22	6	87	15	5	22	9	3	66	3	2	58
23	6	85	16	5	20	10	3	64	4	2	58
24	6	83	17	5	18	11	3	63	5	2	57
25	6	81	18	5	17	12	3	62	6	2	56
26	6	79	19	5	15	13	3	60	7	2	55
27	6	77	20	5	13	14	3	59	8	2	54
28	6	75	21	5	11	15	3	58	9	2	53
29	6	73	22	5	9	16	3	56	10	2	52
30	6	71	23	5	7	17	3	55	11	2	51
July 1	6	69	24	5	5	18	3	54	12	2	50
2	6	67	25	5	4	19	3	52	13	2	49
3	6	65	26	5	2	20	3	51	14	2	48
4	6	63	27	5		21	3	50	15	2	47
5	6	61	28	4	88	22	3	48	16	2	46
6	6	59	29	4	86	23	3	47	17	2	45
7	6	57	30	4	85	24	3	46	18	2	45
8	6	56	Oct. 1	4	83	25	3	45	April 1	2	20
9	6	54	2	4	81	26	3	43	10	2	9
10	6	52	3	4	79	27	3	42	20	2	
11	6	50	4	4	78	28	3	41	May 1	1	81
12	6	48	5	4	76	29	3	40	10	1	73
13	6	46	6	4	74	30	3	38	20	1	66
14	6	44	7	4	72	31	3	37	June 1	1	60
15	6	42	8	4	71	Jan. 1	3	36	10	1	54
16	6	40	9	4	69	(1780.) 2	3	35	20	1	48
17	6	39	10	4	67	3	3	34	July 1	1	43
18	6	37	11	4	65	4	3	32	15	1	38
19	6	35	12	4	64	5	3	31	Aug. 1	1	34
20	6	33	13	4	62	6	3	30	15	1	30
21	6	31	14	4	60	7	3	29	Sept. 1	1	26
22	6	29	15	4	59	8	3	28	15	1	22
23	6	28	16	4	57	9	3	26	Oct. 1	1	19
24	6	26	17	4	55	10	3	25	15	1	16
25	6	24	18	4	54	11	3	24	Nov. 1	1	12
26	6	22	19	4	52	12	3	23	Dec. 1	1	10
27	6	20	20	4	50	13	3	22	(1781.)		
28	6	19	21	4	49	14	3	20	Jan. 1	1	7
29	6	17	22	4	47	15	3	19	Feb. 1	1	4
30	6	15	23	4	45	16	3	18	March 1	1	
31	6	13	24	4	44	17	3	17	April 1		75
Aug. 1	6	12	25	4	42	18	3	16	May 1		60
2	6	10	26	4	41	19	3	15			
3	6	8	27	4	39	20	3	13			
4	6	6	28	4	37	21	3	12			
5	6	5	29	4	36	22	3	11			
6	6	3	30	4	34	23	3	10			

And all Judges, Juſtices of the Peace, Jurors and others, are hereby authorized, required and directed, to take, receive and allow, the above Table in all Caſes whatever in as full and extenſive a Manner as they or any of them could or ought to have taken and allowed the Table of Depreciation hereby repealed, in caſe this Act had never paſſed, any Law, Uſage or Cuſtom to the contrary notwithſtanding.

CHAP. CCXCVII.

An ACT *to raiſe the Sum of* One Hundred and Fifty Thouſand Pounds, *in Money and Certificates, in the State of* New-Jerſey.

Obſolete, except the 22d and 30th Sections.

Paſſed Dec. 26, 1781.

The Tax laid by this Act was to be raiſed at two Inſtalments, of £. 75,000 each, One-third whereof was directed to be paid in Specie only, and the remaining Two-thirds in Specie, State Money, or Certificates. It is obſolete excepting the 22d and 30th Sections, which are as follows:

22. AND BE IT FURTHER ENACTED, That if any County Collector ſhall ſquander or embezzle the Money belonging to the State entruſted in his Hands, ſo that Recovery thereof cannot be had by the State, the ſaid County ſhall be liable to reimburſe the Sum ſo ſquandered or embezzled, to be added to the next Quota of the Tax of ſuch County.

County Collector embezzling Money, the County liable to reimburſe it.

30. AND WHEREAS through the Neglect of the Collectors of ſeveral of the Counties of this State in not having tranſmitted to the Legiſlature the Duplicates of the Aſſeſſments made agreeably to the Directions of an Act, intitled, * *An Act for raiſing the Value of* One Hundred and Fifty Thouſand Pounds *in Money and other Supplies in the State of* New-Jerſey, *and for other Purpoſes therein mentioned*, paſſed *June* the twenty-firſt, One Thouſand Seven Hundred and Eighty-one, the Quotas laid upon the ſeveral Counties by this Act may be diſproportionate; BE IT THEREFORE ENACTED, That if it ſhall appear on the next Settlement of the Quotas of the ſeveral Counties by a more clear and complete Account of the ſeveral Perſons, Articles and Things made rateable therein, that the Quota of any County as laid in this Act is greater than its juſt Proportion, the Surplus ſhall be credited to ſuch County in the Settlement of its next Quota.

Diſproportionate Quotas to be ſubject to future Reviſion.

CHAP. CCXCVIII. *An Act to aſcertain the Time when the ſeveral Perſons appointed as Appraiſers in the Act, intitled,* † *An Act to procure an Eſtimate of the Damages ſuſtained by the Inhabitants of this State from the Waſte and Spoil committed by the Troops in the Service of the Enemy and their Adherents, by the Continental Army, or by the Militia of this or of the neighbouring States, ſhall proceed to perform the ſeveral Duties required of them.*

Obſolete.

Paſſed Dec. 27, 1781.

The above Act ſerved only to direct the Appraiſers to enter on the Duties of their Appointment on the firſt *Monday* in *Auguſt* 1782.

* Chap. CCLXIII. † Chap. CCXC.

CHAP. CCXCIX.

An ACT *to repeal Part of certain* * *Acts therein mentioned, and alſo to direct the Settlement of the Accounts of the Superintendant and Contractors of this State.*

Paſſed Dec. 29, 1781.

Preamble.

WHEREAS the preſent Mode of ſupplying the Army of the United States with Proviſion and Forage hath rendered the Continuance of a Superintendant of Purchaſes and Contractors appointed by the Laws of the State unneceſſary;

Parts of Laws repealed.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That from and after the tenth Day of *January* next, ſuch Parts of the Laws of this State as relate to the Appointment of a Superintendant of Purchaſes and Contractors, their Allowances and Salaries, ſhall be, and the ſame hereby are repealed. PROVIDED ALWAYS, That Nothing herein contained ſhall be deemed or taken to prohibit the ſaid Contractors from paying or giving Certificates for ſuch Supplies as ſhall have been by them furniſhed in Purſuance of the Duties of their Appointment before the tenth Day of *January* next.

Proviſo.

Penalty on Contractors for neglecting to ſettle their Accounts.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That each and every of the ſaid Contractors who ſhall neglect or refuſe to ſettle his Accounts with the ſaid Superintendant of Purchaſes, and to pay forward the Monies in his Hands to the ſaid Superintendant on or before the firſt Day of *May* next, ſhall forfeit and pay for ſuch Neglect or Refuſal, the Sum of *Thirty Pounds* in Specie, to be ſued for and recovered with Coſts of Suit by the ſaid Superintendant, in an Action of Debt to be by him brought in his own Name, for the Uſe of the State, and ſhall alſo be ſubject to an Action on the Caſe at the Suit of the ſaid Superintendant, for the Recovery of the Monies in his Hands, together with Intereſt and Coſts of Suit, to be paid when recovered into the Treaſury of the State.

Penalty on Superintendant neglecting to deliver his Accounts and Vouchers.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if the ſaid Superintendant of Purchaſes ſhall neglect or refuſe to deliver to the Auditor of Accounts of this State, a true and exact Account of all Requiſitions he may have received for Supplies of any Kind, and all Vouchers whatſoever by him taken or received relative to the Duties of his Appointment, and to pay all ſuch Monies as may remain in his Hands, if any there be, into the Treaſury of the State on or before the firſt Day of *July* next, he ſhall forfeit and pay for ſuch Neglect or Refuſal, the Sum of *Fifty Pounds*, to be ſued for and recovered with Coſts, by the Treaſurer, in Behalf of the State, and ſhall moreover be liable to an Action of Debt at the Suit of the ſaid Treaſurer on Behalf of the State, for the Amount of the Monies in his Hands, with Intereſt and Coſts of Suit.

CHAP.

* Chap. CLXXX, CXCVI, CCXXXII.

CHAP. CCC.

* *An* ACT *to provide for the Defence of the Frontiers, and for defraying the Expences of the Government of this State.*

Paſſed Dec. 29, 1781.

Preamble. WHEREAS from the Continuance of the War it is ſtill neceſſary that Proviſion ſhould be made for the future Defence, Security and Protection of the frontier Inhabitants of this State, and for the Payment of the Troops and Militia employed in that Service; for the Prevention of the illicit Trade carried on with the Enemy, and alſo for defraying the neceſſary Expences of Government;

Number of Men. *Sect.* 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That four hundred and twenty-two Men, including Officers and non-commiſſioned Officers, ſhall be raiſed by voluntary Enliſtment, and embodied for the Defence of the Frontiers of this State, to be ready to enter on ſaid Service or to take the Field on or before the firſt Day of *March*, One Thouſand Seven Hundred and Eighty-two, unleſs in the County of *Suſſex*, where they ſhall be ready to take the Field on or before the firſt Day of *April* ſucceeding, and to continue in Service until the fifteenth Day of *December* enſuing, unleſs ſooner diſcharged, and to be ſtationed in the ſeveral Counties in ſuch a Manner as to afford the moſt equal and beneficial Protection to all the Inhabitants on the ſaid Frontiers, and that the ſaid four hundred and twenty-two Men be diſtributed and ſtationed in the different frontier Counties as follows, *that is to ſay*,

When to take the Field and for how long.

Where to be ſtationed. In the County of *Bergen*, one Company to conſiſt of forty-five Privates, three commiſſioned Officers, three Sergeants, three Corporals and two Horſemen, to be raiſed and commanded by Captain *Peter Ward*, of the County of *Bergen*, Lieutenant *Joſeph Caterline*, of the County of *Somerſet*, and Enſign *Samuel Verbryke*, of the ſaid County of *Bergen*, and to be ſtationed at *Hackinſack*, *New-Bridge*, and at or near *Cloſter*.

In the County of *Eſſex*, one Company to conſiſt of ſixty-ſix Privates, four commiſſioned Officers, four Sergeants, four Corporals and two Horſemen, to be raiſed and commanded by Captain *John Craig*, Lieutenant *John Spier* and Enſign *Charles Clark*, of the County of *Eſſex*, and Enſign *Lemuel Minthorn*, of the County of *Morris*.

In the County of *Middleſex*, on the North Side of *Raritan* River, one Company to conſiſt of twenty-four Privates, two commiſſioned Officers, two Sergeants, one Corporal and one Horſeman, to be raiſed and commanded by Captain *Aſher Fitz-Randolph* and Enſign *Lewis Fitz-Randolph*, of the ſaid County.

In the County of *Middleſex*, on the South Side of *Raritan* River, one Company to conſiſt of ſixteen Privates, one commiſſioned Officer, one Sergeant, one Corporal and one Horſeman, to be raiſed and commanded by Lieutenant *Nicholas Morgan*, of the ſaid County.

In the County of *Suſſex*, one Company to conſiſt of thirty-nine Privates,

* Part of this Law is already obſolete, and the Whole will ſoon become ſo; but, as the Men directed to be raiſed are ſtill in the Field, and a great Part of their Wages are due; and as many Perſons may find it neceſſary to have frequent Reference thereto, it is publiſhed entire.

vates, three commiſſioned Officers, three Sergeants, three Corporals and two Horſemen, to be raiſed and commanded by Captain *James Bonnel*, Lieutenant *Caleb Hopkins* and Enſign *Anthony Blackford*, of the ſaid County of *Suſſex*.

In the County of *Monmouth*, one Company of Horſemen, to conſiſt of forty Privates, three commiſſioned Officers and four Sergeants, to be raiſed and commanded by Captain *John Walton*, Lieutenant *David Rhea*, and Cornet *Jonathan Forman*; and one Company of Infantry, to conſiſt of eighteen Privates, one commiſſioned Officer and one Sergeant, to be raiſed and commanded by Lieutenant *Jaques Deniſe*, and to be continued at *Tom*'s River, or removed at the Diſcretion of the commanding Officer who is herein after appointed.

In the County of *Burlington*, one Company to conſiſt of twenty-five Privates, one commiſſioned Officer, one Sergeant and one Corporal, to be raiſed and commanded by Captain *Jacob Cooper*, of the ſaid County of *Burlington*, to be ſtationed at *Little Egg-Harbour* Meeting-Houſe, and removable at the Diſcretion of the Officer commanding the ſame.

In the County of *Glouceſter*, one Company to conſiſt of twenty-five Privates, one commiſſioned Officer, one Sergeant and one Corporal, to be raiſed and commanded by Captain *Simon Lucas*, to be ſtationed at *Cheſnut Neck*, and removable at the Diſcretion of the Officer commanding the ſame.

Troops of *Burlington* and *Glouceſter* to whom ſubject.

And that the ſaid Troops in the Counties of *Burlington* and *Glouceſter* be under the ſame Regulations in every Reſpect as the other Troops herein before directed to be raiſed, excepting that they ſhall be ſubject only to the Orders of the Officers having the Command in each County, unleſs when called to act in Conjunction with the Continental Forces, when they ſhall be under the Command of the Field-Officer herein after mentioned, or other Officer appointed in his Room.

For the County of *Salem*, *Cumberland* and *Cape-May*, ſixty Privates, to be divided into three Companies of twenty Men each, to be raiſed and commanded by Captain *Charles Allen*, of the County of *Cumberland*, Captain *Humphry Stites*, of the County of *Cape-May*, and Captain *Nicholas Keen*, of the County of *Salem*, to take Rank as they are herein named, when they may be called to act in Conjunction, to be ready to enter on ſaid Service on the firſt Day of *March*, One Thouſand Seven Hundred and Eighty-two, and to be permitted to perform their Duties either on the Land or Water, as ſhall be moſt likely to protect the Inhabitants thereof, and ſhall cruize, when on the Water, between *Cape* and *Reedy-Iſlands*, and as far Eaſtward as the Mouth of *Little Egg-Harbour*, and no further, unleſs in caſe of purſuing the Enemy.

Major *Samuel Hayes* to command the Whole.

The Whole to be under the Command of Major *Samuel Hayes*, or, in caſe of his Non-Acceptance or other Diſability, of ſuch Perſon as ſhall be appointed to ſupply his Place by the Governor or Commander in Chief of the State for the Time being and Privy Council, unleſs in the Counties of *Suſſex*, *Salem*, *Cumberland* and *Cape-May*, where the ſaid Troops ſhall be ſubject only to the Orders of the Officers herein before appointed for thoſe Counties; and in caſe any, or either of the commiſſioned Officers herein before named, ſhould neglect or refuſe to accept the ſaid Appointment, it ſhall and may be lawful for the Majority of the Repreſentatives of the County to which ſuch Officer belongs, to appoint another in his Room and Stead; and any Vacancy happening by Death or other Diſability, ſhall be ſupplied in like Manner.

2. AND

Governor to iſſue Warrants for enliſting Men.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That His Excellency the Governor or Commander in Chief of the State for the Time being ſhall be, and he is hereby authorized and requeſted, immediately after the paſſing of this Act, to iſſue Orders or Warrants to the Captains and Subalterns herein before appointed in the ſeveral Counties to enliſt, or cauſe to be enliſted and enrolled on the Terms herein after ſpecified, the Number of Men directed to be ſtationed in the ſaid Counties reſpectively, to continue in Service during the Term herein before expreſſed.

Returns, by whom to be made.

3. AND BE IT FURTHER ENACTED, That the ſaid Officers reſpectively, who ſhall enliſt Recruits, ſhall, on or before the twentieth Day of *March* next, make Return of the Men which they have enliſted reſpectively, to the Field-Officer herein before mentioned, or who ſhall be appointed in Purſuance of the Directions of this Act, or where there is no Field-Officer, to the Commanding Officer of the Company to which they belong, or to which they are aſſigned in this Act, who ſhall thereupon immediately make out a general Return of the whole Number of Men enliſted as aforeſaid, and tranſmit the ſame to the Governor or Commander in Chief of the State for the Time being; and it ſhall and may be lawful for the ſaid Governor or Commander in Chief, and he is hereby authorized, empowered and requeſted, on receiving the ſaid Returns, if it ſhall appear that the Quota of Men allowed or appointed to any County in this Act is incomplete, to extend the Time for Enliſtment to the Officers appointed for ſuch County to a farther Period, or to diſmiſs from the Service the ſupernumerary Officer or Officers, if the Completion of ſuch Quota ſhall be found impracticable within a reaſonable Time.

Governor and Privy Council empowered to alter the Diſtribution and remove the Troops.

4. AND BE IT FURTHER ENACTED, That in caſe the Circumſtances of any County ſhould be varied in ſuch a Manner as to render the Diſtribution before mentioned unequal, or ſo as to render the Whole or any Part of the Troops raiſed as aforeſaid, and directed to be ſtationed therein, unneceſſary for the Defence of the ſame, it ſhall and may be lawful for the Governor and Privy Council to alter or change the aforeſaid Diſtribution, and to remove the ſaid Troops, or any Part of them, from ſuch County to any other County, as may beſt conduce to the publick Good; or in caſe of the Removal of the Enemy, to diſmiſs the ſaid Troops from further Service.

Troops, when to act in Conjunction; how to take Rank, &c.

5. AND BE IT FURTHER ENACTED, That the ſaid Troops ſhall act in Conjunction with the Continental Forces when on the Frontiers, in every Caſe where they can be ſpared from their Stations, and ſhall not be called out of the State unleſs in ſuch Caſes, and by the ſame Authority in and by which the Militia are called out, and that the Officers before mentioned, or hereafter to be appointed in the ſeveral Counties, ſhall, in ſuch Caſe, take Rank according to the Date of their Commiſſions. PROVIDED ALWAYS, That if it ſhould ſo happen that Officers of the ſame Rank called, or to act in Conjunction, ſhall bear Commiſſions of the ſame Date, the Officer firſt named in this Act ſhall take Preſidence.

Proviſo.

Officers' Pay and Rations.

6. AND BE IT ENACTED *by the Authority aforeſaid*, That the Field and commiſſioned Officers before mentioned in this Act, who ſhall accept of their Appointments, and alſo the non-commiſſioned Officers and Privates who may be raiſed by Virtue of this Act, ſhall be entitled

to receive, while in Service, the ſame Pay and Rations per Month that are allowed to the Militia of this State while in Service; and alſo each and every Officer, non-commiſſioned Officer and Private, who ſhall be engaged as a Horſeman, ſhall be entitled to receive *Twenty Shillings* per Month for his Horſe, over and above the Pay allowed to the Foot; the Pay of the Officers to commence from the Time they receive their Warrants, and the Pay of every non-commiſſioned Officer and Private, who ſhall be enliſted and embodied as before directed, to commence from the Time they are marched to join the Detachment to which they belong, to be paid in Specie by the Paymaſters of the Counties reſpectively, in which they are directed to be ſtationed by this Act, on Payrolls of the ſame being to them produced, properly certified and authenticated; and every Officer who ſhall hereafter be appointed in Purſuance of the Directions of this Act, ſhall receive Pay according to his Rank as aforeſaid, to commence from the Time of his marching to join the Detachment to which he belongs. PROVIDED ALWAYS, That nothing herein contained ſhall extend to entitle any Officer herein mentioned, or hereafter to be appointed for the County of *Suſſex*, who ſhall accept of his Appointment, to draw Pay before the firſt Day of *March* next, or to enable any Officer mentioned or appointed as aforeſaid for the Counties of *Salem*, *Cumberland* and *Cape-May*, to draw Pay before the twentieth Day of *February* next.

Proviſo.

Officers to forward the Men to the commanding Officer.

7. AND BE IT ENACTED, That the ſeveral Officers, who ſhall enliſt Men agreeably to the Directions of this Act, ſhall immediately cauſe the ſame to be forwarded as faſt as they are enliſted to the Commanding Officer of the Company to which they belong, that they may be by him marched to join their Detachments on the ſaid Frontiers, to be there ſtationed as ſhall be directed by the Officer appointed to the Command on each Station, or by the Governor or Commander in Chief of the State for the Time being, and Privy Council, unleſs where it is otherwiſe expreſſed in this Act.

Who are made amenable to the Articles of War.

8. AND BE IT FURTHER ENACTED, That every Officer, who ſhall engage to ſerve in the ſaid Levy, ſhall, from the Time of Acceptance of his Appointment, and every non-commiſſioned Officer, Horſeman and Private, who ſhall be enliſted as aforeſaid, ſhall, from the Time of his being marched to join the Detachment to which he belongs, become amenable to the Rules and Articles of War eſtabliſhed for the Government of the Troops in the Service of the United States, and every ſuch non-commiſſioned Officer and Private ſhall furniſh himſelf with a good Muſket and Bayonet, a Cartridge-Box, Worm, Priming-Wire and Bruſh, and alſo a Canteen and Knapſack; and every Perſon who ſhall engage to ſerve as a Horſeman, ſhall furniſh himſelf with a good Horſe, and ſuch Articles of Armour and Furniture as are neceſſary for the Equipment of a Horſeman.

Slaves, *&c.* not to be enlifted.

9. AND BE IT FURTHER ENACTED, That no Slave, nor any other Perſon under the Age of ſixteen nor above the Age of fifty Years, nor any Priſoner of War or Deſerter from the Enemy, being a Native of any Part of the *Britiſh* Dominions, and not heretofore an Inhabitant of ſome one of the United States, ſhall be entitled, received or admitted to ſerve in the Levy to be made under this Act; and no Perſon engaged to ſerve in the ſaid Levy ſhall be liable to be taken out of the Service

Service for any civil Proceſs other than for the Commiſſion of Treſpaſs, or for Non-Payment of Damages on Recovery had againſt him, in caſe of Prize-Goods.

Azariah Dunham, Eſq. to ſupply the Troops.

10. AND, for the regular Supply of the ſaid Troops and of ſuch Militia as may be called out for the Defence of the Frontiers of the State, BE IT ENACTED, That *Azariah Dunham*, Eſquire, or in caſe of his Diſability, ſuch Perſon as ſhall be appointed for that Purpoſe by the Governor or Commander in Chief of the State for the Time being, and Privy Council, ſhall be, and he is hereby authorized and empowered to contract and agree with ſome Perſon or Perſons for ſupplying the Troops to be raiſed as aforeſaid, and to furniſh and deliver, or cauſe to be delivered to them in good Condition, Proviſions and Forage at a certain ſtipulated Rate, in Specie, for each Ration of Proviſion and Forage, and to engage that ſuch Quantity thereof only be delivered in freſh Meat at one Time, as may not be liable to be ſpoiled and tainted, previous to its Conſumption; and the ſaid *Azariah Dunham*, or other Perſon acting in his Room as herein before mentioned, ſhall be, and he is hereby authorized and empowered to draw from the Treaſury of the State from Time to Time, in Specie, ſuch Sums as may be neceſſary for the Diſcharge of the Contracts by him made for the Purpoſe aforeſaid, to be paid to the Perſon ſo contracting, on his producing to him Receipts from the Quartermaſter-Sergeant of the Detachment, for the Number of Rations ſo furniſhed, certified by the Officer commanding the ſame; and the Receipts of the ſaid *Azariah Dunham*, or other Perſon appointed in his Stead, ſhall be ſufficient Vouchers to the ſaid Treaſurer in his Settlement with the State; and the ſaid *Azariah Dunham*, or other Perſon appointed as aforeſaid, ſhall account every three Months with the Auditor of Accounts of this State, for the Monies by him drawn and diſburſed for the aforeſaid Purpoſes, under the Penalty, in caſe of Neglect or Refuſal, of *Twenty Pounds*, to be recovered with Coſts, by the Treaſurer of the State for the Time being, on Behalf of the State, and applied to the Uſe of the ſame.

And account quarterly with the Auditor.

Penalty for Neglect.

Field-Officer to cauſe Returns to be made.

11. AND BE IT ENACTED *by the Authority aforeſaid*, That the Field-Officer appointed to the Command of the ſaid Troops, agreeably to the Directions of this Act, ſhall cauſe particular and accurate Returns to be made to him, from Time to Time, by the Officer commanding the ſame, and ſhall cauſe the ſaid Troops to be removed, and their Stations interchanged at leaſt every two Months, or oftener, as Occaſion may require, or upon Repreſentation of the Inſpectors herein after appointed; and, for the Prevention of Abuſes and Irregularities, the ſaid Field-Officer is hereby required frequently to viſit each of the ſaid Detachments under his Command, and to examine into the Conduct and Circumſtances of the ſaid Troops and the Officers commanding them, and to cauſe Military Dicipline to be ſtrictly obſerved.

Abuſes, how to be prevented.

Repreſentatives to inſpect the Conduct of the Troops.

12. AND, to the End and Intent that Irregularities in the Conduct of the ſaid Troops may be checked in the Beginning, BE IT ENACTED, That the Repreſentatives of the ſeveral Counties wherein Detachments of the ſaid Troops ſhall be ſtationed, or thoſe of them moſt contiguous to their Stations, ſhall be, and they hereby are authorized and directed to inſpect the Conduct of the ſaid Troops in their reſpective Counties, and to make Report to the Field-Officer commanding the ſame, from

Time

Time to Time, to the Governor or Commander in Chief of the State for the Time being, and alſo to the Legiſlature as often as ſhall be requiſite.

Perſons embezzling publick Money, to be proſecuted.

13. AND BE IT FURTHER ENACTED, That if the ſaid *Azariah Dunham*, or other Perſon appointed in his Stead, or any other Perſon whatever, with whom publick Money or publick Property ſhall be entruſted for the Supply of the ſaid Troops, in Virtue of this Act, ſhall embezzle the ſame, or not pay forward the Monies in his Hands into the Treaſury within two Months after being called upon for that Purpoſe by the Auditor of Accounts of this State, he ſhall be liable to be proſecuted for the Sums ſo unpaid, or the Value of the Property ſo embezzled, with Coſts, by the Treaſurer on Behalf of the State, to be applied to the Uſe of the ſame.

Quartermaſter-Sergeant to be appointed; his Duty.

14. AND BE IT FURTHER ENACTED, That the Senior or Commanding Officer at each Poſt ſhall appoint one of the Sergeants of his Company, who ſhall be moſt ſuitable for that Purpoſe, to act as Quartermaſter-Sergeant to the ſame, who ſhall diſtribute the Rations to the ſaid Troops, and ſhall make out daily Proviſion-Returns for the ſame, ſigned by him, and counterſigned by the Officer commanding in the ſaid Company or Detachment, to be delivered or tranſmitted to the Field-Officer appointed in Purſuance of the Directions of this Act, to be by him forwarded to the ſaid *Azariah Dunham*, or other Perſon appointed in his Stead, or, where there is no Field-Officer, to be tranſmitted by the ſaid Senior Officer to the ſaid *Azariah Dunham*, or other Perſon appointed as aforeſaid; and ſhall alſo, from Time to Time, make out Returns, and ſhall give Receipts, endorſed on the ſaid Returns, to the Perſon contracting for the Supply of ſaid Troops, for the Quantity of Proviſion and Forage furniſhed them from Time to Time, and who ſhall, when thereunto required, account to the Perſon or Perſons herein before appointed as Inſpectors, for the Number of Rations by him received and delivered out monthly, or oftener, if neceſſary. PROVIDED ALWAYS, That no Rations ſhall be drawn by the ſaid Quartermaſter-Sergeant on Account of Perſons on Furlough.

Officers, &c. to draw Rations.

15. AND BE IT ENACTED, That each commiſſioned Officer belonging to the ſaid Levy ſhall be admitted to draw, while in Service, two Rations; and each and every non-commiſſioned Officer and Private ſhall be allowed to receive one Ration of Proviſion per Day, and no more; and every Perſon enliſted as a Horſeman ſhall be entitled to receive one Ration of Proviſion for himſelf, and one Ration of Forage for his Horſe; and the ſaid commiſſioned Officers reſpectively ſhall be allowed for each retained Ration granted to thoſe of the ſame Rank in the Continental Service, the Sum of *Nine-Pence*, to be paid by the Paymaſter of the County to which they are aſſigned in this Act, on Pay-rolls properly certified and authenticated.

Pay, how to be obtained.

16. AND BE IT ENACTED, That the Paymaſters of the Militia for the ſeveral Counties of *Bergen*, *Eſſex*, *Middleſex*, *Monmouth* and *Suſſex*, ſhall be, and they hereby are authorized to draw from the Treaſurer of the State for the Time being, ſuch Sums as ſhall from Time to Time be neceſſary for the Payment of the Troops herein directed to be ſtationed in their Counties reſpectively; and that the Paymaſter of the Militia

litia for the County of *Cumberland* be authorized to perform the like Service for the Troops directed to be raiſed in the Counties of *Salem*, *Cumberland* and *Cape-May*, and the Receipts of the ſaid Paymaſters reſpectively, for the Sums ſo drawn, ſhall be ſufficient Vouchers to the ſaid Treaſurer for ſo much of the publick Money in his Settlement with the State; and the ſaid Paymaſters ſhall be allowed for their Services, in this Behalf, the ſame Compenſation as they are entitled to for the Performance of the Duties of their immediate Appointment.

Governor to grant Commiſſions.

17. AND BE IT FURTHER ENACTED, That the Governor or Commander in Chief of the State for the Time being ſhall be, and he is hereby authorized and requeſted, immediately on the paſſing of this Act, to grant Commiſſions to the Perſons appointed as Officers in this Act, who are not Officers of the Militia; which Commiſſions ſo given ſhall extend to the Purpoſes of this Act only, and ſhall, at the Expiration of the Term for which the Troops to be raiſed by this Act are directed to ſerve, be conſidered as null and void to all Intents and Purpoſes.

Perſons loſing their Arms, to be repaid.

Proviſo.

18. AND BE IT ALSO ENACTED, That if any Perſon enliſted as aforeſaid ſhall, through Captivity or other unavoidable Cauſe, loſe his Arms or Accoutrements, or have his Horſe taken or killed by the Enemy, the ſame ſhall be paid for by the State. PROVIDED ALWAYS, That no Horſe taken or killed, or Arms or Accoutrements loſt as aforeſaid, ſhall be paid for unleſs a Certificate of the ſame ſhall be produced to the Legiſlature, under the Hand of the Officer commanding at the Poſt or Station, an Appraiſement of the Value of ſuch Horſe, Arms or Accoutrements, by two or more judicious and diſintereſted Perſons on Oath or Affirmation; and alſo an Affidavit of the Perſon claiming Payment, taken before ſome Juſtice of the Peace, that no Satisfaction has been received for the ſame.

Officers to employ Surgeons.

19. AND IT IS HEREBY FURTHER ENACTED, That the Field-Officer appointed agreeably to the Directions of this Act, or the commanding Officer of each Detachment of the ſaid Levy, ſtationed in any County as aforeſaid, ſhall be, and he hereby is authorized and empowered, as often as the ſame may be neceſſary, to employ a Surgeon or Surgeons to attend ſuch Officers, non-commiſſioned Officers and Privates belonging to the ſaid Detachment, as may be ſick or wounded, and to tranſmit an Account of the Expence incurred in this Behalf, properly authenticated by the Oath or Affirmation of ſuch Surgeon or Surgeons, to the Legiſlature, for their Allowance and Payment.

£. 15,000 to be raiſed.

20. AND, for defraying the Expences of the Government and of the Troops or Militia raiſed or called out for the Defence of the Frontiers of the State, BE IT ENACTED, That there ſhall be aſſeſſed, levied and raiſed, on the ſeveral Inhabitants of this State, and on the Lands and Tenements within the ſame, the Sum of *Fifteen Thouſand Pounds* in two ſeveral Payments, to be aſſeſſed, collected and paid into the Treaſury of the State at the Times and in the Manner expreſſed and directed in the Act, intitled, * *An Act to raiſe the Sum of* One Hundred and Fifty Thouſand Pounds, *in Money and Certificates, in the State of* New-Jerſey, paſſed the twenty-ſixth Day of *December*, One Thouſand Seven Hundred and Eighty-one; and that the ſaid Sum of *Fifteen*

* Chap. CCXCVII.

Thouſand Pounds be raiſed in the ſeveral Counties of this State, in the Proportion following at each Payment, *videlicet*,

Proportion of each County.

By the County of *Bergen* (excluſive of the Townſhip of *Bergen*) the Sum of *Three Hundred Eighty-ſeven Pounds Fourteen Shillings and Six-pence Half-penny*.

By the County of *Eſſex*, the Sum of *Five Hundred and Forty-five Pounds and Eight-pence*.

By the County of *Middleſex*, the Sum of *Five Hundred and Sixty-nine Pounds Thirteen Shillings and Six-pence Half-penny*.

By the County of *Monmouth*, the Sum of *Seven Hundred and Thirty-two Pounds Fourteen Shillings and Ten-pence Half-penny*.

By the County of *Somerſet*, the Sum of *Six Hundred and Forty-ſix Pounds Ten Shillings*.

By the County of *Burlington*, the Sum of *Seven Hundred and Seventy Pounds Two Shillings and Eight-pence*.

By the County of *Glouceſter*, the Sum of *Six Hundred and Nine Pounds Twelve Shillings*.

By the County of *Salem*, the Sum of *Five Hundred and Nine Pounds Thirteen Shillings and Five-pence*.

By the County of *Cape-May*, the Sum of *One Hundred and Fifty-ſix Pounds and One Penny Half-penny*.

By the County of *Hunterdon*, the Sum of *One Thouſand and Fifteen Pounds Fourteen Shillings and Eleven-pence Half-penny*.

By the County of *Morris*, the Sum of *Six Hundred and Nineteen Pounds Thirteen Shillings and Two-pence Half-penny*.

By the County of *Cumberland*, the Sum of *Three Hundred and Thirty-ſeven Pounds Ten Shillings*.

Hard Money only receivable.

By the County of *Suſſex*, the Sum of *Six Hundred Pounds*. PROVIDED ALWAYS, That no Certificates, nor any Species of Money whatſoever other than Gold, Silver or Copper Coin, ſhall be receivable in Diſcharge of the Tax laid by this Act, or of any Part thereof, by the ſaid Collectors, or by Conſtables on Diſtreſs, any Law, Uſage or Cuſtom, to the contrary in anywiſe notwithſtanding.

Civil Officers to do like Duties, *&c.* as in the Act for raiſing £. 150,000.

21. AND IT IS HEREBY FURTHER ENACTED, That each and every Juſtice of the Peace, County Collector, Aſſeſſor, Precinct, Townſhip or Ward Collector, Freeholder and Conſtable, and each and every other Perſon on whom any Duty is enjoined reſpecting the Tax directed to be raiſed by the ſaid laſt recited Act, to which this Act is referred, is hereby required to perform the like Duties accruing or ariſing under this Act, and ſhall be veſted with the ſame Powers, receive the ſame Fees and Rewards, be ſubject to the ſame Penalties, Fines and Forfeitures for Refuſal or Neglect of Duty, to be recovered with Coſts in the Mode therein pointed out, ſhall be entitled to the like Exemptions, and all Vacancies occurring by Death, Removal, Refuſal or Neglect of Duty, or otherwiſe, ſhall be ſupplied in the ſame Manner, and every Perſon ſhall have the ſame Privilege of Appeal and Jury, as is therein ſet forth, and each and every Delinquent ſhall be ſubject to the ſame Puniſhment, Fine or Forfeiture, and the ſame Mode ſhall be purſued for the Recovery of ſuch Fine or Forfeiture, and all Proceedings ſhall be had thereon as in the ſaid laſt recited Act is mentioned, preſcribed and directed.

CHAP.

CHAP. CCCI. *An* Act *for ſupporting the Government of the State of* New-Jerſey, *to commence the thirteenth Day of* October, *One Thouſand Seven Hundred and Eighty-one, and to end the ſecond* Tueſday *in* October, *One Thouſand Seven Hundred and Eighty-two, incluſive.* Obſolete.

Paſſed Dec. 29, 1781.

CHAP. CCCII.

* *An* ACT *for taking Charge of and leaſing the Real Eſtates of the Subjects of the King of* Great-Britain, *lying within this State.*

Paſſed Dec. 29, 1781.

WHEREAS it is highly neceſſary that Agents ſhould be appointed for taking Charge of the Real Eſtates lying within this State, belonging to the Subjects of the King of *Great-Britain*, for preventing Waſte and Damages being committed thereon, and alſo to prevent the Rents or Profits ariſing from the ſame being conveyed to the Enemy; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſeveral Agents of the reſpective Counties within this State for the Time being, appointed or to be appointed in or by Virtue of an Act, intitled, † *An* Act *for the more ſpeedy Settlement of publick Accounts*, paſſed the twentieth Day of *December*, One Thouſand Seven Hundred and Eighty-one, be, and they hereby are ſeverally empowered to take into their Care, Poſſeſſion and Management, all and ſingular the Hereditaments, Real Eſtates, Lands and Tenements, of each and every of the Subjects of the King of *Great-Britain*, within their reſpective Counties for which they are appointed, and to demiſe, ſet, and to farm let the ſame, to the beſt Advantage annually, taking Security for the Rent, if neceſſary, the ſame having been advertiſed at leaſt fifteen Days in three or more of the moſt publick Places of the reſpective Counties wherein the ſame Lands, Tenements or Real Eſtates are ſituated, and to receive the Rents, Iſſues and Profits thereof, and Acquittances and Diſcharges for the ſame to give, and ſuch Acquittances and Diſcharges are hereby declared to be a ſufficient Bar againſt any Perſon or Perſons whomſoever claiming or to claim the Profits or Rents of the ſaid Lands. PROVIDED ALWAYS, That Nothing in this Act contained ſhall be conſtrued, deemed or taken to extend to Lands on which Improvements have been made, and for which no Owner or Agent hath at any Time heretofore appeared to claim or leaſe the ſame, and are now held by Occupancy only. Agents to take Charge of Eſtates. Proviſo.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That every Perſon who has entered into or upon or taken Poſſeſſion of any of the ſaid Lands and Tenements, or any Part thereof, ſhall be reſponſible and accountable for the Rents, Iſſues and Profits thereof during the Time of ſuch Occupancy, which have accrued ſince the firſt Day of *March*, One Thouſand Seven Hundred and Seventy-five, and which have Perſons in Poſſeſſion to be reſponſible.

* See Chap. CCXIII. † Chap. CCXCI.

have not already been paid to ſome Perſon or Perſons authorized to receive the ſame, which ſaid Rents, Iſſues and Profits, ſhall be paid to the Agent aforeſaid for the Time being of the County where the ſame Lands and Tenements lie, to be by him diſpoſed of in Manner hereafter directed; and in caſe of Neglect or Refuſal, ſuch Rents, Iſſues and Profits ſhall be ſued for, and recovered by the ſaid Agent for the Time being of the County where the ſaid Lands and Tenements are ſituated, in his own Name, and diſpoſed of as is hereafter directed; and if any Perſon or Perſons hereafter ſhall commit Waſte or Damage on any of the ſaid Lands and Tenements, he, ſhe or they, ſhall be liable to an Action at the Suit of the ſaid Agent for the ſame; which Damages, when recovered, ſhall be diſpoſed of as is hereafter directed.

Agents to deliver the Monies to the Treaſurer.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſeveral Agents aforeſaid of the reſpective Counties within this State, ſhall annually deliver all ſuch Monies as they ſhall reſpectively receive by Virtue of this Act, to the Treaſurer of this State, and take his Receipt for the ſame, to be diſpoſed of hereafter as the Legiſlature ſhall direct, and ſhall alſo annually lay the Books, Accounts and all Vouchers relating to the ſame, before the Auditor of Accounts of this State, in order that the ſame may be examined and ſettled; and in caſe the ſaid Agents, or either of them, ſhall neglect or refuſe to render Account as aforeſaid, or ſhall neglect or refuſe to pay ſuch Money unto the Treaſurer of the State for the Time being, agreeably to the Directions of this Act, every ſuch Agent ſo neglecting or refuſing ſhall forfeit, for every ſuch Neglect or Refuſal, the Sum of *Fifty Pounds*, and alſo be liable to an Action for the Recovery of all Monies received by him in Virtue of this Act, to be ſued for and recovered with Coſts of Suit, in any Court of Record of this State where the ſame ſhall be cognizable, by the Treaſurer of the State for the Time being, to and for the Uſe of the State.

Penalty for Neglect.

Agents to keep Books.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſeveral Agents aforeſaid ſhall keep a Book in which ſhall be regularly and fairly entered all the ſaid Lands and Tenements, the Townſhips in which they are ſituated, the Number of Acres they are ſuppoſed to contain, the Perſons Names to whom they are reſpectively leaſed, the annual Rent, together with all Sums of Money which ſhall be by the ſaid Agents received by Virtue of this Act, and which ſaid Book ſhall be delivered to their reſpective Succeſſors.

Their Fees.

5. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Agents reſpectively ſhall retain in their Hands, to and for their own Uſe, *Ten per Cent.* on all the Monies ſo received and paid into the Hands of the Treaſurer by Virtue of this Act, for the Services hereby required.

Powers inveſted in the Agents.

6. AND IT IS HEREBY FURTHER ENACTED, That the Agents who are or ſhall be appointed in Conformity to the Directions of this Act ſhall be, and they hereby are veſted with as full and ample Power and Authority to all Intents and Purpoſes, for obtaining or recovering the Poſſeſſion of all ſuch Eſtates as are in this Act directed to be committed to their Care and Management, and for the Recovery of the Rents due or to become due thereon, as the Owners or Proprietors of

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the ſaid Lands would have been, in caſe this Act had never paſſed, or as the Owners or Proprietors of Lands reſiding within this State now are veſted with agreeably to Law.

7. PROVIDED ALWAYS, *and it is hereby Declared and Enacted*, That Nothing in this Act ſhall be conſtrued to prevent the Eſtate of any Perſon taken Charge of in Virtue of the Directions of this Act, from being hereafter confiſcated to the Uſe of this State, ſhould Inquiſition be found, and final Judgment entered againſt the ſame, conformably to Law. AND PROVIDED ALSO, That Nothing in this Act contained ſhall be deemed, conſtrued or taken to alter or abridge the Powers and Authorities given in the * Act *for veſting the Powers of Agency for the* Weſt-Jerſey *Society in* Joſeph Reed, *Eſquire, one of the ſaid Society*, paſſed *October* the fifth, One Thouſand Seven Hundred and Eighty-one. Proviſoes.

CHAP. CCCIII. *An* Act *for defraying ſundry Incidental Charges.* Obſolete.

Paſſed Dec. 29, 1781.

At a GENERAL ASSEMBLY held at Trenton, from the fifteenth Day of May to the twenty-fourth Day of June, 1782, the following Laws were paſſed.

SESSION SIXTH—SITTING SECOND.

CHAP. CCCIV. *An* Act *to enable the Owners and Poſſeſſors of the Tide-Marſh and Swamp, lying upon* Manamuſking *Creek, in the County of* Cumberland, *to erect a Dam and Waterworks acroſs the ſaid Creek, ſufficient to keep the Tide from overflowing the ſame.* Private.

Paſſed May 27, 1782.

CHAP. CCCV.

An ACT *to alter two of the Terms of the Inferior Court of Common-Pleas, and Court of General Quarter-Seſſions of the Peace, for the County of* Hunterdon.

Paſſed May 30, 1782.

WHEREAS the holding of two of the Terms of the Inferior Court of Common-Pleas, and Court of General Quarter-Seſſions of the Peace, for the County of *Hunterdon*, at the ſame Time that two of the Terms of the Supreme Court are held, is found on Experience to be attended with many Inconveniencies to the Officers of, and the Suitors in, the ſaid Courts ; Preamble.

BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Terms of the Inferior Court of Common-Pleas and Court of General Quarter-Seſſions of the Peace for the ſaid County of *Hunterdon*, ſhall henceforth be held as formerly before the paſſing of the † Act of the Enacting Clauſe.

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* Chap. CCXCI. † Chap. CLXVIII.

fourth of *December*, One Thouſand Seven Hundred and Seventy-nine, *that is to ſay*, to commence on the firſt *Tueſday* in the Months of *February*, *May* and *Auguſt*, reſpectively, and on the fourth *Tueſday* in *October* yearly and every Year, any Law or Cuſtom to the Contrary in anywiſe notwithſtanding.

CHAP. CCCVI.

An ACT *to promote and ſupport the National Bank.*

Paſſed May 30, 1782.

Preamble. WHEREAS the United States in Congreſs aſſembled have granted a Charter of Incorporation to the Subſcribers to the National Bank, by the Name and Style of *The Preſident, Directors and Company of the Bank of* North-America, and recommended to the ſeveral States to paſs Laws for the Purpoſe of promoting and ſupporting the ſame;

No other Bank to be erected during the War. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That no other Bank or Bankers than the one incorporated by the Name and Style of *The Preſident, Directors and Company of the Bank of* North-America, ſhall be eſtabliſhed or permitted within this State during the preſent War with *Great-Britain*; and if any Perſon or Perſons ſhall attempt or preſume to form or eſtabliſh a Bank or Bankers of any Nature or Kind whatſoever within this State during the Time aforeſaid, that each and every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence the ſum of *Five Hundred Pounds*, to be recovered by the Preſident or any of the Directors of ſaid incorporated Bank in any Court of Record within this State where the ſame may be cognizable, with Coſts of Suit, to be applied to and for the Uſe of the ſaid incorporated National Bank.

Penalty.

Counterfeiters of the Notes to ſuffer Death. 2. AND BE IT ENACTED *by the Authority aforeſaid*, That each and every Perſon, who ſhall counterfeit or alter any of the Notes iſſued, or that may be iſſued by and under the Direction of *The Preſident, Directors and Company of the Bank of* North-America, or ſhall utter or paſs the ſame, knowing them to be counterfeited or altered as aforeſaid, is hereby declared guilty of Felony, and being thereof legally convicted, ſhall ſuffer Death without Benefit of Clergy.

Officers, &c. guilty of Fraud, to ſuffer Death. 3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Preſident, Inſpector or Director, Officer or Servant, of the Bank within this State, ſhall convert any of the Property, Money or Credit of the ſaid Bank, to his or their own private Uſe, or in any other Way to be guilty of Fraud or Embezzlement as an Officer or Servant of the Bank, each and every Perſon ſo offending is hereby declared guilty of Felony, and, being thereof legally convicted, ſhall ſuffer Death without Benefit of Clergy.

Notes made a Tender. 4. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Notes, iſſued by *The Preſident, Directors and Company of the Bank of* North-America, payable on Demand, ſhall be at all Times hereafter receivable equal to Gold and Silver in Payment of all State-Taxes, Duties,

ties, Fines, Forfeitures, Amercements, and all Debts due, or that hereafter may become due to this State.

CHAP. CCCVII.

An ACT *to extend the Power of Juſtices of the Peace in the ſeveral Counties in this State, to try Cauſes to the Amount of* Twelve Pounds, *and to prevent Actions under* Fifty Pounds *being brought in the Supreme Court, and for other Purpoſes therein mentioned.*

Paſſed June 5, 1782.

Preamble.

WHEREAS a Number of Inhabitants of this State have, by their Petitions preſented to the Legiſlature, requeſted that the Powers of Juſtices of the Peace may be extended further than is limited and expreſſed in the Act, intitled, * *An Act to erect and eſtabliſh Courts in the ſeveral Counties of this Colony for the Trial of ſmall Cauſes, and to repeal the former Act for that Purpoſe*, paſſed the eleventh Day of *February*, One Thouſand Seven Hundred and Seventy-five; and it appearing that ſuch Extenſion would be beneficial to the Inhabitants of this State; Therefore,

Actions of *Twelve Pounds* cognizable before a Juſtice, except, &c.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the Publication of this Act, all Actions of Debt and other Demands for and under the Value of *Twelve Pounds* in Gold or Silver (except ſuch Caſes as are excepted in the thirteenth Section of the before-recited Act, and excepting Caſes of Attachment) ſhall be, and they hereby are made cognizable before any Juſtice of the Peace of any of the Counties within this State in which the Defendant may be or reſide; and the ſaid Juſtices are hereby reſpectively empowered 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, and to proceed in all other Reſpects as directed in the like Caſe in the ſaid recited Act. PROVIDED ALWAYS, That when a Jury ſhall be demanded in any Suit brought before a Juſtice of the Peace in conſequence of the Directions of this Act for any Sum exceeding *Six Pounds*, ſuch Jury ſhall conſiſt of twelve Men, and the Venire ſhall be iſſued accordingly. PROVIDED ALSO, That where the Plaintiff in any Caſe ſhall ſue or proſecute before a Juſtice of the Peace for any Sum above *Six Pounds*, and ſhall demand a Jury of twelve Men, and a Verdict be given in Favour of the ſaid Plaintiff for a Sum above *Forty Shillings*, and not exceeding *Six Pounds*, the Coſts of the Jury ſhall be paid equally by the Plaintiff and Defendant.

Proviſo.

Proviſo.

Execution not to iſſue under three Months in certain Caſes.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That when any Judgment given by Virtue of this Act ſhall exceed the Sum of *Six Pounds*, Money aforeſaid, no Execution ſhall iſſue in leſs than three Months; and that all ſuch Caſes be liable to the ſame Reſtrictions and Conditions as are expreſſed in the ſaid recited Act for Sums exceeding *Forty Shillings*.

3. AND

* *Allinſon*, Chap. DCXXIII.

Conſtables, when to have double Fees.

3. AND BE IT ALSO ENACTED *by the Authority aforeſaid*, That in all Caſes where a Jury of Twelve Men ſhall be ſummoned by Virtue of this Act, the Conſtables ſhall be entitled to two-fold the Fees allowed in the aforeſaid recited Act.

Perſons proſecuting otherwiſe, what Coſts to recover.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Perſon ſhall commence, ſue or proſecute any Suit or Suits for any Debt or Demand made cognizable as aforeſaid, in other Manner than is directed by this Act, and ſhall obtain a Verdict or Judgment thereon for Debt or Damages, which, without Coſts of Suit, ſhall not amount to more than *Twelve Pounds*, Money aforeſaid, ſuch Perſon ſo proſecuting ſhall not recover or have any more Coſt in ſuch Suit than he would have recovered had he proſecuted his Suit agreeably to the Directions of this Act, any Law, Uſage or Cuſtom to the contrary in any-wiſe notwithſtanding.

No Suits for £. 50 or under, to be brought in the Supreme Court.

5. AND BE IT ALSO ENACTED *by the Authority aforeſaid*, That if any Perſon or Perſons from and after the Publication of this Act ſhall commence, ſue or proſecute any Suit or Suits for any Debt or Demand in the Supreme Court of this State, and ſhall obtain a Verdict or Judgment thereon for Debt or Damages, which Verdict, without Coſts of Suit, ſhall not amount to more than *Fifty Pounds*, Money aforeſaid, ſuch Perſon ſo proſecuting ſhall not recover or have any Coſt in ſuch Suit unleſs under the ſame Exceptions as are expreſſed in the Act, intitled, * *An* Act *to prevent Actions of* Fifteen Pounds *and under being brought into the Supreme Court of this Colony*, any Law, Uſage or Cuſtom, to the contrary in any-wiſe notwithſtanding.

When Creditors may ſue in the uſual Courſe.

6. AND WHEREAS in ſome particular Caſes Creditors may be put to Difficulty to recover their juſt Demands, in and by Virtue of the Directions herein before contained, from Perſons poſſeſſed of Real Eſtates, and who may not have any Goods or Chattels, or but to a ſmall Value; BE IT ENACTED *by the Authority aforeſaid*, That if any Creditor ſhall declare on Oath or Affirmation, which Oath or Affirmation ſhall be filed in the Clerk's Office, that he believes the Debtor is not poſſeſſed of Goods and Chattels ſufficient wherewith to diſcharge his the ſaid Creditor's Demand, that then and in ſuch Caſe the Creditor may proſecute his Action in the uſual Courſe of Law.

Six to *Ten Pounds* Act repealed.

7. AND BE IT ENACTED *by the Authority aforeſaid*, That the Act, intitled, † *An* Act *for the ſpeedy Recovery of Debts from* Six Pounds *to* Ten Pounds, paſſed the ſixth Day of *December*, One Thouſand Seven Hundred and Seventy-five and every Clauſe, Matter and Thing therein contained, ſhall be, and the ſame is hereby repealed. PROVIDED ALWAYS, That Nothing herein contained ſhall be taken to extend to the preventing any Suits that may have been commenced under the ſaid Law from being proſecuted to Effect.

Proviſo.

Part of *Six Pounds* Act repealed.

8. AND BE IT ENACTED *by the Authority aforeſaid*, That the nineteenth Section of the ſaid Act, intitled, *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*, ſhall be, and the ſame is hereby repealed.

CHAP.

* *Allinſon*, Chap. CCIX. † *Allinſon*, Chap. DCXXXIII.

CHAP. CCCVIII.

An ACT *to encourage the apprehending all Prisoners of War who have escaped or hereafter may escape from the Place of their Confinement.*

Passed June 7, 1782.

Preamble.

WHEREAS by a Resolution of Congress of the thirtieth Day of *March* last, it is recommended to the several States to pass Laws for the Purpose of apprehending and securing all Prisoners of War, who have escaped or hereafter may escape from the Place of their Confinement: AND WHEREAS it appears that such a Law may be beneficial; Therefore,

Prisoners of War to be apprehended and committed.

Sect. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby Enacted by the Authority of the same*, That, from and after the passing of this Act, it shall and may be lawful for any Person or Persons to apprehend and take before some Justice of the Peace in the County where he shall apprehend any Person whom he may suspect to be a Prisoner of War taken from the Enemy, who hath escaped from the Place of his Confinement, and may be found passing through or within this State; and if upon Examination it shall appear to the said Justice that the Person or Persons so brought before him, is or are a Prisoner or Prisoners of War as aforesaid, and hath not in his or their Possession a Permission or Passport, signed by the Commander in Chief of this State for the Time being, or some General Officer in the Armies of the United States, or the Commissary General of Prisoners, or his Deputy, the said Justice is hereby required to commit the said Offender or Offenders to Gaol; and the Person or Persons apprehending the said Prisoner or Prisoners as aforesaid, shall be entitled to receive, from the Collector of the County in which the Detection may be, for each Prisoner the Sum of *Three Pounds* in Gold or Silver, and also One Eighth of a *Dollar* per Mile for each Mile the Place of Detection may be from the Gaol aforesaid, upon his or their producing a Certificate signed by the said Justice who committed the said Offender or Offenders, and authenticated by the Sheriff or his Gaoler by his certifying his Reception of the said Prisoner or Prisoners.

Allowance for Subsistence of Prisoners.

2. BE IT FURTHER ENACTED *by the Authority aforesaid*, That the Sheriff of any or either of the Counties within this State shall be entitled to receive, from the Collector of the said County, the Sum of *Fivepence* per Day for the Subsistence of each Prisoner confined by Virtue of this Act while in Confinement, upon his producing his Account for that Purpose to the said County Collector, authenticated by his Oath or Affirmation, which Certificates and Accounts so paid by the County Collectors, or any or either of them, and proper Receipts thereon endorsed, shall be sufficient Vouchers for the said County Collectors, or any or either of them, in the Settlement of his or their Accounts with the Treasurer of this State for so much of the publick Money in his or their Hands; and the said Treasurer is hereby required to transmit the said Receipts to the Auditor of Accounts for this State, who is directed to charge the same to the Account of the United States.

Punishment for harbouring Prisoners.

3. AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That every Person who shall harbour, conceal, or any other Way aid or assist any Prisoner of War as aforesaid to escape, and being thereof legally convicted, shall suffer such Pains and Penalties as the Court before whom such Conviction shall be had, in their Discretion, shall adjudge, not extending to Life or Member.

CHAP. CCCIX.

A supplemental ACT *to the Act, intitled,* * *An* Act *for making Compensation to the Troops of this State, in the Service of the United States, for the Depreciation of their Pay.*

Passed June 10, 1782.

Preamble.

WHEREAS it appears by the Representation of the Commissioners appointed in the Act, intitled, *An* Act *for making Compensation to the Troops of this State, in the Service of the United States, for the Depreciation of their Pay*, passed the sixth Day of *January*, One Thousand Seven Hundred and Eighty-one, that the Returns directed in the ninth Section of the said Act cannot be procured from the Officers, and that there are several Officers and Soldiers who have served in the *Jersey* Line, who do not come within the Description of the aforesaid Act, yet are entitled, according to the Resolution of Congress of the tenth of *April*, One Thousand Seven Hundred and Eighty, to have Compensation allowed them; and Congress having, by their Acts of the eleventh and thirteenth Days of *June* last, resolved, that the Officers of the Hospital and Medical Department then in Service shall be allowed the Depreciation on their Pay in the same Manner as Officers in the Line of the Army; and also by a subsequent Act of the twentieth of *February*, One Thousand Seven Hundred and Eighty-two, resolved, that all such Officers in the late General Hospital as are Inhabitants of, or belonging to each respective State, who resigned their Appointments after the tenth Day of *April*, One Thousand Seven Hundred and Eighty, or became supernumerary by the new Arrangement in *September*, One Thousand Seven Hundred and Eighty, shall be allowed the Depreciation of their Pay, and recommended to the several States to which they respectively belong, or of which they were Inhabitants, to settle the Accounts of the said Officers for Depreciation, and to make Provision for paying the Balances that may be found due in the same Manner with the Officers in the Line;

What Officers and Privates to have the Depreciation of their Pay.

Sect. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby Enacted by the Authority of the same*, That all Officers, non-commissioned Officers and Privates, belonging to the Troops of this State, in the Service of the United States, or to any other Regiment, Corps or Company, who were credited as Part of the Quota of Troops assigned to this State, and who were in the Service on the tenth Day of *April*, One Thousand Seven Hundred and Eighty, and were engaged during the War or for three Years, shall be, and they are hereby declared to be entitled to the same Allowance for the Depreciation of their Pay, as those who were in the Service on the sixth Day of *January*, One Thousand

* Chap. CCXL.

Thouſand Seven Hundred and Eighty-one, notwithſtanding they may have ſince been deranged as ſupernumerary, or may have ſince been killed, or have died in the Service, or may have ſince been wounded or diſabled and have retired or been diſcharged from the Service in Conſequence of ſuch Wound or Diſability, or on Account of the Term of their Enliſtment having been expired. PROVIDED NEVERTHELESS, That no Return ſhall be received from, or Notes for Compenſation given to, any Officer or Private whatever, that has at any Time deſerted the Service (unleſs they ſhall have availed themſelves of the Benefit of His Excellency General *Waſhington*'s Proclamation of Pardon to Deſerters) or that has ſince leaving the Service gone over to the Enemy. Proviſo.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Commiſſioners in the ſaid recited Act appointed, or who ſhall be appointed in Virtue thereof, ſhall make Application to the Officers commanding, or who may have commanded ſuch Regiments, Corps or Companies, for complete and accurate Returs of all the Officers, non-commiſſioned Officers and Privates, belonging to their reſpective Regiments, Corps or Companies, who were in the Service on the ſaid tenth Day of *April*, One Thouſand Seven Hundred and Eighty, and were engaged during the War or for three Years, and who have been ſince deranged as ſupernumerary, or have been ſince killed, or have died in the Service, or who have been ſince wounded and diſabled, and in Conſequence of ſuch Wound and Diſability have retired from the Service, and whoſe Reſignation has been accepted by Congreſs, expreſſing the Time when ſuch Event took Place, as well as the Name, firſt Appointment and different Promotions of ſuch Officers, with their reſpective Dates, and alſo the Name of every non-commiſſioned Officer and Private who have been killed, or have died in the Service, or who have been wounded and diſabled, and in Conſequence of ſuch Wound and Diſability have been diſcharged therefrom ſince the ſaid tenth Day of *April*, One Thouſand Seven Hundred and Eighty, and who, having been enliſted for three Years, have been diſcharged at the Expiration of ſuch Term, with the proper Dates of ſuch Events as well as of their reſpective Enliſtments; which Returns ſhall be certified and authenticated in the ſame Manner as Returns to the Commander in Chief of the Army or to the Board of War, and delivered to the Commiſſioners aforeſaid; and in caſe of Failure in procuring ſuch Returns from the ſaid Officers, then the ſaid Commiſſioners are hereby required to apply to the Board of War for Copies of ſuch Returns as have been made to them from Time to Time, or for ſuch a general Return as may be ſufficient to anſwer the Purpoſes of this Act. Commiſſioners to apply for Returns.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Commiſſioners on having obtained the Returns aforeſaid, or in Failure thereof on having ſuch Vouchers produced and delivered to them as may be neceſſary for aſcertaining the Facts above-mentioned, ſhall proceed to adjuſt, ſettle and determine, the Depreciation of the eſtabliſhed Pay of ſuch Officers, non-commiſſioned Officers and Privates, from the firſt Day of *February*, One Thouſand Seven Hundred and Seventy-ſeven, or from the Time they reſpectively entered the Service until the ſaid firſt Day of *Auguſt*, One Thouſand Seven Hundred and Eighty, or until the Time they were killed, died, retired, or were diſcharged from the Service on Account of their Wounds or Diſability, or on Account of their having And to ſettle the Depreciation according to them.

having ſerved out the Term of their Enliſtment, conforming themſelves in every Reſpect to the Directions contained in the ſaid recited Act.

Officers, and others of the Medical Department, to be allowed the Depreciation of their Pay.

4. AND BE IT ENACTED *by the Authority aforeſaid*, That all commiſſioned Officers in the Hoſpital and Medical Department, and alſo all Warrant Officers appointed by the Heads of thoſe Departments, agreeably to the Recommendations or Directions of Congreſs, who belonged to this State, or were Inhabitants thereof at the Time they entered into the Service of the United States, and who were in the Service on the eleventh Day of *June*, One Thouſand Seven Hundred and Eighty-one; and alſo all ſuch as have reſigned their Appointments ſince the tenth Day of *April*, One Thouſand Seven Hundred and Eighty, or become ſupernumerary by the new Arrangement in *September*, One Thouſand Seven Hundred and Eighty, ſhall be entitled to the ſame Allowance for the Depreciation of their eſtabliſhed Pay, as Officers in the Line of the Army are entitled to by the ſaid recited Act; and the Commiſſioners ſhall proceed to adjuſt, ſettle and determine the ſame accordingly on ſufficient Returns, Certificates and Vouchers, being produced and delivered to them for that Purpoſe from the Surgeon or Phyſician General of the Army, the Director General of the Military Hoſpitals, the Board of War, or ſuch other proper Authority as the Caſe may require, ſpecifying the Name, firſt Appointment and different Promotions of ſuch Officer, with the Dates and Rate of Pay affixed to each, together with the Times when thoſe retired, died, or were killed or diſcharged from the Service, who did not continue therein until the firſt Day of *Auguſt*, One Thouſand Seven Hundred and Eighty.

Notes made payable to the Repreſentatives of Perſons dead.

5. AND BE IT ENACTED *by the Authority aforeſaid*, That when any Allowance ſhall be made where the Perſons are now dead, the Notes to be given for the ſame ſhall be made payable to the legal Repreſentative of the ſaid Deceaſed, and ſhall be delivered to his, her or their Order, on Application to the Treaſurer, and ſufficient Proof being produced to him that they are entitled to receive the ſame.

Treaſurer to re-deliver Books to the Auditor.

6. AND WHEREAS in and by the ſaid recited Act the Auditor is directed, after examining the Accounts, to deliver the Books with the Returns and Vouchers to the Treaſurer of the State, to be depoſited in his Office; BE IT THEREFORE ENACTED, That it ſhall and may be lawful for the Treaſurer, and he is hereby directed to re-deliver the Books with the Returns and Vouchers aforeſaid to the Auditor, who is to keep the ſame in Support of an Account againſt the United States, which he is hereby required to open in the publick Books in his Office, in which Account he is to charge the Amount of all the Allowances made by this State to any of the Inhabitants thereof in the Service of the United States for the Depreciation of their Pay, in Purſuance of either of the before recited or any other Reſolutions of Congreſs.

CHAP.

CHAP. CCCX.

An ACT *to authorize the United States in Congreſs aſſembled in the final Settlement of the Proportion to be borne by this State of certain publick Expences, and for other Purpoſes therein mentioned.*

Paſſed June 15, 1782.

Preamble.

WHEREAS by ſeveral Acts of Congreſs it is recommended to all the States in Union to authorize and empower the United States in Congreſs aſſembled in the final Settlement of the Proportions to be borne by each State of the general Expences of the War, from the Commencement thereof until the firſt Day of *January*, One Thouſand Seven Hundred and Eighty-two (except the Monies loaned to the United States;) and alſo to empower the Commiſſioner appointed to ſettle the publick Accounts in this State to call for Witneſſes, and examine them on Oath or Affirmation, touching ſuch Accounts as are reſpectively aſſigned them for Settlement; Therefore,

Congreſs to adjuſt the Proportion of this State of publick Expences.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the United States in Congreſs aſſembled ſhall be, and they hereby are authorized and empowered fully and finally to determine and ſettle the Proportion to be borne by this State of the general Expences of the War, from the Commencement thereof until the firſt Day of *January*, One Thouſand ſeven Hundred and Eighty-two (except the Monies loaned to the United States) and to aſſume and adopt ſuch Principles as from the particular Circumſtances of this State and the ſeveral States in Union at different Periods may appear juſt and equitable, without being wholly confined to the Rule laid down in the eighth Article of the Confederation, in Caſes where the ſame cannot be applied without manifeſt Injuſtice.

Auditor to ſend Documents, *&c.* to Congreſs.

2. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for the Auditor of Accounts of this State, and he is hereby required as ſpeedily as poſſible to make out and tranſmit to Congreſs all ſuch Documents and Information as may be judged neceſſary by Congreſs to aſſiſt them in forming juſt Eſtimates of the Value and Abilities of this State at the End of every Year within the aforeſaid Term; particularly an accurate and exact Abſtract of all the Ratables of this State at the Cloſe of each and every Year, as far as the ſame can be aſcertained.

Commiſſioner for ſettling Accounts; his Powers.

3. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for the Commiſſioner appointed and authorized finally to ſettle the Accounts between the United States and the Inhabitants of this State, and he is hereby authorized and empowered, in any Caſe where Doubts may ariſe reſpecting the Validity of ſuch Accounts, to cite before him, by Summons, under his Hand and Seal, directed to any Conſtable of the County where ſuch Witneſs may reſide, who is hereby required to pay Obedience thereto, ſuch Perſon or Perſons as may appear likely or qualified to give Information concerning the ſaid Accounts, and him or them to examine, upon Oath or Affirmation, touching the ſame;

which Oath or Affirmation the ſaid Commiſſioner is hereby empowered to adminiſter; and the Conſtable ſhall be entitled to receive *Two Shillings and Six-pence* for the Service of every ſuch Summons, and the Witneſſes *Two Shillings and Six-pence* for every Day they ſhall attend, to be paid by the Party whoſe Accounts are in ſuch a State of Invalidity as to make the ſaid Teſtimony neceſſary. PROVIDED NEVERTHELESS, That no Witneſs ſhall be compelled to attend out of the County where he may reſide.

Proviſo.

CHAP. CCCXI.

An ACT *to empower the Juſtices and Freeholders of the Counties of* Bergen and Eſſex, *to erect a* * *Bridge over the River* Paſſaick, *near the Church at* Acquackanunck.

Paſſed June 18, 1782.

Preamble.

WHEREAS ſundry Inhabitants of the Counties of *Eſſex* and *Bergen* have, by their Petition preſented to the Legiſlature, prayed that a Law may be paſſed to empower the Juſtices and Freeholders of the ſaid Counties to erect a Bridge over the River *Paſſaick*, from the Place where the Highway, leading from *New-Barbadoes*, in the County of *Bergen*, ſtrikes the ſaid River, to the faſt Land in the County of *Eſſex*;

Bridge, where to be erected.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for the Juſtices and Freeholders of the ſaid Counties of *Eſſex* and *Bergen*, to erect and build a Drawbridge over the River *Paſſaick*, directly at the Place where the Highway, leading from *New-Barbadoes*, in the County of *Bergen*, ſtrikes the ſaid River, and a little to the Southward of the Dwellinghouſe of the Widow *Jannetje Van-Winkle*, and ſo acroſs the ſaid River in the ſhorteſt and moſt convenient Manner to the faſt Land in the County of *Eſſex*.

Juſtices and Freeholders, how to proceed.

2. AND BE IT FURTHER ENACTED, That the ſaid Juſtices and Freeholders ſhall in every Reſpect, relative to building the ſaid Bridge, and defraying the Expence thereof, govern themſelves agreeably to the † Act *for regulating Roads and Bridges*, paſſed *March* the eleventh, One Thouſand Seven Hundred and Seventy-four.

Private.

CHAP. CCCXII. *An* Act *to naturalize* Charles Sertorius; *and to confirm to him a Title to certain Lands in the County of* Suſſex.

Paſſed June 19, 1782.

CHAP.

* There was a Drawbridge formerly near the Place where this Bridge is directed to be erected, which was deſtroyed by the Ice.

† *Allinſon*, Chap. DLXXXIX.

CHAP. CCCXIII.

* *An* ACT *to veſt* Robert-Lettis Hooper, *the Younger, and* Elizabeth *his Wife, and the Survivor of them, with Powers of Agency, to take Charge of and manage the Eſtate of the* American Company, *commonly ſo called, in the Counties of* Bergen *and* Morris, *and elſewhere in this State, for the Purpoſes mentioned therein.*

Paſſed June 20, 1782.

Preamble.

FORASMUCH as *Robert-Lettis Hooper*, the Younger, by Petition to the Legiſlature, hath ſet forth, That *Richard Atkinſon*, and ſundry other Perſons reſiding in *Great-Britain*, uſually ſtiling themſelves *The American Company*, heretofore purchaſed certain Lands in the Counties of *Bergen* and *Morris*, and thereon erected extenſive Works for the Manufacture of Iron; that *Robert Erſkine*, late of *Ringwood*, in the ſaid County of *Bergen*, Eſquire, deceaſed, was about twelve Years ſince appointed Manager and Agent for the ſaid Company, in which Capacity he continued until his Death, from whom the Poſſeſſion and Care of the ſaid Eſtate devolved upon the Petitioner by his Intermarriage with *Elizabeth Erſkine*, Relict, ſole Executrix and Deviſee of the ſaid Agent; that the Property of the ſaid Company is conſiderably indebted to the Eſtate of the ſaid Deceaſed, and alſo to ſundry Perſons who are Inhabitants and Citizens of theſe States, for many of which Debts the ſaid *Robert Erſkine* was, and the Petitioner is become, reſponſible; that by the † *Act* of twenty-ninth of *December*, One Thouſand Seven Hundred and Eighty-one, *for taking Charge of and leaſing the Real Eſtates of the Subjects of the King of* Great-Britain *lying within this State*, the reſpective Agents for the Counties in which the ſaid Lands and Works are ſituated, have Power to take Poſſeſſion of and leaſe the ſame, which the Petitioner alledges would tend to involve him in great Inconvenience and Diſtreſs, liable as he is, for the Debts aforeſaid, and would be very prejudicial to the ſaid Eſtate, inaſmuch as the Proceeds in the preſent Condition thereof are ſcarcely adequate to pay the Taxes chargeable upon it, and Leſſees may be tempted to impair the ſame to the Loſs of all the future Uſe and Profits; that the Accounts of the Eſtate of the ſaid Company are ſo blended and interwoven with the perſonal Concerns of the ſaid Deceaſed, that the Books and Papers cannot be transferred to the Agents of the ſaid Counties without ſubjecting the whole to much Derangement, and the Petitioner to much Riſque and Detriment; and therefore praying, that an Act may paſs to veſt the ſaid Petitioner and *Elizabeth* his Wife, and the Survivor of them, with Powers of Agency, for taking Charge of, and managing the Eſtate of the ſaid Company, and cloſing the Affairs of the ſaid late Agent *Robert Erſkine*, under ſuch Conditions, Limitations and Proviſions as to the Legiſlature may ſeem meet; and foraſmuch as the ſaid Requeſt appears reaſonable,

Empowered to take Charge of and manage the Eſtate.

Sect. I. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid *Robert-*

* Inaſmuch as this Law only takes the Management of a particular Eſtate out of the Hands of the Agents of the Counties where it lies and commits it to another Perſon, accountable to the State, it may be conſidered as a publick Act, and a ſpecial Exception to Chap. CCCII. † Chap. CCCII.

Robert-Lettis Hooper, the Younger, and *Elizabeth* his Wife, and the Survivor of them, be, and they hereby are empowered to take Charge of the Eſtate of the ſaid Company in the ſaid Counties of *Bergen* and *Morris*, or elſewhere in this State, and the ſame or any Part thereof to let on Leaſe at publick Auction for any Term not exceeding three Years, under ſuch Terms and Reſtrictions as may be moſt effectual and conducive to preſerve the ſame in full Improvement and Value, to proſecute in their own Names, or in the Name of the Survivor of them, his or her Executors, any Action or Suit in Law or Equity, for the Recovery of any Debt, Demand, Poſſeſſion or Right, due, owing or belonging to the ſaid Eſtate and Company, and to receive, adjuſt and ſatisfy any lawful Demands againſt the ſame; and generally to order, direct, defend and adminiſter all the Affairs and Concerns of the ſaid Eſtate and Company, from the Commencement of the Management and Agency of the ſaid *Robert Erſkine*, deceaſed, to the preſent Time and henceforward.

To account yearly, &c.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid *Robert-Lettis Hooper*, and *Elizabeth* his Wife, and the Survivor of them, ſhall yearly, or as often as thereunto required, lay the Accounts and Vouchers reſpecting the ſaid Eſtate before the Auditor of Accounts, that the ſame may be examined and balanced, and that a Report and State thereof may be laid before the Legiſlature for ſuch Order and Diſpoſition as they may think proper to take or direct thereon.

Allowance for Trouble and Expences.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That on all Payments made into the Treaſury of the State, if any be, the Agents hereby empowered are entitled to the like Allowance for their Expences and Trouble as the Agents in the reſpective Counties appointed by the Act of twenty-ninth *December*, One Thouſand Seven Hundred and Eighty-one, above recited, are entitled to and may retain.

CHAP. CCCXIV.

An ACT *to revive Part of an Act, intitled,* * *An* Act *to empower 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.*

Paſſed June 22, 1782.

Preamble.

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 ſaid Townſhip of *Bedminſter*, as they have ſet forth by their humble Petition, praying that the ſaid Act may be revived;

Act revived and continued.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid Act, intitled, *An* Act *to empower the Inhabitants of the*

* *Allinſon*, Chap. CCCCLXXVII.

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 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.

2. AND BE IT FURTHER ENACTED, That all ſuch Sums of Money as have been expended agreeably to the Directions contained in the before recited Act, in repairing the Highways of the ſaid Townſhip between the Time the ſaid Act expired and the Time of paſſing of this Act, ſhall be recovered as in the Act hereby revived and continued is directed. Money expended, how to be recovered.

3. AND BE IT HEREBY FURTHER ENACTED, That this Act ſhall be and continue in full Force for the Term of four Years from and after the paſſing of this Act, and from thence to the End of the next Seſſion of General Aſſembly thereafter, and no longer. Limitation.

CHAP. CCCXV. *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 Waterworks acroſs the ſaid Creek, in order to prevent the Tide from overflowing the ſame; and to run a Fence acroſs a certain Lane called* Pudding Lane, *in the City of* Burlington. Private.

Paſſed June 22, 1782.

CHAP. CCCXVI.

An ACT *to raiſe the Sum of* Ninety Thouſand Pounds *in the State of* New-Jerſey.

Paſſed June 22, 1782.

WHEREAS it is neceſſary that Proviſion be made for raiſing a Sum of Money, to be applied towards anſwering the Requiſitions of the Congreſs of the United States, and for ſupplying the Exigencies of this State; Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That there ſhall be aſſeſſed, levied and raiſed, on the ſeveral Inhabitants of this State, their Goods and Chattels, and on the Lands and Tenements within the ſame, the Sum of *Ninety Thouſand Pounds*, at two ſeveral Payments, *that is to ſay*, the Sum of *Forty-five Thouſand Pounds* ſhall be aſſeſſed, levied, raiſed and paid, on or before the firſt Day of *October* next; and the Sum of *Forty-five Thouſand Pounds* on or before the firſt Day of *January* next; and that the ſaid Payments be made in Gold, Silver or Copper Coin, and in the Bills of Credit iſſued on the Faith of this State, in the Manner and Proportion herein after mentioned; and that the ſaid Bills of Credit received in Diſcharge of the ſaid Tax be paid into the Treaſury of the State, and the Specie received as aforeſaid Sum to be raiſed.

ſaid into the Hands of the Receiver of Continental Taxes, and into the Treaſury of the State, in the Ratio hereafter expreſſed.

Articles, how to be valued and rated.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That in aſſeſſing each Payment of the ſaid Sum of *Ninety Thouſand Pounds*, the ſeveral Perſons, Articles and Things made taxable by this Act, ſhall be valued and rated at the Diſcretion of the Aſſeſſors and Freeholders choſen and appointed agreeably to the Directions of an Act, intitled, * *An* Act *to raiſe the Sum of* One Hundred and Fifty Thouſand Pounds, *in Money and Certificates, in the State of* New-Jerſey, paſſed *December* the twenty-ſixth, One Thouſand Seven Hundred and Eighty-one, *videlicet*,

All Houſeholders (under which Deſcription ſhall be included all married Men living with their Parents and not ſupporting a ſeparate Table) the eſtimated Value of whoſe ratable Eſtate does not amount to *Twenty-five Pounds*, any Sum in Proportion to their Abilities, not exceeding *Seven Pounds* over and above their Certainties and other Eſtate made ratable by this Act.

All Merchants, Shopkeepers and Traders, any Sum not exceeding *Seventeen Pounds*.

All accuſtomed Fiſheries, the Property of private Perſons, where Fiſh are caught for Sale, any Sum not exceeding *Five Pounds*.

All Sawmills, that ſaw Timber for Sale or Hire, any Sum not exceeding *Seven Pounds*.

All Griſtmills, for each Pair of Stones, any Sum not exceeding *Five Pounds*.

All Fullingmills, any Sum not exceeding *Five Pounds*.

All Furnaces, any Sum not exceeding *Thirteen Pounds*.

All Forges that work Pig-Iron, and all Forges and Bloomaries that work Bar-Iron immediately from the Ore, any Sum not exceeding *Three Pounds Ten Shillings* for each Fire.

All Rolling and Slittingmills, any Sum not exceeding *Twenty-five Pounds*.

All Oilmills, where Lintſeed Oil is made for Sale, any Sum not exceeding *Two Pounds*.

All Snuffmills, where Snuff is made for Sale, any Sum not exceeding *Two Pounds*.

All Stills, that diſtil ſpirituous Liquors for Sale or Hire, any Sum not exceeding *Seven Pounds*.

All Breweries, that brew for Sale or Hire, any Sum not exceeding *Two Pounds*.

All Tavernkeepers and Retailers of ſpirituous Liquors, any Sum not exceeding *Seven Pounds*.

All Tanyards, that tan Leather for Sale or Hire, any Sum not exceeding *Seven Pounds*.

Every Ferry, any Sum not exceeding *Fourteen Pounds*.

Every coaſting Sloop, Schooner, Shallop, Flat, Paſſage-Boat, Pilot-Boat, Wood-Boat and Pettiauger, that carries Freight for Sale or Hire, in Proportion to their Burden and Buſineſs, any Sum not exceeding *Four Pounds Ten Shillings*.

Every ſingle Man, whether he lives with his Parents or otherwiſe, who keeps a Horſe, Mare or Gelding, any Sum not exceeding *One Pound Two Shillings and Six-pence*.

Every ſingle Man, whether he lives with his Parents or otherwiſe, who does

* Chap. CCXCVII.

does not keep a Horſe, Mare or Gelding, any Sum not exceeding *Fifteen Shillings*. PROVIDED ALWAYS, That every ſingle Man poſſeſſed of a ratable Eſtate, the Tax whereof amounts to the higheſt Sum he is above directed to be rated at, ſhall be aſſeſſed for ſuch Eſtate only, and not as a ſingle Man.

Every Male Slave between the Ages of ſixteen and ſixty Years, any Sum not exceeding *Fifteen Shillings*. PROVIDED ALWAYS, That no Slave ſhall be taxed who is unable to work, or that may appear to the Aſſeſſor and choſen Freeholders to be no Profit to his Maſter or Miſtreſs.

Every Coach, Chariot, four-wheeled Chaiſe or Phæton, any Sum not exceeding *Two Pounds*.

Every two Horſe Chaiſe or Curricle, any Sum not exceeding *Fifteen Shillings*.

Every Riding Chair, Kittereen or Sulky, any Sum not exceeding *Five Shillings*.

Every light travelling Waggon with a Top or Covering, ſhall be rated any Sum not exceeding *Fifteen Shillings*. PROVIDED ALWAYS, That covered Waggons which are chiefly employed in going to Mill or Market, and in the common Buſineſs of a Farm, ſhall not be liable to any Tax by Virtue of this Act.

All Covering Horſes of four Years old and upwards, that cover for Hire, ſhall be rated at any Sum not exceeding *Five Pounds*.

All other Horſes, Mares and Geldings, of two Years old and upwards, ſhall be valued at *Twenty-five Shillings* each Head.

All horned Cattle of two Years old and upwards, ſhall be valued at *Twenty Shillings* each Head.

All Tracts of Land held or owned by Deed, Patent, Occupancy, Survey or otherwiſe, whether improved or unimproved, ſhall be valued at the Diſcretion of the Aſſeſſors and choſen Freeholders in each reſpective County of this State, at any Sum not exceeding *Eighty Pounds* by the Hundred Acres. PROVIDED ALWAYS, That all Lands whereon any Improvement is made, the whole Tract ſhall be conſidered as improved Land. AND PROVIDED ALSO, That Houſes and Lots of Land, ſituate, lying and being in any County of this State, of ten Acres of Land and under, ſhall not be included in the above Valuation, but ſuch ſhall be valued by the reſpective Aſſeſſors and choſen Freeholders at their Diſcretion, having Regard to their yearly Rent and Value, proportioning the ſame as nearly as may be to the Valuation of Land aforeſaid. Proviſoes.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Sum of *Ninety Thouſand Pounds* ſhall be aſſeſſed, levied and raiſed in the ſeveral Counties in this State, in the Proportion following at each Payment, *to wit*, Quota of each County.

By the County of *Bergen*, (excluſive of the Townſhip of *Bergen*) the Sum of *Two Thouſand Three Hundred and Twenty-ſix Pounds Seven Shillings and Six-pence.*

By the County of *Eſſex*, the Sum of *Three Thouſand Two Hundred and Seventy Pounds Three Shillings and Six-pence.*

By the County of *Middleſex*, the Sum of *Three Thouſand Four Hundred and Eighteen Pounds One Shilling.*

By the County of *Monmouth*, the Sum of *Four Thouſand Three Hundred and Ninety-ſix Pounds Ten Shillings.*

By the County of *Somerſet*, the Sum of *Three Thouſand Eight Hundred and Seventy-nine Pounds.*

By

By the County of *Burlington*, the Sum of *Four Thouſand Six Hundred and Twenty Pounds Nineteen Shillings.*

By the County of *Glouceſter*, the Sum of *Three Thouſand Six Hundred and Fifty-ſeven Pounds Fourteen Shillings and Six-pence.*

By the County of *Salem*, the Sum of *Three Thouſand and Fifty-ſeven Pounds Fourteen Shillings and Six-pence.*

By the County of *Cape-May*, the Sum of *Nine Hundred and Thirty-ſix Pounds.*

By the County of *Hunterdon*, the Sum of *Six Thouſand and Ninety-four Pounds Ten Shillings.*

By the County of *Morris*, the Sum of *Three Thouſand Seven Hundred and Eighteen Pounds.*

By the County of *Cumberland*, the Sum of *Two Thouſand and Twenty-five Pounds.*

By the County of *Suſſex*, the Sum of *Three Thouſand Six Hundred Pounds.*

Aſſeſſors, their Qualification.

4. AND BE IT ENACTED *by the Authority aforeſaid*, That the Aſſeſſors of the ſeveral Townſhips, Precincts or Wards, in each reſpective County of this State, ſhall, before they proceed in the Duties required of them by this Act, ſeverally take the following Oath or Affirmation before a Juſtice of the Peace in their reſpective Counties, *to wit*,

THAT you will truly and impartially value and aſſeſs the ratable Eſtate of the Inhabitants of the Townſhip, Precinct or Ward of——— *purſuant to the Directions of the Act, intitled,* An *Act* to raiſe the Sum of *Ninety Thouſand Pounds*, in the State of *New-Jerſey, and alſo aſſiſt the other Aſſeſſors in ſettling the Quotas, according to the beſt of your Skill and Underſtanding.*

Inhabitants to give in their Ratables.

5. AND, to the End the ſaid Tax may be equitably and effectually aſſeſſed and levied, BE IT ENACTED *by the Authority aforeſaid*, That all and every the Inhabitants of the ſeveral Townſhips, Precincts and Wards, in the ſeveral Counties of this State, on Application to them made by the Aſſeſſors of the reſpective Townſhips, Precincts and Wards, ſhall forthwith give a full and true Account of their Names and Surnames, and of their Eſtates, Real and Perſonal, made ratable by this Act, which the Aſſeſſors ſhall take down in Writing, in order to be enabled thereby to make juſt and true Aſſeſſments; and in caſe any of the ſaid Inhabitants ſhall neglect or refuſe to give in ſuch Account, or any Part thereof, ſuch Perſon or Perſons ſo neglecting or refuſing, ſhall be rated and aſſeſſed double the Sum at which the Aſſeſſors reſpectively may, in their Diſcretion, ſuppoſe the ſaid Perſon or Perſons ſo neglecting or refuſing, might otherwiſe, in Proportion to their Eſtates, have been rated and aſſeſſed; and the ſaid Aſſeſſors ſhall alſo at the ſame Time take an exact Liſt of the Number of white Inhabitants within their reſpective Townſhips, Precincts or Wards, and likewiſe the Amount of all the Certificates given by any of the late County Contractors of this State, and of the ſurplus Certificates given by the Townſhip, Precinct or Ward Collectors, to each of the Inhabitants thereof, to be inſerted in their Abſtracts.

Liſts of the white Inhabitants to be taken.

Aſſeſſors to make out Liſts of Ratables, *&c.*

6. AND BE IT ENACTED, That the Aſſeſſors aforeſaid reſpectively ſhall take a true Account, and make an exact Liſt of the Perſons and Things

Things made ratable by this Act, for both Payments of the Sum directed to be raiſed as aforeſaid, on or before the firſt Day of *Auguſt* next, and ſhall meet together for ſettling the Quotas on the ſaid firſt Day of *Auguſt* at Ten o'Clock in the Morning, at the Place of holding the Courts in the ſeveral Counties, except in the County of *Hunterdon*, for which they ſhall meet at the Houſe where the Widow *Ringo* now dwells, in *Amwell;* and in the County of *Bergen*, at the Dwelling-Houſe of *Cornelius Van-Horn*, at *Paramus;* and at the ſaid Time and Place ſhall compute what the Sum total of all the Certainties laid by this Act on the ſaid County will amount unto; and ſhall likewiſe then and there compute the Value of all the Eſtates, Real and Perſonal, taken by the ſaid Aſſeſſors within each of the ſaid Townſhips, Precincts or Wards in each and every County of this State, at ſuch Value as they, or a Majority of them then preſent, in their Diſcretion, ſhall think reaſonable to fix, according to the Reſtrictions and Directions herein before limited and preſcribed, and ſhall thereby determine and adjuſt the Quotas to be levied and collected within each reſpective Townſhip, Precinct or Ward; and ſhall alſo make out a true Abſtract of the Amount of all the Articles and Things made ratable by this Act in each of the reſpective Townſhips in the ſeveral Counties to which they belong, in Manner and Form following, *videlicet*,

Form of the Duplicate.

A Liſt of the Ratables of the ſeveral Townſhips in the County of in the State of *New-Jerſey*, taken in the Month of 1782, with the Aſſeſſment made thereon.

Townſhips Names.	Including Land, Houſes, Lots, Horſes and Cattle of Houſeholders.	A. B.	C. D.	E. F.	Here caſt up the Total of each Column.
	Acres of improved Land.				
	Value of Ditto per hundred Acres.				
	Acres of unimproved Land.				
	Value of Ditto per hundred Acres.				
	Houſes and Lots not exceeding ten Acres.				
	Value of Houſes and Lots.				
	Horſes at 25*ſ.* each.				
	Horned Cattle at 20*ſ.* each.				
	l. ſ. d. Total whereon to levy.				
	Houſeholders.				
	Merchants, Shopkeepers & Traders.				
	Fiſheries.				
	Sawmills.				
	Griſtmills.				
	Fullingmills.				
	Furnaces.				
	Forges.				
	Rolling and Slittingmills.				
	Oilmills.				
	Snuffmills.				
	Stills.				
	Brewhouſes.				
	Taverns.				
	Tanyards.				
	Ferries.				
	Veſſels and Boats.				
	Single Men and Horſe.				
	Single Men.				
	Slaves.				
	Coaches, &c.				
	Two Horſe Chaiſes.				
	Riding Chairs, &c.				
	Covered Waggons.				
	Covering Horſes.				
	l. ſ. d. Amount of the Certainties in each Townſhip.				
	l. ſ. d. Amount of Taxes.				
	Number of white Inhabitants.				
	Amount of State Certificates, &c.				

Abſtracts, when to be delivered to the Collectors.

Which Abſtracts ſhall be ſigned by each of the ſaid Aſſeſſors, and delivered to the Collector of the County immediately; and the Aſſeſſors reſpectively ſhall deliver to the Collectors of each Townſhip, Precinct or Ward of the ſeveral Counties within this State, true and exact Duplicates of the firſt Payment of the ſaid Sum on or before the tenth Day of *Auguſt* next, and true Copies thereof for the ſecond Payment on or before

before the firſt Day of *November* next, containing as well a full Account of the Certainties and Rates aforeſaid, as of the ratable Eſtates given in by each Perſon and the Aſſeſſments made thereon, which Duplicates ſhall be made in the ſame Manner and Form with the Abſtract abovementioned, excepting that the Names of the ſeveral Perſons ſhall be inſerted in the Place therein allotted for the Names of the Townſhips, Copies of which Duplicates the ſaid Aſſeſſors ſhall alſo deliver to the Collectors of the ſeveral Counties, who are hereby required at the Times before directed for the Payment of the Monies raiſed by this Act, to deliver or tranſmit the ſaid Duplicates together with the ſaid Abſtracts, to the Treaſurer, and to pay the Monies collected thereon as herein after directed.

County Collector to attend the Meeting of the Aſſeſſors.

7 AND BE IT ENACTED *by the Authority aforeſaid*, That the Collector of every County of this State ſhall attend at the Meeting of the Aſſeſſors within his reſpective County, at the Time before limited and fixed in this Act, and ſhall lay before the ſaid Aſſeſſors a State of the Deficiencies in each of the Townſhips, Precincts or Wards thereof, if ſuch there be, and alſo an Account of the Monies in his Hands belonging to the ſaid County, ariſing from former Aſſeſſments.

Choſen Freeholders, their Qualification.

8. AND, for the more equitable Aſſeſſment of the ſaid Tax, BE IT ENACTED, That the Freeholders which have been choſen or appointed purſuant to the Directions of the before-recited Act, ſhall, previous to their engaging in the Duties required of them by this Act, ſeverally take the following Qualification before a Juſtice of the Peace of the County, *to wit*,

I do ſolemnly ſwear (or affirm) that I will faithfully aſſiſt the Aſſeſſor of the Precinct, Townſhip or Ward of in the County of to value, rate and aſſeſs the ſeveral Perſons, Articles and Things, in the ſaid Townſhip, Precinct or Ward, and that I will impartially do and perform the ſeveral Duties required of me by an Act, intitled, An *Act* to raiſe the Sum of *Ninety Thouſand Pounds*, in the State of *New-Jerſey*, *according to the beſt of my Skill and Underſtanding.*

Freeholders neglecting, what to forfeit.

And in caſe the ſaid Freeholders, or any of them, ſhall neglect or refuſe to do any Duty on them enjoined in this Act, they and each of them ſhall, for every ſuch Neglect or Refuſal, forfeit and pay the Sum of *Three Pounds*, to be recovered and applied as herein after is directed; and any two Juſtices of the Peace of the County, on Application to them made by the Aſſeſſor of ſuch Townſhip, Precinct or Ward, or of their own Knowledge, ſhall fill up any Vacancy ſo happening by Neglect or Refuſal from Time to Time, by a new Appointment; and the Perſons ſo appointed ſhall be held and deemed as choſen Freeholders, to all Intents and Purpoſes; and the ſaid choſen Freeholders ſhall each of them have and receive *Seven Shillings and Six-pence* by the Day, for every whole Day they are actually employed in diſcharging the Duties required of them by this Act, to be paid by the Collector of the County in which they reſide, on a Certificate from the Aſſeſſor of ſuch Townſhip, Precinct or Ward, expreſſing the Number of Days they reſpectively attend in ſuch Service. Their Wages.

9. AND BE IT ENACTED, That the ſeveral and reſpective Aſſeſſors, after

Aſſeſſors and Freeholders, to determine the Rates.

after having taken a Liſt of the Ratables, and ſettled the Quotas of the ſeveral Townſhips, Precincts or Wards, as aforeſaid, ſhall call to their Aſſiſtance the Freeholders who have been choſen, or ſhall be appointed as mentioned and directed in this Act, and ſhall, in Conjunction with them, eſtimate, adjuſt and determine the Value or Rate to be affixed to each Perſon, Article, or Thing made ratable by this Act, taking into Conſideration the Loſſes and Damages, as well as the Acquirements of each Perſon ſince the Beginning of the preſent War, together with their Situation, Opportunities, and whatever elſe may tend towards the more equitable Aſſeſſment of the ſaid Tax, and ſhall levy the ſame accordingly within the Limitations and Reſtrictions of this Act. PROVIDED ALWAYS, That where a Difference in Judgment may happen, the Opinion of the Majority ſhall determine.

Proviſo.

Aſſeſſors, what to aſſeſs upon the Pound Value.

10. AND BE IT ENACTED, That the ſaid Aſſeſſors reſpectively, after having ſettled the ſeveral Rates and Valuations, in Conjunction with the choſen Freeholders in the ſeveral Precincts, Townſhips or Wards, as before directed in this Act, ſhall deduct the Certainties from the Quotas of their reſpective Townſhips, ſo as before adjuſted, and having added their own, the Collectors and choſen Freeholders Fees to the Remainder, ſhall aſſeſs ſuch Remainder and Addition of Fees equally on the Pound Value of all the Real and Perſonal Eſtates within each of their ſeveral Townſhips, Precincts or Wards, ſo as to make up at leaſt their reſpective Quotas, with the additional Charges of valuing, aſſeſſing and collecting, receiving and paying the ſame into the Treaſury.

Aſſeſſors neglecting their Duty, what to forfeit.

11. AND BE IT ENACTED, That in caſe any of the Aſſeſſors ſhall neglect or refuſe to make the ſaid Aſſeſſment, or to deliver unto the Collectors aforeſaid, true and exact Duplicates of ſuch Aſſeſſments, within the Times before prefixed, or ſhall otherwiſe neglect or refuſe to do any other Duty, Matter or Thing, required and enjoined on them by this Act, every ſuch Aſſeſſor ſo offending ſhall forfeit and pay for each Offence the Sum of *Twelve Pounds*, to be recovered as is herein after directed; and the Aſſeſſors ſhall reſpectively have and receive, of

Their Wages.

and from the County Collectors, the Sum of *Three-pence* on the *Pound* for their Trouble in aſſeſſing and rendering Duplicates as aforeſaid; and if any Perſon or Perſons ſhall think him, her or themſelves aggrieved by any Aſſeſſment made in Purſuance of this Act, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal to the Commiſſioners of Appeal for the Townſhip, Precinct or Ward, to which he, ſhe or they may belong, which ſaid Commiſſioners are hereby required to attend for that Purpoſe at the uſual Place for holding the Town-Meetings, or at ſuch other Place, and at ſuch Time, as they in their Advertiſements ſhall appoint, at which Time and Place the Aſſeſſor of ſuch Townſhip is hereby required alſo to attend with his Duplicate; and the ſaid Commiſſioners of Appeal, upon due Examination of Facts, ſhall and may give ſuch Relief as may be agreeable to Juſtice, whoſe Judgment ſhall be final to all Intents and Purpoſes; and each of the ſaid

Wages of the Commiſſioners of Appeal.

Commiſſioners ſhall receive from the Townſhip Collector, at the Rate of *Seven Shillings and Six-pence* per Day, for each Day he ſhall be ſo employed. PROVIDED ALWAYS, That no Perſon ſhall have the Privilege of an Appeal, until he has paid his Tax.

Proviſo.

12. AND BE IT ENACTED *by the Authority aforeſaid*, That if the Aſ-

ſeſſor

Aſſeſſor not attending, others to ſettle his Proportion.

ſeſſor of any Townſhip, Precinct or Ward, in any County of this State, ſhall neglect to attend at the Times and Places before directed for the Meeting of the Aſſeſſors in the reſpective Counties, it ſhall and may be lawful for a Majority of the Aſſeſſors of the ſaid County met as aforeſaid, notwithſtanding the Abſence of ſuch Aſſeſſor, to proceed to ſettle the Proportion to be levied on ſuch Townſhip, Precinct or Ward, in the ſaid County; which Proportion ſo fixed ſhall be aſſeſſed and collected by the Aſſeſſor and Collector of ſuch Townſhip, Precinct or Ward.

Mode of collecting.

13. AND BE IT ENACTED *by the Authority aforeſaid*, That the Collectors of the reſpective Townſhips, Precincts or Wards of this State, within twenty Days after the Receipt of each Duplicate and Aſſeſſment as aforeſaid, ſhall make Demand of the ſeveral and reſpective Sums aſſeſſed on each Perſon within their reſpective Townſhips, Precincts or Wards, in Perſon, or by Notice left at his Place of Abode, and in caſe of Non-Payment within ten Days after the Expiration of the ſaid Term, the ſaid Collector ſhall make out a Liſt of the Names and Surnames of ſuch Delinquents, with the Sum due from each, and make Return thereof to any Juſtice of the Peace of the County where ſuch Delinquency ſhall happen, which Juſtice is hereby empowered and required to adminiſter an Oath or Affirmation to the ſaid Collector, that the Monies in the Liſt mentioned had been demanded, or Notice thereof given at each Delinquent's uſual Place of Abode, and thereupon immediately make out his Warrant, directed to any Conſtable of the County, requiring him to levy Diſtreſs on the Goods and Chattels of each Delinquent, and make Sale thereof at publick Vendue, giving Notice of the Time and Place by Advertiſement in three of the moſt publick Places in the Townſhip, Precinct or Ward, at leaſt five Days before the Day of Sale, and to pay the Tax for which ſuch Diſtreſs is made to the ſaid Collector within fifteen Days from the Date of the Warrant, and at the Time of making Payment to retain *Three-pence* for each Name inſerted in the Warrant, to be paid to the Juſtice of the Peace who ſhall make out the ſame, and *Two Shillings and Six-pence* as his own Compenſation for each Diſtreſs, and to return the Overplus, if any there be, to the Owner; and in caſe the Owner ſhall refuſe to accept thereof, then the ſaid Conſtable ſhall pay the ſame into the Hands of the Collector of the Townſhip, Precinct or Ward, to be credited to the Owner in his next Tax, or paid to his Succeſſor for that Purpoſe; and where Goods and Chattels cannot be found, the Conſtable is hereby empowered and required to take the Body or Bodies of ſuch Delinquent or Delinquents, if to be found in ſaid County, and to deliver him or them to the Sheriff of ſuch County, or his Gaoler, to be kept in ſafe Cuſtody until Payment ſhall be made, and all Charges accruing thereby are defrayed; and the Collectors of the reſpective Townſhips, Precincts or Wards within this State, ſhall deliver the Tax by them collected and received for the firſt Payment, together with the Duplicates and ſuch Forfeitures as they may have received for the Uſe of the State, in Purſuance of this Act, to the Collector of the County in which ſuch Townſhip, Precinct or Ward is ſituated, on or before the twenty-fifth Day of *September* next; and the Tax, Duplicates and Forfeitures for the ſecond Payment, on or before the twenty-fifth Day of *December* next; and in caſe any ſuch Collector ſhall refuſe to do any Matter, Duty or Thing, enjoined on him by this Act, he ſhall forfeit and pay, for each Offence, the Sum of *Twelve Pounds*, to be recovered and applied in Man-

Juſtices' and Conſtables' Fees.

Townſhip Collectors, when to make Payment.

ner herein after directed; and the reſpective Collectors aforeſaid ſhall
Their Wages. and may retain in their Hands the Sum of *Three-pence* in the *Pound* for all ſuch Monies as they may collect in, and pay to, the County Collectors aforeſaid, by Virtue of the Directions of this Act; and if any Conſtable ſhall neglect or refuſe to do any Duty or Service enjoined on him by this Act, he ſhall forfeit and pay the Sum of *Six Pounds*, to be recovered by the Townſhip, Precinct or Ward Collector, before any Juſtice of the Peace of the County, and applied one Half to the Uſe of the Proſecutor, and the other Half to the Uſe of the State, with Coſts of Suit.

What Money to be received.

14. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for the Collector of each Townſhip, Precinct or Ward, in every County in this State, and he is hereby authorized and required to receive, in Diſcharge of the Tax laid by this Act, and of each Payment thereof, Five-Sixths of the Amount of the Sum aſſeſſed on each Perſon, Article or Thing, in Gold, Silver or Copper Coin only, and the remaining One-Sixth Part thereof in Gold, Silver or Copper Coin, or in the Bills of Credit iſſued on the Faith of this State.

Certificates to be delivered to the Auditor, *&c.*

15. AND BE IT ENACTED, That the Collector of every County in this State ſhall deliver to the Auditor of Accounts all the Certificates in his Hands, given by the County Contractors, and by him received in Payment of the Taxes raiſed by any former Act of the Legiſlature, whereby ſuch Certificates were made receivable, and ſhall deliver the Tranſcript of the Book wherein the aforeſaid Certificates are regiſtered, together with the other Certificates in his Hands, and which have been to him paid forward in Diſcharge of Taxes as aforeſaid, to the Treaſurer, who ſhall tranſmit an Account of the Amount of the ſaid Certificates given by each Contractor, to the late Superintendant of Purchaſes of this State, for his Aſſiſtance in the final Settlement of the Accounts of the ſaid Contractors.

When Aſſeſſors, *&c.* not appointed by the Inhabitants, how to be ſupplied.

16. AND WHEREAS it may happen in ſome of the Townſhips, Precincts or Wards of this State, from the Vicinity of the Enemy or from other Cauſes, that the Aſſeſſors and Collectors, or Freeholders choſen in the uſual Courſe, may refuſe or neglect to qualify themſelves for the ſaid Office, or to perform the Duties of them reſpectively required by this Act, and that other ſuitable Perſons willing to take upon them the ſaid Duties, cannot be found within ſuch Townſhips, Precincts or Wards, or that the Inhabitants thereof may have neglected or refuſed to elect and appoint ſuch Officers, BE IT ENACTED *by the Authority aforeſaid*, That in every ſuch Caſe it ſhall and may be lawful for any two Juſtices of the Peace of the County in which ſuch Townſhip, Precinct or Ward may be, and they are hereby required to meet together and appoint ſuch fit Perſon or Perſons within the ſaid County as they ſhall think proper, and the Occaſion ſhall require, as Aſſeſſors, Collectors and Freeholders, to value, aſſeſs and collect the Taxes of ſuch Townſhip, Precinct or Ward; and the Perſon or Perſons ſo appointed ſhall be and are hereby declared to be reſpectively veſted with the like Power and Authority, and ſhall perform the like Duties within ſuch Townſhip, Precinct or Ward, receive the like Rewards, and be ſubject to the like Penalties for Neglect or Default with the Aſſeſſors, Collectors and Freeholders herein mentioned.

17. AND

17. AND BE IT ENACTED *by the Authority aforeſaid*, That the Collectors of the ſeveral Counties ſhall pay Four-Fifths of the Specie by them received in Diſcharge of the firſt Payment of the Tax laid by this Act to *William-Churchill Houſton*, Eſquire, Receiver of the Continental Taxes for the State of *New-Jerſey*, or to the Receiver of the Continental Taxes for the Time being, and the remaining One-Fifth Part, together with the Bills of Credit by them received as aforeſaid, to the Treaſurer of the State, on or before the firſt Day of *October* next, and the Sums received in Diſcharge of the ſecond Payment to the Perſons aforeſaid reſpectively in the Manner and Proportions aforeſaid, on or before the firſt Day of *January* next, taking their Receipts for the ſame, which Receipts, after having been entered in the Auditor's Office, and endorſed agreeably to the Directions of the eighteenth Section of the Act, intitled, * *An Act for the more ſpeedy Settlement of the publick Accounts*, paſſed *December* the twentieth, One Thouſand Seven Hundred and Eighty-one, ſhall be ſufficient Vouchers to diſcharge the ſaid Collectors ſeverally from the Monies ſo paid; and if any County Collector ſhall refuſe or neglect to pay, within the Times herein before limited, to the Receiver of Continental Taxes for the Time being, the Proportion of Monies by him received in Virtue of the Directions of this Act, which is herein before directed to be paid into the Hands of the ſaid Receiver, or any Part thereof, he ſhall, for ſuch Offence, forfeit and pay the Sum of *Ten Pounds*, to be recovered with Coſts by the ſaid Receiver in any Court of Record where the ſame may be cognizable, to and for the Uſe of the State: And if any ſuch Collector ſhall refuſe or neglect to pay to the Treaſurer the Proportion of the Monies by him received, which are herein before directed to be paid to the ſaid Treaſurer, or any Part thereof, within the Times herein before limited, or ſhall refuſe or neglect to perform any of the Duties enjoined on him by this Act, he ſhall, for every ſuch Offence, forfeit and pay the Sum of *Ten Pounds*, to be recovered with Coſts by the ſaid Treaſurer, and applied as aforeſaid; and the ſaid County Collectors reſpectively ſhall have and retain in their Hands the Sum of *One Penny* per *Pound*, for all the Tax by them received and paid in Virtue of the Directions of this Act, and likewiſe *Six-pence* for every Mile his Place of Abode may be diſtant from the Treaſury.

County Collectors, where to pay in the Taxes.

Penalty on Neglect.

Their Wages.

18. AND BE IT ENACTED *by the Authority aforeſaid*, That if any Juſtice of the Peace of this State ſhall neglect or refuſe to do any Duty, Matter or Thing required of him by this Act, every ſuch Juſtice, ſo neglecting or refuſing, ſhall forfeit for each Offence the Sum of *Six Pounds*, to be recovered and applied as is herein after directed.

Juſtice neglecting his Duty, what to be fined.

19. AND BE IT ENACTED *by the Authority aforeſaid*, That the Collector of the County, on Behalf of the County, ſhall proſecute for all Fines and Forfeitures before-mentioned which may become due by Virtue of this Act, excepting where it is otherwiſe directed.

County Collectors to proſecute for Fines.

20. AND BE IT ENACTED *by the Authority aforeſaid*, That if the Collector of any Townſhip, Precinct or Ward, ſhall make Default in not paying the Money by him collected, and every Part thereof, to the Collector of the County to which he belongs, at the Times herein before ſpecified, he ſhall, beſides the Forfeitures herein before-mentioned, be

Town and County Collectors not paying in the Tax, liable to Actions, &c.

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be ſubject to an Action of Debt at the Suit of the ſaid County Collector for the Recovery of the whole Sum, or any Part thereof, with Intereſt and Coſts of Suit; and if any County Collector ſhall make Default in not paying to the Receiver aforeſaid the Proportion of the Money by him received, which is herein before directed to be paid to the ſaid Receiver, or any Part thereof, or ſhall make Default in not paying to the Treaſurer the Proportion of the Money by him received, and herein before directed to be paid to the ſaid Treaſurer, or any Part thereof, he ſhall, beſides the Forfeitures before-mentioned, be ſubject to an Action of Debt at the Suit of the ſaid Receiver and Treaſurer reſpectively, for the Recovery of the whole Sum unpaid to each, with Intereſt and Coſts of Suit.

Juſtices and Freeholders to call County Collectors to Account.

21. AND BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Juſtices of the Peace of each County in this State, or any three of them, and the Majority of the Freeholders choſen for the ſaid County, to call the County Collector to an Account reſpecting the Money he ſhall receive by Virtue of the Directions of this Act at ſuch Time and Times, and as often as the ſaid Juſtices and Freeholders may deem convenient; and all Monies remaining in the Hands of the ſaid Collectors, after the Quotas of the County ſhall be paid in as aforeſaid, ſhall, by the ſaid Juſtices and Freeholders, be credited or applied to the Uſe of the Townſhip, Precinct or Ward wherein the ſaid Monies were raiſed; and the County Collectors ſeverally are hereby required and commanded to lay Copies of the reſpective Aſſeſſments and Accounts of Deficiencies, and of all Monies aſſeſſed and levied on the County, delivered to them by the Townſhip Collectors, before the Juſtices and Freeholders of the reſpective Counties, at their ſtated Meetings.

County liable for County Collector embezzling Money, *&c.*

22. AND BE IT FURTHER ENACTED, That if any County Collector ſhall ſquander or embezzle the Money belonging to the State intruſted in his Hands, ſo that Recovery thereof cannot be had by the State, the ſaid County ſhall be liable to reimburſe the Sum ſo ſquandered or embezzled, to be added to the next Quota of the Tax of ſuch County.

Goods of Tenants liable, *&c.* who may deduct, *&c.*

23. AND BE IT ENACTED, That the Goods and Chattels of all Tenants or Perſons reſiding on, or having the Care of any Lands or Tenements, ſhall, on Default of Payment of the Tax aſſeſſed thereon, be liable to be diſtrained for the ſame; and in caſe the Tenant or Perſon having the Care of any ſuch Lands or Tenements ſhall pay, or his or her Goods be diſtrained for the Tax, then, and in that Caſe, it ſhall and may be lawful to and for the ſaid Tenant to deduct the Sum ſo paid out of the Rent ſo agreed for, or to recover the ſame from the Owner by Action of Debt in any Court where the ſame ſhall be cognizable, together with Coſts of Suit.

Proviſo.

PROVIDED ALWAYS, That Nothing in this Act contained ſhall in anywiſe extend to alter any Contract made and ſubſiſting between any Landlord and Tenant.

Tax on unimproved and untenanted Lands of Non-Reſidents, how to be recovered.

24. AND, for the Recovery of the Tax laid on unimproved and untenanted Tracts of Land, the Owners whereof do not reſide in the County where ſuch Lands are ſituated, BE IT ENACTED, That the Collector of the Townſhip, Precinct or Ward, wherein any ſuch Lands or Tenements are ſituated, ſhall, on Neglect of Payment, apply to ſome Juſtice

Juſtice of the Peace of the County where ſuch Owners may reſide, who is hereby required to grant his Warrant of Diſtreſs for recovering the ſame with Coſts, agreeably to the Directions before given for that Purpoſe in this Act, and the Tax, when recovered, ſhall be paid into the Hands of the Juſtice who granted the Warrant, and by him to the Collector aforeſaid, on his Application for the ſame.

Mode where the Owners of ſuch Lands do not live in the State.

25. AND, for the Direction of the Collectors of the ſeveral Precincts, Townſhips or Wards in each reſpective County in this State, in the Mode to be by them purſued for the Recovery of the Tax aſſeſſed on ſuch unimproved and untenanted Tracts of Land, the Owners whereof do not reſide within the State, BE IT ENACTED, That the ſaid Collectors ſhall, on Default of Payment of the Tax aſſeſſed on ſuch Lands as aforeſaid, within the Times limited in this Act, return the Delinquencies to ſome Juſtice of the Peace of the County, who is hereby required thereupon to iſſue his Warrant to any Conſtable thereof, to levy Diſtreſs on ſo much of the Timber, Wood, Herbage, or whatever other ſaleable Property, belonging to the ſaid Owner or Owners, may be found on the Premiſes, as will pay the Tax and Coſts, in like Manner as in this Act is before directed.

Mode of aſſeſſing and collecting in Places unſafe.

26. AND BE IT FURTHER ENACTED, That where the Aſſeſſor or Collector for any Townſhip, Precinct or Ward, in any County in this State, ſhall make Oath or Affirmation before any Juſtice of the Peace of the County, that it is dangerous or unſafe for him alone and unaſſiſted to perform the Duties enjoined on him by this Act, it ſhall and may be lawful for ſuch Aſſeſſor or Collector, and he is hereby authorized and required to give Notice by Advertiſements in ſuch and ſo many Places as the ſaid Juſtice ſhall direct, requiring all Perſons reſiding within the Limits of ſuch dangerous or unſafe Diſtrict, perſonally to deliver or otherwiſe to tranſmit in Writing to the ſaid Aſſeſſor at ſuch Place and Time as ſhall be directed by the ſaid Juſtice, a Liſt of all their ratable Eſtates, and to the Collector the Amount of their Taxes, which Notice ſo given ſhall be deemed and taken to be a legal Demand for every ſuch ratable Eſtate, and alſo for each and every Perſon's Tax reſident within the Diſtrict aforeſaid; and in caſe any ſuch Perſon ſhall neglect to deliver or tranſmit to the ſaid Aſſeſſor the Liſt of his ratable Eſtate within the Time appointed by the ſaid Juſtice, the ſaid Aſſeſſor ſhall be, and he hereby is authorized and required to take a Liſt of ſuch Delinquent's ratable Eſtate, as nearly as he can aſcertain the ſame, or ſhall rate ſuch Delinquent diſcretionally, and the Aſſeſſment ſo laid ſhall be collected by the Collector of ſuch Precinct, Townſhip or Ward.

Names of Delinquents to be inſerted in the Advertiſement.

27. AND BE IT FURTHER ENACTED, That the Collector of ſuch Townſhip, Precinct or Ward, as before deſcribed, ſhall, in the Advertiſements to be by him ſet up as aforeſaid, ſpecify the Name of each Perſon reſident within ſuch dangerous or unſafe Diſtrict, and the Amount of his Tax, as well as the Time and Place where he is to attend to receive the ſame; and in caſe any Perſon reſident as aforeſaid ſhall neglect to deliver or tranſmit the Amount of his Tax to the ſaid Collector within the Time limited in the ſaid Advertiſements, as aſcertained by the ſaid Juſtice, the ſaid Collector ſhall make Return of the Delinquencies as before directed in this Act; and if the Conſtable to

whom the Warrant of Diſtreſs ſhall be directed ſhall think it unſafe to collect the ſaid Delinquencies without Aſſiſtance, ſhall make Oath or Affirmation as before mentioned, in the Caſe of the Aſſeſſor and Collector, and ſhall produce a Certificate thereof, ſigned by the Juſtice before whom the ſame was made, to the Colonel or Commanding Officer of any Regiment of Militia in the County, the ſaid Colonel or Commanding Officer ſhall be, and hereby is authorized and required thereupon, to order out ſuch and ſo many of the Militia of his Regiment as he may deem ſufficient for the Protection of the ſaid Conſtable, who ſhall be admitted to do the ſaid Service on Horſeback, and ſhall, while engaged in that Duty, be entitled to receive the Pay allowed to Horſemen while in actual Service, together with a reaſonable Compenſation for their Subſiſtence, to be aſcertained and certified by the ſaid Colonel or Commanding Officer, which Certificate ſhall alſo contain the whole Amount of the Pay of ſuch Guard while on the ſaid Duty, and ſhall be delivered to the Aſſeſſor of ſuch Townſhip, Precinct or Ward, or to his Succeſſor, and the Amount of the ſame aſſeſſed on the ſeveral Delinquents in their next ſubſequent Tax, in Proportion to the Value of their Eſtates reſpectively.

Guard, how to be obtained.

Appropriations of certain Parts of the Taxes collected for the State.

28. AND BE IT ENACTED, That the Sum of *Nine Thouſand Pounds*, of the Specie which ſhall be collected and paid into the Treaſury of the State in Diſcharge of the Tax laid by this Act, ſhall be appropriated and applied as a Fund for the Payment of the Intereſt which is or may become due on the Certificates given by any of the late County Contractors of this State, or on ſurplus Certificates given by the Collectors of the ſeveral Townſhips, Precincts or Wards therein, and for the Payment of Intereſt due on the Bills of Credit iſſued on the Faith of this State, agreeably to the Reſolutions of Congreſs of the eighteenth Day of *March*, One Thouſand Seven Hundred and Eighty; and that the Sum of *Five Thouſand Pounds* ſhall be appropriated for the Payment of the Militia and of the Troops raiſed for the Defence of the State, in Addition to the Sum particularly allotted by Law for the ſaid Purpoſe, and for the Support of the Government of the State; and in caſe the ſaid Sum of *Nine Thouſand Pounds* ſhall be inſufficient for the Diſcharge of the whole Intereſt due as aforeſaid, the ſame ſhall be apportioned to the ſeveral Counties, in Proportion to the Amount of the ſaid Certificates in them reſpectively, until further Funds for their Diſcharge ſhall be provided by the Legiſlature.

Bills of Credit collected, to be retained in the Treaſury.

29. AND IT IS HEREBY FURTHER ENACTED, That the Treaſurer ſhall retain in his Hands all the Bills of Credit emitted agreeably to the Reſolutions of Congreſs of the eighteenth Day of *March*, One Thouſand Seven Hundred and Eighty, which he may receive in Diſcharge of the Tax laid by this Act, to be cancelled and deſtroyed at ſuch Time and in ſuch Manner as ſhall be directed by the Legiſlature.

Time of aſſeſſing and collecting enlarged in certain Caſes.

30. AND BE IT ENACTED *by the Authority aforeſaid*, That in every Caſe where it ſhall ſo happen that the Tax by this Act laid cannot, by Reaſon of an actual Invaſion of the Enemy, be aſſeſſed and collected within the Times herein before limited and preſcribed, the ſame ſhall be aſſeſſed and collected as ſoon as the Invaſion ſhall ceaſe, and the Enemy is removed.

31. AND

Quotas of the Counties may be reviewed.

31. AND WHEREAS, through the Neglect of the Collectors of ſeveral of the Counties of this State, in not having tranſmitted to the Legiſlature the Duplicates of the Aſſeſſments made agreeably to the Directions of an Act, intitled, * *An Act to raiſe the Sum of* One Hundred and Fifty Thouſand Pounds, *in Money and Certificates, in the State of* New-Jerſey, paſſed the twenty-ſixth Day of *December*, One Thouſand Seven Hundred and Eighty-one, the Quotas laid upon the ſeveral Counties by this Act may be diſproportionate, BE IT THEREFORE ENACTED, That if it ſhall appear on the next Settlement of the Quotas of the ſeveral Counties by a more clear and complete Account of the ſeveral Perſons, Articles and Things made ratable therein, that the Quota of any County, as laid in this Act, is greater than its juſt Proportion, the Surplus ſhall be credited to ſuch County in the Settlement of its next Quota.

Exempts from Militia Duty.

32. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſeveral Aſſeſſors, Collectors and Freeholders, while employed in the Services herein reſpectively required of them, ſhall be exempted from actual Service in the Militia.

CHAP. CCCXVII.

An ACT *for preventing an illicit Trade and Intercourſe between the Subjects of this State and the Enemy.*

Paſſed June 24, 1782.

Preamble.

WHEREAS ſundry Acts have been paſſed at different Periods ſince the Commencement of the preſent War with *Great-Britain*, for preventing the Subjects of this State from trading with the Enemy, and from going into or coming out of their Lines without lawful Permiſſions or Paſſports; and as ſeveral of thoſe Laws have been at different Times in Part repealed and altered in ſuch Manner as to render them difficult in ſome Inſtances to be clearly underſtood; for Remedy whereof,

Puniſhment for going into the Enemy's Lines, &c.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That every Perſon owing Allegiance to the Government of this State, who ſhall, after the paſſing of this Act, voluntarily go within the Lines or Encampments of the Enemy or thoſe of their Adherents, or who ſhall be taken or diſcovered going into or coming out of the ſaid Lines or Encampments, or going into or coming out of any Place in the actual Power or Poſſeſſion of the Enemy or their Adherents, without Permiſſion or Paſſport for that Purpoſe previouſly obtained under the Hand of the Governor or Commander in Chief of the State for the Time being, or of the Commander in Chief of the Armies of the United States, and ſhall be thereof legally convicted on Indictment before any Court where the ſame may be cognizable, ſhall, for the firſt Offence, be fined at the Diſcretion of the Court in any Sum not exceeding *One Thouſand Pounds*, to be applied to and for the Uſe of the State, or ſhall ſuffer any corporal Puniſhment (excepting Impriſonment) not extending to Life or Member, which the ſaid Court ſhall direct, or ſhall be liable to an Action

* Chap. CCXCVII.

Action of Debt for the Penalty aforeſaid with Coſt, at the Suit of any Perſon who ſhall proſecute the ſame in any Court where the Action will lie, to be applied one Half to the Uſe of the Proſecutor, and the other Half to be paid into the Hands of the Collector of the County, to be by him paid forward into the Treaſury for the Uſe of the State; and, for the ſecond Offence, ſhall forfeit his whole Eſtate both Real and Perſonal, to be taken Charge and diſpoſed of by the Agent of forfeited Eſtates for the County wherein ſuch Conviction ſhall be had, in Manner as is or ſhall be directed by Law with Reſpect to other forfeited Eſtates, and ſhall have Judgment accordingly. PROVIDED ALWAYS, That this Act ſhall not extend to prevent any commiſſioned Officer of the Militia, either on actual Duty or otherwiſe, or any commiſſioned Officer of Troops raiſed for the Defence of this State, with any Party of Men under his Command, from going into the Lines or Encampments of the Enemy or of their Adherents, or into any Place in their actual Power or Poſſeſſion, for the Purpoſe of annoying the Enemy, or of apprehending ſuch Perſons as may be found going into or coming out of the ſaid Lines or Places, or of ſeizing and ſecuring all ſuch Goods, Wares or Merchandize as may be attempted to be conveyed into, or brought out of the ſaid Lines or Places, without legal Permiſſion or Paſſport firſt obtained as aforeſaid. PROVIDED NEVERTHELESS, That every Officer, non-commiſſioned Officer or Private, who ſhall plunder or ſeize the Property of any Perſon within the Lines of the Enemy, otherwiſe than as before expreſſed in this Act, and ſhall be thereof legally convicted on Indictment before any Court where the Action may be cognizable, ſhall be fined at the Diſcretion of the Court in any Sum not exceeding *One Thouſand Pounds*, to be applied to the Uſe of the State; and ſhall moreover, if an Officer, be caſhiered, and diſabled from bearing any military Office in the State thereafter.

Proviſo.

Proviſo.

Effect of the Paſſport.

2. AND BE IT FURTHER ENACTED, That no Perſon ſhall be authorized by Virtue of any Permiſſion or Paſſport obtained as aforeſaid, to go within the Enemy's Lines or Places before-mentioned more than once, or after a Term of Time to be ſpecially limited in the ſaid Permiſſion or Paſſport, and that no ſuch Permiſſion or Paſſport ſhall be ſufficient to protect any Goods, Wares or Merchandize, attempted to be carried into or brought out of the Lines or Places aforeſaid, from Seizure or Condemnation, or the Perſon conveying the ſame from the Penalties inflicted by this Act, unleſs the ſaid Goods, Wares or Merchandize be therein particularly ſpecified and deſcribed.

What Goods, *&c.* made ſeizable going into the Lines.

3. AND BE IT ENACTED, That, after the paſſing of this Act, all Goods, Wares, Merchandize and Produce of whatſoever Nature or Kind, and every Species of Money or Bullion which may be attempted to be carried or conveyed into the Lines or Encampments of the Enemy or of their Adherents, or into any Place in their actual Power or Poſſeſſion, without Permiſſion or Paſſport as aforeſaid, together with the Boats, Teams, Carriages and Horſes carrying or conveying the ſame, or that may be proved to have aſſiſted in the Carriage or Conveyance thereof, which ſhall be ſeized by any Perſon or Perſons whatſoever, ſhall, by the Perſon ſeizing the ſame, be brought before a Juſtice of the Peace of the County where ſuch Seizure is made, together with the Perſons in whoſe Poſſeſſion the ſaid Goods, Wares, Merchandize, Produce or Money ſhall be found, who is hereby empowered

powered and required to ſummon to his Aſſiſtance two other Juſtices of the ſaid County, which two Juſtices ſo ſummoned are hereby required to pay ſtrict Obedience thereto, and who ſhall, with the Juſtice who iſſued the Summons, when met, conſtitute a Court to hear the Allegations and Evidence produced by both Parties; and if it ſhall appear to the ſaid Court that the ſaid Goods, Wares, Merchandize, Produce or Money, was attempted to be carried or conveyed into the Lines, Encampments or Places aforeſaid, the ſame ſhall be forfeited one Half to the Uſe of the Captor, and the other Half to the Uſe of the State, and the Court ſhall give Judgment accordingly; and the Offender ſhall moreover forfeit and pay to the Uſe of the State a Sum equal to the Value of the Goods ſeized and condemned as aforeſaid, to be recovered with Coſts in Manner hereafter directed.

What coming out.

4. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for any Perſon or Perſons to ſeize and ſecure any Goods, Wares or Merchandize, that ſhall be diſcovered coming out of the Lines or Encampments of the Enemy or of their Adherents, or that ſhall be brought out of any Place in their actual Power or Poſſeſſion in this or the adjacent States, or that may be found in or paſſing through this State, together with the Boats, Carriages, Teams and Horſes carrying or conveying the ſame; which Goods, Wares and Merchandize, together with the Carriages, Teams and Horſes conveying the ſame, or that may be proved to have aſſiſted in the Carriage thereof, and the Perſons in whoſe Poſſeſſion the ſame may be found, ſhall by the Captors be brought before ſome Juſtice of the Peace of the County where ſuch Seizure ſhall be made within forty-eight Hours after the Seizure; or if taken in the Creeks, Rivers, Sounds or Bays adjoining to or within the State, ſhall be brought before ſome Juſtice of the Peace of the County where landed within the Time before limited, which Juſtice is hereby empowered and required to ſummon to his Aſſiſtance two of the Juſtices of the ſaid County, which two Juſtices ſo ſummoned are hereby required to pay ſtrict Obedience thereto, and who ſhall, with the Juſtice who iſſued the Summons, when met, conſtitute a Court to hear the Allegations and Evidence produced by both Parties; and if the Defendant does not make it appear that ſuch Goods, Wares or Merchandize did not come out of the Lines or Places aforeſaid, the ſaid Goods, Wares or Merchandize, together with the Boats, Carriages, Teams and Horſes conveying the ſame, or that may be proved to have aſſiſted in the Conveyance thereof, ſhall be forfeited one Half to and for the Uſe of the Captor or Captors, to be divided amongſt them as is hereafter directed, and the other Half to and for the Uſe of the State.

Trial may be adjourned.

5. AND BE IT FURTHER ENACTED, That in every Caſe where any Seizure ſhall be made in Virtue of this Act at the Requeſt of either Party, or of any Perſon on Behalf of the State, the Trial ſhall be adjourned for three Days (unleſs the Articles ſeized ſhould be periſhable) and in caſe of ſatisfactory Reaſons offered to the Juſtices before whom the Cauſe ſhall be brought by either Party, or by any Perſon on Behalf of the State, the Trial ſhall be further adjourned for any Time not exceeding nine Days (unleſs the Articles ſeized ſhall be periſhable as aforeſaid;) and if a Jury ſhall be demanded by either Party, or by any Perſon on Behalf of the State, the ſame ſhall be granted, and a *Venire* ſhall be iſſued for ſummoning a Jury of twelve Men, according to

Proviſo. whoſe Verdict Judgment ſhall be given by the Court. PROVIDED ALWAYS, That if it ſhall appear to the Juſtice that the Goods ſeized may be in Danger of falling into the Hands of the Enemy, they ſhall be removed at the Expence of the Captor to a Place of Security, ſuch as the Juſtice ſhall direct.

Burden of the Proof on the Defendant. 6. AND BE IT FURTHER ENACTED, That upon Trial of any Goods, Wares or Merchandize, coming out of the Lines or Encampments of the Enemy or of their Adherents, or out of any Place in their actual Power or Poſſeſſion, or found in or paſſing through this State, and ſeized on Suſpicion of having been brought from within the Lines or Places aforeſaid, the Burden of the Proof ſhall lie on the Defendant or Defendants; and in every Caſe of Seizure in Virtue of this Act the Coſts ſhall attend the Event of the Suit.

Goods to be delivered to the Juſtice. 7. AND BE IT ENACTED, That in all Caſes of Goods, Wares or Merchandize which may have been ſeized as having been brought from within the Lines or Encampments of the Enemy or of their Adherents, or out of any Place in their actual Power or Poſſeſſion, the ſame ſhall, by the Captor, within forty-eight Hours after ſuch Seizure is made, be delivered without Fraud or Diminution to ſome Juſtice of the Peace of the County wherein the ſame ſhall be ſeized, or into which they ſhall be landed, in whoſe Poſſeſſion or Cuſtody they ſhall remain until Trial ſhall be had; and the ſaid Juſtice ſhall cauſe a true and particular Inventory to be made of the ſaid Goods, Wares and Merchandize, and, on Condemnation, ſhall cauſe the ſame to be delivered to the Collector of the Townſhip, Precinct or Ward within which ſuch Condemnation ſhall be had, who having previouſly advertiſed the ſame for at leaſt five Days in three of the moſt publick Places of the Townſhip, Precinct

Mode of Sale. or Ward, ſhall ſell the ſame at publick Vendue, under the Inſpection of the ſaid Juſtice, between the Hours of eleven o'Clock before Noon, and ſix o'Clock after Noon, in ſmall Lots or Parcels, or by Retail, ſo as may be moſt likely to ſupply the Wants of the Inhabitants of the County where ſold, and ſo that no Perſon may be admitted to purchaſe above the Value of *Twenty Pounds* at any one Seizure, unleſs in Caſes where the Article to be ſold ſhall be indiviſible, and ſhall deliver a fair Account of the full Amount of the Sales within ten Days after the ſame ſhall be cloſed, together with the Monies ariſing therefrom to the ſaid Juſtice, who, after deducting the Coſts of making out the Inventory, of Removal of the Goods for their better Security, and the Coſts accruing after Trial, to be in every Inſtance taxed by ſome Juſtice of the Peace other than the Court which condemned the ſaid Goods, ſhall diſpoſe of the remaining Monies as is herein before directed in this Act.

Penalty on privately vending, &c. 8. AND BE IT ENACTED, That if any Captor or other Perſon ſhall ſecrete, appropriate, privately vend, or in any other Way diſpoſe of any Goods, Wares or Merchandize ſeized as having been brought from within the Lines or Encampments of the Enemy or of their Adherents, or out of any Place in their actual Power or poſſeſſion as aforeſaid, or ſhall neglect to bring the ſame before ſome Juſtice of the Peace for Trial within forty-eight Hours after Seizure as before mentioned, ſueh Captor or other Perſon ſo offending, contrary to the true Intent and Meaning of this Act, ſhall, if thereof legally convicted on Indictment before any Court where the Action may be cognizable, be fined at the Diſcretion

cretion of the Court in any Sum not exceeding *Five Hundred Pounds* more than the Value of the Goods ſo ſecreted or vended, or otherwiſe diſpoſed of contrary to the true Intent and Meaning of this Act, with Coſts, to be applied to the Uſe of the State, or ſhall be liable to be proſecuted for the Penalty aforeſaid with Coſts by any Perſon that will ſue for the ſame in any Court where the Action may be brought, one Half to be paid to the proſecutor, and the other Half to be paid into the Hands of the Collector of the County, to be by him paid forward to the Treaſurer for the Uſe of the State.

Goods not to be replevied.

9. AND BE IT FURTHER ENACTED, That where any Goods, Wares or Merchandize, ſhall be ſeized in Virtue of this Act, as having been brought from within the Lines, Encampments or Places before recited, the ſame ſhall not be liable to be taken out of the Hands or Poſſeſſion of the Captors by Writ of Replevin, under any Pretence whatſoever. PROVIDED ALWAYS, That in caſe the Perſon claiming the Goods, Wares or Merchandize, ſeized as aforeſaid, or in whoſe Poſſeſſion the ſame may be found, ſhall demand it, the Monies ariſing from the Sales thereof ſhall, by the Juſtice before whom the Goods were firſt brought for Trial, be lodged in the Hands of the Collector of the County, or retained in his own Hands until the Judgment ſhall be confirmed or reverſed in the Supreme Court of this State, ſhould the Cauſe be removed thither by Writ of *Certiorari*, unleſs the Captor or Captors ſhall enter into Bond with ſufficient Security (to be approved of by the ſaid Juſtice) to the Claimant or Perſon in whoſe Poſſeſſion ſuch Goods, Wares or Merchandize may be found, for Repayment of the ſaid Monies with Coſts, in caſe the ſaid Judgment ſhould be reverſed. PROVIDED ALSO, That no Writ of *Certiorari* ſhall be allowed, nor the Share of any Monies ariſing from Sales made in Virtue of this Act be detained from any Captor, unleſs ſuch Writ of *Certiorari* ſhall be ſerved within ten Days after Condemnation by the ſaid Court.

Proviſoes.

Owners of Goods, *&c.* to forfeit a Sum equal to their Value.

10. AND BE IT ENACTED, That in every Caſe of Seizure made in Virtue of this Act of any Goods, Wares or Merchandize, as having been brought from within the Lines or Places aforeſaid, the Owner of the Goods, Wares or Merchandize ſo ſeized, or the Perſon in whoſe Poſſeſſion the ſame ſhall be found, ſhall forfeit and pay a Sum equal to the Value of the Goods ſo ſeized and condemned, on Conviction by Indictment in any Court where the Action may be cognizable, to be paid into the Hands of the Collector of the County for the Uſe of the State, or ſhall be liable to be proſecuted for the ſaid Penalty with Coſts by any Perſon who will ſue for the ſame, one Half to be applied to the Uſe of the Proſecutor, and the other Half to be paid as aforeſaid, and applied to the Uſe of the State.

Return to be ſent to the Clerk of the County.

11. AND BE IT ENACTED, That the Court before which Condemnation ſhall be had of any Goods, Wares or Merchandize which have been condemned as having been brought from within the Lines or Encampments of the Enemy or of their Adherents, or from any Place in their actual Power or Poſſeſſion, ſhall, within twenty Days after the Sales, deliver or tranſmit to the Clerk of the County wherein the Trial ſhall be had, a Return of the Name of the Perſon in whoſe Cuſtody the ſame have been taken, together with a Copy of the Return of the Amount of Sales thereof, which ſhall be ſworn to by the Collector

Collector of the Townſhip, Precinct or Ward, who ſhall have ſold or diſpoſed of the ſame, which Return of the Amount of Sales, authenticated as aforeſaid, is hereby declared to be Evidence on the Trial for the Recovery of the Value of the Goods ſo ſeized and condemned; and ſhall alſo deliver or tranſmit to the Clerk of the County as aforeſaid, an Account of all Monies by him paid into the Hand of the Collector of ſuch County in each Cauſe, in Virtue of this Act, who ſhall tranſmit a Return of the ſame every ſix Months to the Treaſurer of the State.

Clerk to lay it before the Seſſions.

12. AND BE IT FURTHER ENACTED, That the Court before which Condemnation ſhall be had as aforeſaid, ſhall alſo tranſmit to the Clerk of the County wherein the Trial ſhall be had, a Return of the Name of the Perſon or Perſons of whom ſuch Goods, Wares or Merchandize were purchaſed, together with the Proceedings held therein; which Return and Proceedings ſhall by the Clerk be laid before the next Court of General Quarter-Seſſions of the Peace to be held in ſaid County, which ſhall proceed to take Cognizance therein: And it is hereby declared, that the Evidence offered on the Trial held in Virtue of this Act, ſhall be ſufficient to convict ſuch Perſon or Perſons on Indictment, and who ſhall forfeit and pay a Sum equal to the Value of the Goods ſo ſeized and condemned.

Townſhip-Collector to ſell, *&c.*

13. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Court before which Condemnation ſhall be had of any Goods, Wares, Merchandize or Produce, of whatſoever Nature or Kind, and of every Species of Money which may be condemned as having been attempted to be carried or conveyed into the Lines, Encampments or Places aforeſaid, or of the Boats, Teams, Carriages or Horſes carrying or conveying the ſame, or that may be proved to have aſſiſted in carrying or conveying thereof, ſhall, after Condemnation, cauſe the ſame to be delivered to the Collector of the Townſhip, Precinct or Ward wherein the Condemnation ſhall be had, to be by him diſpoſed of at publick Sale, after advertiſing the ſame for eight Days within the ſaid Townſhip, Precinct or Ward, unleſs the ſaid Goods ſhall be periſhable, in which Caſe they ſhall be ſold immediately, which Collector ſhall make Return of the Amount of Sales ſworn to by him to the Juſtice before whom the Goods were firſt brought, within three Days after the ſame are cloſed, to be by him delivered or tranſmitted within twenty Days thereafter to the Clerk of the County, and the ſaid Amount of Sales is hereby declared to be Evidence on the Trial for the Recovery of the Penalty in the third Section of this Act; and the Monies ariſing from ſuch Sales ſhall, after deducting Coſts to be taxed by the ſaid Juſtice, be divided amongſt the Captors, if on Military Duty, according to the eſtabliſhed Rations by them drawn; and in other Caſes, to each Perſon an equal Share, any Law or Cuſtom to the contrary notwithſtanding.

Perſons releaſing Goods, *&c.* to be puniſhed.

14. AND BE IT FURTHER ENACTED, That if any Perſon having ſeized Goods, Wares or Merchandize, in Virtue of this Act, ſhall aſk or receive or offer to receive any Sum, Fee or Reward, from the Owner or Poſſeſſor of the Goods ſeized, or from any Perſon on his Behalf, and therefor ſhall releaſe or diſcharge the ſaid Goods, or the Poſſeſſor or Owner of them, or ſhall offer to releaſe or diſcharge either the Goods or the Owner or Poſſeſſor, and thereof ſhall be duly convicted on Indictment,

dictment, ſhall forfeit and pay any Sum not exceeding *Five Hundred Pounds*, and ſhall moreover be liable to an Action of Debt at the Suit of the Perſon aggrieved, for the Recovery of the Money paid as aforeſaid, with Coſts.

Goods taken within the Lines, to be tried, *&c.* in like Manner.

15. AND IT IS HEREBY DECLARED AND ENACTED, That all Goods, Wares or Merchandize, taken within the Lines or Encampments of the Enemy or of their Adherents, or within any Place in their actual Power or Poſſeſſion, ſhall be, in every Reſpect, dealt with as is directed in this Act relative to ſuch Goods, Wares or Merchandize, when ſeized, after being brought from within the ſaid Lines or Places.

Perſons aſſiſting, how to be puniſhed.

16. AND BE IT ENACTED, That every Perſon owing Allegiance to the Government of this State, who ſhall after the paſſing of this Act, and without Licenſe or Permiſſion firſt obtained as before-mentioned, and contrary to the true Intent and Meaning hereof, be wilfully and knowingly aſſiſting or directing the bringing or conveying any Goods, Wares or Merchandize into this State, from within the Lines or Encampments of the Enemy or of their Adherents, or from any Place in their actual Power or Poſſeſſion, or who ſhall wilfully and knowingly be aſſiſting or directing any Perſons going into the Lines or Places aforeſaid, or the carrying or conveying any Goods, Wares or Merchandize into the ſaid Lines or Places, and ſhall be thereof legally convicted on Indictment before any Court where the Action ſhall be cognizable, ſhall be fined at the Diſcretion of the Court in any Sum not exceeding *Five Hundred Pounds*, to be applied to and for the Uſe of the State, or ſhall be liable to be proſecuted for the ſame in an Action of Debt by any Perſon who will ſue therefor, one Half for the Uſe of the Proſecutor, and the other Half to be paid into the Hands of the Collector of the County, for the Uſe of the State; and every Officer of the Militia, or of the Troops raiſed for the Defence of the State, who ſhall wilfully or knowingly ſuffer any Goods, Wares or Merchandize to be imported into this State, contrary to the true Intent and Meaning of this Act, ſhall, for ſuch Offence, ſuffer the Penalty aforeſaid, to be applied in Manner aforeſaid, and ſhall moreover be caſhiered, and be diſabled from bearing any military Office in the State thereafter.

None to give Paſſports, except, *&c.*

17. AND BE IT ENACTED, That if any Juſtice of the Peace or other Perſon (excepting only the Governor or Commander in Chief of this State, or the Commander in Chief of the Army of the United States) ſhall preſume to give a Paſſport or Permiſſion to any Perſon to go within the Lines or Encampments of the Enemy or of their Adherents, or into any Place in their actual Power or Poſſeſſion, ſuch Juſtice, or other Perſon ſo offending, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding *Five Hundred Pounds*, to be recovered with Coſts, on Indictment in any Court where the ſame may be cognizable, and applied to the Uſe of the State.

Judges of the Pleas to grant Search-Warrants.

18. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for any Judge of the Court of Common-Pleas in any County of this State, and he is hereby authorized and required, upon Application to him made, and due and ſatisfactory Cauſe of Suſpicion ſhewn, on Oath or Affirmation, which Oath or Affirmation ſhall be taken in Writing and ſubſcribed, as in caſe of

ſtolen Goods, that Goods, Wares or Merchandize, liable to Seizure by Virtue of this Act, are concealed or depoſited in any Dwellinghouſe or other Building whatſoever, within ſuch County, to grant a Warrant, directed to the Sheriff or any of the Coroners of ſuch County, who are hereby reſpectively required to pay Obedience to ſuch Warrant, and to make Search for, and to ſeize and ſecure ſuch Goods, Wares or Merchandize; and in caſe of Refuſal to permit ſuch Search, or if Oppoſition be made thereto, to break open Doors and Locks for the Purpoſe aforeſaid. PROVIDED ALWAYS, That no ſuch Search ſhall be made before Sun-riſing, nor after Sun-ſetting. AND PROVIDED ALSO, That no Perſon ſhall be hereby authorized to enter any Houſe or other Building as aforeſaid, other than the Sheriff or Coroner, and two reſpectable Freeholders not being the Informers, or intereſted in the Seizure, unleſs Oppoſition be made by an armed Force.

Proviſoes.

Proceeds of Sale, how to be divided.

19. AND BE IT FURTHER ENACTED, That all Goods, Wares or Merchandize as aforeſaid, that may be diſcovered and ſecured by ſuch Sheriff or Coroner, and which, upon Trial, ſhall be condemned as having been brought from within the Lines or Places aforeſaid, ſhall be ſold as herein before directed, and one Half of the Money ariſing from ſuch Sales, after deducting Coſts, ſhall be paid to and for the Uſe of the Informer, and the other Half to the Collector of the County, to be by him paid to the Treaſurer for the Uſe of the State. PROVIDED NEVERTHELESS, That all Goods, Wares or Merchandize diſcovered and ſecured as aforeſaid, which ſhall be fully proved to the Satisfaction of the Court and Jury before whom they are brought for Trial, to have been legally brought or imported into this State, or to have been in this State before the twenty-eighth Day of *June*, One Thouſand Seven Hundred and Eighty-one, or Prize Goods lawfully captured and condemned, ſhall not be liable to Condemnation, but ſhall be returned to the Owner, and the Informer ſhall pay Coſts.

Proviſo.

Sheriff's or Coroner's Fees.

20. AND IT IS HEREBY FURTHER ENACTED, That every Sheriff or Coroner, who ſhall ſerve any ſuch Warrant agreeably to the Directions of this Act, ſhall have and receive for ſerving every ſuch Warrant *Twenty Shillings*, for Inventorying the Goods *Ten Shillings*, Milage *One Shilling* per Mile for each Mile his Place of Abode may be diſtant from the Place of Search.

Perſons forcibly preventing Seizure, what to forfeit.

21. AND BE IT FURTHER ENACTED, That if any Perſon after the paſſing of this Act ſhall, by Force or Violence, prevent the Seizure of any Goods, Wares or Merchandize liable to be ſeized and condemned by Virtue of this Act, or ſhall threaten, mal-treat or abuſe any Perſon who ſhall lawfully ſtop him, or any Goods or Effects by him conveyed and ſuſpected to be unlawfully imported into this State, or ſhall, by Force or Violence, prevent the ſame from being brought before one of the neareſt Juſtices of the Peace of the County, for Examination and Trial, ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding *One Thouſand Pounds*, to be recovered by Indictment in any Court where the Offence may be cognizable, and paid into the Hands of the Collector of the County where recovered, to be by him paid forward into the Treaſury for the Uſe of the State, or ſhall be liable to any corporal Puniſhment (excepting Impriſonment) not extending to Life or Member. PROVIDED ALWAYS, That no Perſon,

Proviſoes.

ſon, nor any Goods, Wares or Merchandize, ſeized as having been brought from within the Lines, Encampments or Places aforeſaid, ſhall, on Pretence of the ſame being contraband or imported, contrary to the Intent and Meaning of this Act, or under any other Pretence whatſoever, be liable to be ſearched, until the ſame ſhall be brought before ſome Juſtice of the Peace for Examination. AND PROVIDED ALSO, That if it ſhall appear that any Perſon employed about his lawful Buſineſs ſhall be detained, or Goods or Effects by him conveyed ſhall be ſeized or ſtopped maliciouſly or vexatiouſly, under Pretence that the ſame have been brought from within the Lines, Encampments or Places aforeſaid, ſuch Perſon ſo injured ſhall, beſides Coſts, recover Damages for ſuch illegal Seizure and Detention, any Thing herein contained to the Contrary notwithſtanding.

Goods brought from other States, how the Bills are to be authenticated.

22. AND IT IS HEREBY FURTHER ENACTED, That no Goods, Wares or Merchandize, imported into this State after the paſſing of this Act from any other of the United States, ſhall be protected from Seizure or Condemnation by any Invoice or Bill of Parcels, unleſs the ſame ſhall be proved to have been legally imported into ſuch State, or to have been Prize Goods lawfully condemed by the Teſtimony of one or more credible Witneſſes, authenticated before ſome Notary Publick, or one of the Juſtices of the Supreme Court of ſuch State.

Perſons ſelling *Britiſh* Goods, what to forfeit.

23. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That every Merchant or other Perſon within this State, who ſhall, after the paſſing of this Act, ſell or offer for Sale any Goods, Wares or Merchandize, of the Growth or Manufacture of *Great-Britain*, or of any Territory thereon depending, or any Goods or Effects that may be brought into this State from within the Lines, Encampments or Places aforeſaid, ſhall, for every ſuch Offence, forfeit the Amount of the ſaid Goods ſold or offered for Sale, and alſo any Sum not exceeding *Five Hundred Pounds*, to be recovered in an Action of Debt in any Court where the ſame ſhall be cognizable, with Coſts of Suit, to any Perſon who will ſue therefor, one Half to and for the Uſe of the Proſecutor, and the other Half to and for the Uſe of the State. PROVIDED NEVERTHELESS, That Nothing in this Act ſhall extend to prevent any Goods, Wares or Merchandize, legally imported into this State before the paſſing of this Act, or to prevent any Goods or Effects taken on the High Seas and legally condemned in, and ſold by Direction of the Court of Admiralty of this or of any of the United States, or that ſhall have been ſeized or condemned by Virtue of this Act from being vended, ſold and conſumed within this State.

Proviſo.

Goods forfeited to the State, in caſe of Colluſion.

24. AND BE IT ENACTED, That where any Goods, Wares or Merchandize, ſhall be ſeized, as having been illegally imported into this State contrary to the true Intent and Meaning of this Act, if it ſhall appear to the Court or Jury, that there is any Colluſion between the Parties, or that the Goods, Wares or Merchandize, ſo ſeized, were not fairly and legally captured, the Whole of ſuch Goods or other Effects ſhall be adjudged forfeited to and for the Uſe of the State only, and ſhall be ſold by the Collector of the Townſhip, Precinct or Ward where condemned, and the Money, after deducting Coſts, paid forward to the Treaſurer, as aforeſaid, and each of the Parties ſhall pay the full Amount of ſuch Goods or other Effects ſo forfeited, to be recovered by

by Indictment before any Court where the ſame may be cognizable and applied to the Uſe of the State, or to be ſued for, and recovered with Coſts by any Perſon that will proſecute the ſame to Effect, and applied one Half to the Uſe of the Proſecutor, and the other Half to the Uſe of the State; and in caſe ſuch Goods, Wares or Merchandize, ſhall be ſeized without apprehending and ſecuring the Perſon in whoſe Poſſeſſion the ſame were found, although no Colluſion ſhall appear to be had between the Parties, the ſame ſhall be adjudged forfeited, Two Thirds to the Uſe of the State, to be diſpoſed of in Manner aforeſaid, and the remaining One Third Part to the Uſe of the Captors, to be divided as herein before-mentioned.

Minors and Slaves, how to be puniſhed.

25. AND BE IT ENACTED, That if any Minor or Slave ſhall voluntarily and of his own free Will and Accord be guilty of any Offence deſcribed in this Act, ſuch Minor or Slave ſhall be ſentenced to receive any Number of Laſhes, not exceeding thirty-nine, on his bare Back, at the Diſcretion of any two Juſtices of the Peace of the County; and if any Goods, Wares or Merchandize, liable to Seizure and Condemnation by Virtue of this Act, ſhall be found in his Poſſeſſion, the ſame ſhall be forfeited and diſpoſed of as herein after mentioned.

Certain Act of Limitation not to extend, &c.

26. AND IT IS HEREBY FURTHER DECLARED AND ENACTED, That the Act, intitled, *An Act for preventing malicious Proſecutions by Informations*, paſſed *March* the eleventh, One Thouſand Seven Hundred and Thirteen-Fourteen, ſhall not be taken or conſtrued to extend to prevent any Perſon who ſhall be guilty of any Offence contrary to the true Intent and Meaning of this Act, from being proſecuted and puniſhed for the ſame after the Elapſe of two Terms; but ſuch Perſon ſhall be liable to be indicted, proſecuted and puniſhed therefor at any Time within three Years after the Commiſſion of ſuch Offence, any Thing in the ſaid Act to the contrary notwithſtanding.

Officers, &c. to be delivered to the Commiſſary of Priſoners.

27. AND BE IT ENACTED, That every Perſon capturing any *Britiſh* Officer, Subject or Soldier, with Goods, Wares or Merchandize, brought out or attempted to be brought out from within the Lines or Encampments of the Enemy, or of their Adherents, or from any Place in their actual Power or Poſſeſſion, or that may be taken carrying or conveying any Goods, Wares or Merchandize, from the Lines or Places aforeſaid, ſhall give Security to the Juſtice before whom ſuch Goods, Wares or Merchandize, may be brought for Trial on Behalf of the State, for delivering ſuch *Britiſh* Officer, Subject or Soldier, ſo taken Priſoner, to the Commiſſary of Priſoners or his Deputy, within a reaſonable Time, or upon Refuſal or Neglect, ſhall forfeit to the Uſe of the State all the Share of the Goods, Wares or Merchandize ſo ſeized, to which he might otherwiſe be juſtly entitled, and on Neglect to deliver ſuch Priſoner agreeably to the Tenor of the Obligation ſo given, the Penalty in the ſaid Bond ſhall be forfeited to and for the Uſe of the State, and ſhall be delivered to the Attorney-General to be proſecuted for that Purpoſe.

Not to affect Suits already commenced.

28. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That Nothing in this Act contained ſhall be deemed, conſtrued, or taken to affect any Action or Suit already commenced, or any Proceedings had in Virtue of any Law of this State heretofore paſſed.

29. AND

Officers to take Charge of Boats, &c.

29. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for any Officer of Militia, or of other Troops, commanding a Poſt on the Lines, and he is hereby authorized and directed to take under his immediate Charge all Boats, Skiffs, Flats, or other Water-Craft belonging to any Perſon or Perſons whomſoever, and if the Owner or Owners of any ſuch Boat, Skiff, Flat, or other Water-Craft ſhall remove or take away his, her or their Boat, or other Craft as aforeſaid, without written Orders from ſaid Officer, or ſhall keep ſuch Boat or Craft a longer Time than is expreſſed in ſaid Order, ſuch Perſon or Perſons ſhall forfeit and pay for every ſuch Offence the Sum of *Six Pounds*, to be ſued for in an Action of Debt, and applied one Half to and for the Uſe of the Proſecutor, and the other Half to the Overſeer of the Poor of the Townſhip, Precinct or Ward, where the Offence was committed, for the Uſe of the Poor.

Rule concerning re-captured Property.

30. AND WHEREAS it frequently happens, that Cattle and other Property, taken by the Enemy or their Adherents, are recovered or re-captured, and no Proviſion has been made by Law what Part of ſuch Re-capture ſhall belong to the Re-captors, BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That in all Caſes of Re-capture by Land of any Property carried off by the Troops of the Enemy or by their Adherents, where the ſame ſhall be re-captured by Force of Arms during the Continuance of any Invaſion or Incurſion of the Enemy or of their Adherents, the ſaid Property ſo re-captured ſhall, in caſe the Owners and Re-captors thereof cannot agree as to the Salvage to be paid for the Delivery of ſuch re-captured or recovered Property to the original Owner, be brought before ſome Juſtice of the Peace of the County, who ſhall and may make ſuch Allowance to the Re-captors, not exceeding one Half of the Value of ſuch re-captured Property as he ſhall in his Diſcretion think juſt and equitable; and upon Requeſt of either Party, the ſaid Juſtice ſhall iſſue a *Venire* for a Jury of twelve Men, according to whoſe Verdict the Juſtice ſhall give Judgment. PROVIDED ALWAYS, That it ſhall and may be lawful for ſuch Juſtice and Jury, if the ſame ſhall appear to them juſt and equitable, on Conſideration of the Circumſtances attending the Capture or Re-capture of the ſaid Property, to allow no Part of the ſame to the ſaid Re-captors, any Thing herein contained to the contrary notwithſtanding.

Proviſo.

Offenders rendered incapable of Offices, &c.

31. AND BE IT FURTHER ENACTED, That each and every Perſon who ſhall, after the paſſing of this Act, be duly convicted of having gone into the Lines, Encampments or Places aforeſaid without proper Permiſſions or Paſſports firſt obtained as before mentioned in this Act, or of having brought any Goods, Wares or Merchandize from within the ſaid Lines, Encampments or Places, contrary to the true Intent and Meaning of this Act, ſhall be, and hereby is declared to be incapable hereafter of being admitted into, holding or exerciſing any Office of Truſt or Profit either civil or military within this State, of ſerving as a Juror, or of voting for Repreſentatives of the Legiſlative-Council or Aſſembly, Sheriffs or Coroners of the ſame.

Acts repealed.

32. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Act, intitled, * *An Act to prevent the Subjects of this State from going into, or coming out of the Enemy's Lines without Permiſſions or Paſſ-*

* Chap. CV.

ports, and for other Purpoſes therein mentioned, paſſed *October* the eighth, One Thouſand Seven Hundred and Seventy-eight; and the Act, intitled, * *An* Act *to explain and amend an Act, intitled, An* Act *to prevent the Subjects of this State from going into, or coming out of the Enemy's Lines without Permiſſions or Paſſports, and for other Purpoſes therein mentioned*, paſſed *December* the eleventh, One Thouſand Seven Hundred and Seventy-eight; and the Act, intitled, † *A Supplement to the Act, intitled, An* Act *to explain and amend an Act, intitled, An* Act *to prevent the Subjects of this State from going into, or coming out of the Enemy's Lines without Permiſſions or Paſſports, and for other Purpoſes therein mentioned*, paſſed the twenty-fifth Day of *December*, One Thouſand Seven Hundred and Seventy-nine; and the Act, intitled, ‡ *An* Act *more effectually to prevent the Inhabitants of this State from trading with the Enemy or going within their Lines, and for other Purpoſes therein mentioned*, paſſed the twenty-ſecond Day of *December*, One Thouſand Seven Hundred and Eighty; and the Act, intitled, ‖ *An* Act *to amend an Act, intitled, An* Act *more effectually to prevent the Inhabitants of this State from trading with the Enemy or going within their Lines, and for other Purpoſes therein mentioned*, paſſed the twenty-eighth Day of *June*, One Thouſand Seven Hundred and Eighty-one; and alſo the Act, intitled, ¶ *An* Act *to repeal Part of a certain Act therein mentioned*, paſſed the ſixth Day of *October*, One Thouſand Seven Hundred and Eighty-one, be, and they hereby are ſeverally repealed. PROVIDED ALWAYS, That Nothing herein contained ſhall extend to prevent any Suit from being commenced, or any Penalty, Fine or Forfeiture, from being inflicted for any Offence ſpecified in the ſaid recited Acts, or either of them, and which has been committed whilſt the ſame were in Force, or to prevent any Perſon guilty of any Offence contrary to the true Intent and Meaning of any or either of the ſaid Acts as aforeſaid from being indicted, or otherwiſe puniſhed therefor.

For theſe Acts ſee Appendix No. 5, 6, 7, 8, 9, 10.

Private.

CHAP. CCCXVIII. *An* Act *to enable the Owners and Poſſeſſors of Swamp, Marſh and Meadow, adjoining* Rachel Dalbo's *faſt Land, and bounding on* Delaware *River and* Oldman's *Creek to* Iſaac Pedrick's *faſt Land, in the Townſhip of* Upper-Penn's Neck, *in the County of* Salem, *to erect, maintain and keep in Repair, the neceſſary Banks, Dams and Waterworks, and to cut Drains, to prevent the Tide from overflowing the ſame.*

Paſſed June 24, 1782.

CHAP.

* Chap. CXXIII.
† Chap. CLXXXIV.
‡ Chap. CCXXXIV.
‖ Chap. CCLXXIII.
¶ Chap. CCLXXXIII.

CHAP. CCCXIX.

A ſupplementary ACT *to the Act, intitled,* * *An* Act *for the regulating, training and arraying of the Militia, and for providing more effectually for the Defence and Security of the State.*

Paſſed June 24, 1782.

WHEREAS it appears that the eſtabliſhing a Troop of Militia-Horſe in the County of *Burlington* will be of Utility to the State; Therefore, Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That a Company or Troop of Horſe ſhall be immediately raiſed and formed in the Townſhips of *Springfield*, *Mansfield*, *Cheſterfield* and *New-Hanover*, in the County of *Burlington*; and it ſhall and may be lawful for ſuch of the Inhabitants of the ſaid Townſhips as are willing and deſirous to be embodied and enrolled into the ſaid Troop or Company, to aſſemble and meet together at a Time and Place to be for that Purpoſe appointed by the Colonel or Commanding Officer of the firſt Regiment of the Foot Militia in the ſaid County, and then and there, by Plurality of Voices, to elect one Captain, one Lieutenant, and one Cornet, who, upon due Certificate of ſuch Election, in Manner preſcribed by Law, ſhall be commiſſioned by the Governor or Commander in Chief of the State for the Time being; and the ſaid Inhabitants, when ſo met, ſhall at the ſame Time elect four Serjeants and a Trumpeter. Troop of Horſe in *Burlington*.

2. AND IT IS ENACTED, That the ſaid Troop or Company, when embodied, ſhall conſiſt of the ſame Number of Officers, non-commiſſioned Officers and Privates, and ſhall be armed, equipped and accoutred in the ſame Manner, and be ſubject to the ſame Rules and Regulations, and entitled to the ſame Pay and Rations when called into Service, and be liable to the ſame Penalties, Fines and Forfeitures for Default, Neglect or Refuſal of Duty, as thoſe already eſtabliſhed by Law in ſimilar Caſes in this State. On like Eſtabliſhment with thoſe already raiſed.

3. AND BE IT FURTHER ENACTED, That ſuch and ſo much of the Monies ariſing from the Fines and Forfeitures incurred under the Direction of the twenty-ſeventh and twenty-eighth Sections of the Act to which this is a Supplement, and appropriated by the forty-fifth Section of the ſame, as ſhall or may be collected from the three Regiments of Militia in the County of *Monmouth*, ſuch Monies ſhall be equally divided or diſtributed by the Commanding Officers of the reſpective Regiments among the non-commiſſioned Officers and Privates of the ſaid three Regiments, who may have turned out in the Defence of their Country, and ſuch and ſo much of the Fines and Forfeitures of any Subaltern Officer incurred or recovered ſhall, in like Manner, be diſtributed among the Subaltern Officers of the ſaid three Regiments, who may have performed the Duty required, any Thing in the ſaid recited Act to the Contrary notwithſtanding. Fines in *Monmouth* diſtributed.

CHAP.

* Chap. CCXLII.

CHAP. CCCXX.

* *An* ACT *for the Relief of certain Perſons who have purchaſed Property for the Uſe of the Publick.*

Paſſed June 24, 1782.

Preamble.

WHEREAS divers Perſons legally authorized to purchaſe for, and ſupply the army with Proviſion, Forage, *&c.* have, through Zeal to their Country's Cauſe, and in order more effectually to procure ſuch Supplies as were eſſentially neceſſary for the Support of the Army, aſſumed Payment in a Private Character; and as Proſecutions have been and may be commenced againſt ſuch, by which their Private Eſtates are in Danger of being entirely ruined; for Remedy whereof,

When Proceedings may be ſtayed.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That in all Caſes where any ſuch Action or Actions ſhall or may have been commenced againſt any Perſon commiſſioned or legally authorized to purchaſe, contract for and ſupply the Army, previous to the firſt Day of *January*, One Thouſand Seven Hundred and Eighty-two, the Court in which ſaid Action or Actions ſhall or may be commenced, ſhall inquire into the Circumſtances of the Caſe; and if on Examination the ſame is *bona fide* a Debt or Demand due from this State or the United States for the Supply of the Army, the ſaid Court ſhall be empowered and required to direct a Stay of Proceedings thereon.

Limitation.

2. AND BE IT FURTHER ENACTED, That this Act ſhall be and continue in Force for and during the Term of one Year, and from thence to the End of the next Sitting of the General Aſſembly, and no longer.

CHAP. CCCXXI.

An ACT *to procure Money by Loan.*

Paſſed June 24, 1782.

Preamble.

WHEREAS the procuring a Sum of Money by Loan, would, at this Time, be a great Benefit to the State;

Governor, *&c.* may procure Money on Loan.

Sect. 1. THEREFORE BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That His Excellency the Governor, by and with the Advice and Conſent of two of the Council, ſhall be, and he is hereby authorized and empowered to procure on Loan any Sum or Sums of Money that he may judge neceſſary to anſwer the Exigencies of the State.

Treaſurer to pay Principal and Intereſt.

2. AND BE IT FURTHER ENACTED, That the Treaſurer of the State for the Time being ſhall be, and he is hereby authorized and required to pay both Intereſt and Principal of any ſuch Sum or Sums of Money as may be borrowed by Virtue of this Act when they become due (provided the Intereſt does not exceed *Seven per Cent. per Annum*;)

* This Act ſupplies Chap. CCLXVIII.

Annum ;) and the Faith of this State is hereby pledged to make Proviſion from Time to Time by Taxes, or otherwiſe, to enable the Treaſurer to diſcharge the Debts which may be contracted as aforeſaid by Virtue of this Act.

3. AND BE IT ENACTED, That the Money that may be borrowed by Virtue of this Act ſhall be depoſited in the Treaſury of this State, to be applied to and for the Uſe of the State, or to the Receiver of Continental Taxes, *&c.* Application of the Money.

4. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for His Excellency the Governor, by and with the Advice of two of the Council as aforeſaid, to make ſuch Compenſation to any Agents that may be employed to borrow Money by Virtue of this Act, to be paid by the Treaſurer on a Certificate ſigned by His Excellency for that Purpoſe, which ſaid Certificate ſhall be allowed in the Settlement of the Treaſurer's Accounts. Compenſation to Agents.

5. AND BE IT FURTHER ENACTED, That His Excellency the Governor is hereby required to lay an Account of all Monies that may be borrowed by Virtue of this Act before the Legiſlature at their next or any ſubſequent Sitting during the Continuance of this Act. Account to be laid before the Legiſlature.

6. AND BE IT FURTHER ENACTED, That this Act ſhall be and continue in Force for and during the Term of one Year, and from thence to the End of the next Sitting of the General Aſſembly, and no longer. Limitation.

CHAP. CCCXXII. *An* Act *to enable the Owners of Meadows and Marſhes on the River* Delaware, *lying Northeaſtward from* Penſauking *Creek, in the County of* Burlington, *to keep out the Tide from overflowing the ſame.* Private.

Paſſed June 24, 1782.

CHAP. CCCXXIII. *An* Act *for defraying ſundry Incidental Charges.* Obſolete.

Paſſed June 24, 1782.

At

At a GENERAL ASSEMBLY held at Trenton, from the eighteenth Day of September to the fifth Day of October, 1782, the following Laws were paſſed.

SESSION SIXTH—SITTING THIRD.

CHAP. CCCXXIV.

An additional Supplement to the Act, intitled, * *An* Act *for regulating the Election of Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners, of the State of* New-Jerſey ; *and alſo to direct the Election of Delegates to repreſent the ſaid State in the Congreſs of the United States.*

Paſſed Sept. 27, 1782.

Preamble.

WHEREAS from the local Situation of the Inhabitants of many of the Counties of this State, it is very inconvenient for a large Number of the Electors to attend at the Places by Law appointed for holding the annual Elections in the ſaid Counties ;

Places to which Elections may be adjourned.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That it ſhall and may be lawful for a Majority of the Judges and Inſpectors of the Election in the County of *Middleſex*, to adjourn the Poll from the City of *New-Brunſwick* to *Bonhamtown* and *Cranberry ;* and for a Majority of the Judges and Inſpectors of the County of *Burlington*, to adjourn the Election from the Place appointed for holding the ſame to *Croſſwicks*, and to the Houſe where *Benjamin Thomas* now keeps Tavern ; and for a Majority of the Judges and Inſpectors of the County of *Glouceſter*, to adjourn the Election from the Town of *Glouceſter* to *Blue-Anchor* Tavern, at any Time they ſhall think proper during ſuch Election ; and for a Majority of the Judges and Inſpectors of the County of *Salem*, to adjourn the Election from the Place appointed for holding the ſame to *Woods-Town ;* and for a Majority of the Judges and Inſpectors of the County of *Somerſet*, to adjourn the Election from the Place appointed for holding the ſame to *Griggs-Town* and *Pluckemin*, at any Time they ſhall think proper during ſuch Election ; and alſo for the Majority of the Judges and Inſpectors of the County of *Bergen*, to adjourn the Election from the Place appointed for holding the ſame to *Hoppers-Town*, at any Time they ſhall think proper during ſuch Election.

Elections to be *viva voce* during the War.

2. AND WHEREAS the Enemy, deſpairing of Succeſs in any future Military Operations againſt theſe United States, appear to have abandoned all Hopes of ſubduing us by the Force of Arms, but are determined, by every Artifice in their Power, to encourage and animate their Friends and Partizans amongſt us to perſevere in their Diſaffection ; to foment Diviſions amongſt our Citizens ; to embarraſs our publick Meaſures ; to diſcover and betray our moſt important Secrets ; and to obſtruct and perplex our Exertions for totally expelling the *Britiſh* Troops

* Chap. CLXXVIII.

Troops from this Continent: AND WHEREAS, in order the more effectually to carry their inſidious and peſtilent Machinations into Effect, our ſaid internal Enemies, ſtill flattering themſelves with the Hopes of ultimately reducing theſe United States to the abſolute Sway and Domination of *Great-Britain* by their clandeſtine Practices and ſecret Combinations againſt their native Country, have juſtly alarmed the Apprehenſions of our well-affected and patriotick Citizens, and have more eſpecially excited their Jealouſy by giving Reaſon to ſuppoſe they are aiming to introduce ſome of their own Faction into the Legiſlature, and into Poſts of Truſt, Profit and Influence: AND WHEREAS, next to the Guardian-Care of Providence, which hath been ſo conſpicuouſly diſplayed in Favour of our righteous and heroick Oppoſition againſt Tyranny and Deſpotiſm, our future political Happineſs will principally depend upon the publick Virtue and Patriotiſm of our Repreſentatives, and the preſerving of our Legiſlature pure and altogether uncontaminated with the leaſt Blemiſh of Toryiſm or Anti-Republican Principles, the eternal Peſt of all free Governments, and neceſſarily tending gradually to undermine, and finally to ſubvert, our excellent Conſtitution: AND WHEREAS the conferring of any publick Honours or Offices on ſuch dangerous and deſperate Enemies to their Country would be doing the higheſt Injuſtice to every decided perſevering loyal Citizen of this State, who has borne the Heat and Burden of the Day, during the whole Progreſs of our illuſtrious Conflict for Liberty and Independence, and is thereby unqueſtionably entitled to publick Diſtinctions and Emoluments, not only in Preference, but to the Excluſion of our internal Adverſaries, who already diſcover their Ambition to figure in that very Country which they have endeavoured to enſlave, and who now want to rule what they have in vain attempted to deſtroy: AND WHEREAS that Part of the ſaid recited Act, by which ſeveral of the Counties of this State are directed to vote by Ballot, though laudably intended by the Legiſlature to prevent undue Influence and Corruption in Elections, and although in Reality of ſalutary Effect in Times of profound Peace and publick Tranquility, will evidently facilitate, during the preſent War, the ſaid perilous Purpoſes of our Enemies, ſecretly and unſuſpectedly to carry an Election in Favour of a corrupt and diſaffected Candidate, when every virtuous Citizen, juſtly alarmed at the Proſpect of raiſing ſuch a rotten Member into publick Office, of which he would be fully apprized by an Election *viva voce*, would have ſufficient Time to rouſe his Fellow-Citizens to counteract and fruſtrate ſo daring an Attempt, BE IT THEREFORE FURTHER ENACTED *by the Authority aforeſaid*, That all future Elections of Repreſentatives to ſerve in the Council and General Aſſembly of this State, and of Sheriffs and Coroners, in each and every of the Counties within the ſame, ſhall, during the preſent War with *Great-Britain*, be *viva voce*, and not otherwiſe, any Thing in the before recited Act to the contrary notwithſtanding.

Perſons not entitled to vote.

3. AND WHEREAS Doubts have ariſen, whether Perſons on Parole, or Perſons againſt whom Inquiſition or Indictment for aiding or adhering to the Enemies of this State, hath been found and undetermined, be entitled by Law to vote at Elections for Repreſentatives, Sheriffs and Coroners: THEREFORE IT IS HEREBY DECLARED AND ENACTED, That every Perſon of the aforeſaid Deſcription ſhall be, and hereby is incapacitated to vote at any Election for the Purpoſes aforeſaid

aforeſaid, until diſcharged from ſuch Parole, or acquitted from ſuch Inquiſition or Indictment.

4. AND IT IS HEREBY FURTHER ENACTED, That the fourteenth, fifteenth and ſixteenth Sections of the ſaid recited Act ſhall be, and the ſame hereby are ſuſpended during the preſent War with *Great-Britain*.

CHAP. CCCXXV.

An ACT *to repeal an Act, intitled,* * *An* Act *to prevent idle aud diſorderly Perſons miſpending their Time at Publick Houſes, and for the Suppreſſion of other Immoralities, and to revive the ſeveral Parts of Acts therein repealed.*

Paſſed Sept. 27, 1782.

Repeal. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That the ſaid recited Act, intitled, *An* Act *to prevent idle and diſorderly Perſons miſpending their Time at publick Houſes, and for the Suppreſſion of other Immoralities*, paſſed the twenty-eighth Day of *May*, One Thouſand Seven Hundred and Seventy-nine, be, and the ſame ſhall be hereby repealed.

Revival. 2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſeveral Parts of the Act, intitled, † *An* Act *for ſuppreſſing of Immorality*, paſſed *December* the twelfth, One Thouſand Seven Hundred and Four, and of the Act, intitled, ‡ *An* Act *for regulating Taverns, Ordinaries, Innkeepers and Retailers of ſtrong Liquors*, paſſed *March* the fifteenth, One Thouſand Seven Hundred and Thirty-eight-nine, and alſo of the Act, intitled, ‖ *An* Act *for the better regulating Conſtables, Vendues and Taverns*, paſſed *May* the tenth, One Thouſand Seven Hundred and Sixty-eight, which are by the ſaid firſt recited Act repealed, ſhall be, and they are hereby declared to be revived and in full Force.

Private. CHAP. CCCXXVI. *An* Act *to confirm to* Henry Remſen, *his Heirs and Aſſigns, a Houſe and Lot of Land, ſituate in the County of* Monmouth.

Paſſed Oct. 1, 1782.

CHAP. CCCXXVII.

An ACT *for the Relief of Perſons who have loſt their Deeds and other Inſtruments of Writing, containing the Title of their Lands.*

Paſſed Oct. 3, 1782.

Preamble. WHEREAS many of the Inhabitants of this State have loſt, or may hereafter loſe, their Deeds or other Inſtruments of Writing, containing the Title of their Lands, by the Devaſtation of the Enemy

* Chap. CXXX of this Compilation.
† *Allinſon*, Chap. II.
‡ Ditto, CLVIII.
‖ Ditto, CCCCLXXII.

Enemy or other unavoidable Accident, whereby much Injury may ariſe to the ſaid Inhabitants, by Reaſon that the ſaid Deeds or Inſtruments of Writing have not been duly proved and recorded, and the Means of obtaining new Deeds or Conveyances for ſecuring their Poſſeſſions may be unattainable;

Mode of Application to the Supreme Court.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That every Perſon who has loſt, or may hereafter loſe his Deeds or other Inſtruments of Writing containing the Title of his Lands, by the Devaſtation of the Enemy or other unavoidable Accident, and ſhall be deſirous of having the ſaid Lands aſſured to him in Manner herein after directed in this Act, ſhall make out or cauſe to be made out an exact Survey of the Lands or Premiſes, the Title-Deeds or Conveyances for which may have been loſt as aforeſaid, containing the Courſes, Diſtances and Boundaries thereof, or an atteſted Copy of the original Survey and Boundaries extracted out of the publick Records, and ſhall produce the ſame to the Supreme Court of this State, having previouſly advertiſed the Purport of his Application for at leaſt three Months in one of the publick News-Papers of this State, and alſo for the ſame Time in at leaſt three of the moſt publick Places in the County where the Lands or Premiſes, the Title or Conveyance of which may have been loſt as aforeſaid, are ſituated, and ſhall by Evidence prove to the Satisfaction of the Court, or in caſe of the Death of the Witneſſes, or their having joined the Enemy, and that no other Evidence can be procured, on Oath or Affirmation before the ſaid Court declare, that he or his Anceſtors were poſſeſſed of a legal Conveyance therefor duly executed, and that the ſame was loſt or deſtroyed by the Enemy or by other unavoidable Accident, together with the Time and Manner of the Loſs or Deſtruction of the ſame, and that the Evidences or Witneſſes to the ſaid Deeds or Conveyances are dead, or have joined the Enemy, or cannot be procured to the beſt of his Knowledge and Belief; and ſhall alſo prove by the Teſtimony of one or more credible Witneſſes, that he, the ſaid Applicant, had peaceable Poſſeſſion of the ſaid Lands and Premiſes, previous to the Time when the Deeds or Conveyances for the ſame are alledged to have been loſt or deſtroyed. PROVIDED ALWAYS, That if through the Obſtinancy of any Perſon claiming or poſſeſſing Lands adjoining to the Premiſes of the Perſons claiming the Benefit of this Act it ſhall be found impracticable to obtain an exact Survey, containing the Courſes, Boundaries and Diſtances to be preſented to the Court as aforeſaid, it ſhall be ſufficient to produce the exact Boundaries only, atteſted by proper Evidence, or authenticated on the Oath or Affirmation of the Applicant.

Proviſo.

Proclamation to be made, &c.

2. AND BE IT FURTHER ENACTED, That the ſaid Court ſhall thereupon cauſe Proclamation to be made in open Court for two Terms ſucceſſively, of the Purport of the Application ſo made as aforeſaid, that if any Perſon or Perſons have any Objection, or can ſhew any Cauſe why the ſaid Survey and Teſtimony produced as aforeſaid ſhould not be recorded, or why the Requeſt of the ſaid Applicant ſhould not be granted, ſuch Perſon or Perſons may appear and ſupport the ſame at leaſt within the third Term after Application has been made as aforeſaid.

Survey and Teſtimony to be filed and entered, *&c.*

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid Court ſhall, and they are hereby authorized and required, if no ſufficient Objection appear, and if the Survey ſo produced, and the Evidence and Teſtimony ſo given, ſhall, in the Judgment of the ſaid Court, be ſufficient to entitle the Applicant to the Relief intended to be given by this Act, to give Judgment accordingly, and thereupon to order the ſaid Survey and Teſtimony to be filed and entered in the Minutes of the ſaid Court, a Copy of which Minutes, ſigned by the Clerk of the ſaid Court, and under the Seal of the ſame, ſhall be good and available in Law to aſſure the Lands and Premiſes ſo ſurveyed and entered, and to veſt the ſame in the ſaid Applicant as fully, amply and effectually, to all Intents and Purpoſes whatſoever, as he was, or would have been veſted with the ſame in Virtue of any Conveyance loſt or deſtroyed in Manner aforeſaid, which ſaid Minutes may at any Time after the ſame is obtained by the Applicant, be entered on the publick Records of this State.

Judges may iſſue Writs of Subpœna.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Chief-Juſtice, or either of the Juſtices of the Supreme Court, ſhall be, and hereby is authorized and required, on Application to him made for that Purpoſe, to iſſue a Writ of Subpœna, to compel the Attendance of Witneſſes to prove the Facts ſet forth by any Perſon applying for the Relief intended by this Act, in like Manner as in other Caſes in the uſual Courſe of Law.

Fees.

5. AND BE IT FURTHER ENACTED, That the ſeveral Officers ſhall be allowed for their Services done in Virtue of this Act in Proportion to the Fees allowed for Services of a ſimilar Nature by the Act, intitled, * *An Act for the better enabling the Judges and Juſtices of this Colony, to aſcertain and tax Bills of Coſt, and for making Proviſion by Law for the Payment of the Services of the ſeveral Officers of the Colony, and for preventing the ſaid Officers from taking exorbitant Fees*, paſſed the eighteenth Day of *February*, One Thouſand Seven Hundred and Forty-ſeven-eight.

CHAP. CCCXXVIII.

A ſupplemental ACT *to the Act, intitled,* † *An* Act *to puniſh Traitors and diſaffected Perſons.*

Paſſed Oct. 3, 1782.

Preamble.

WHEREAS divers Perſons, Subjects of this State, have, in a traitorous Manner joined or taken Refuge with the Army of the King of *Great-Britain*, contrary to the Duties of their Allegiance as good Subjects; and inaſmuch as they have neglected to avail themſelves of the ſeveral Offers of Mercy and Tenderneſs hitherto extended towards them, but continue by Counſel or otherwiſe to aid the ſaid King in his Attempts to reduce this and the United States of *America* to abject Submiſſion, thereby forfeiting all Claim in future to the ineſtimable Rights of Freedom; Therefore,

Enacting Clauſe.

BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That each and every Subject

* *Allinſon*, Chap. CCX.

† Chap. V of this Compilation.

Subject of this State, who has ſince the fourth Day of *October*, One Thouſand Seven Hundred and Seventy-ſix, aided and aſſiſted the Enemies thereof, or of the United States, by joining their Armies within this State or elſewhere, or who hath voluntarily gone to, taken Refuge, or continued with, or endeavoured to continue with the Enemy aforeſaid, and aid them by Counſel or otherwiſe, who ſhall after the paſſing of this Act return to, or be found within this State, ſhall be, and is hereby declared to be guilty of High-Treaſon againſt this State, and being thereof legally convicted, ſhall ſuffer Death without Benefit of Clergy, ſaving the Corruption of Blood.

CHAP. CCCXXIX. *An* Act *to recover the Arrears of certain Taxes, levied by Virtue of an Act, intitled,* * *An* Act *for clearing and removing the ſeveral Obſtructions of the free Courſe of the Waters in* Paſſaick *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.* Private.

Paſſed Oct. 4, 1782.

CHAP. CCCXXX.

An ACT *to ſupport and maintain the Draw erected in the Bridge over* Alloway's *Creek, in the County of* Salem, *known by the Name of* Hancock's *Bridge.*

Paſſed Oct. 4. 1782.

WHEREAS ſundry of the Inhabitants of the Townſhip of *Lower Alloway*'s Creek, in the County of *Salem*, have, by their Petition to the Council and Aſſembly, ſet forth, that they and others have, by voluntary Donations, entirely re-built the Bridge over *Alloway*'s Creek called *Hancock*'s Bridge, and have therein fixed a convenient Draw for Shallops and other maſted Veſſels to paſs through; and that the Townſhip has at various Times been put to conſiderable Expence in repairing the Damages done the ſaid Bridge by the Watermen trading in the ſaid Creek; and praying that a Toll may be impoſed on all Veſſels paſſing through ſaid Draw; and that ſeveral Regulations, under Penalties, be enacted into a Law, for the Preſervation of the ſaid Bridge, and Repair of the Draw; Therefore, Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the paſſing of this Act, it ſhall and may be lawful for either of the Overſeers of the Roads for the Time being of the ſaid Townſhip of *Lower Alloway*'s Creek, or any other Perſon by them duly authorized, to demand and receive from the Owner or Maſter of any maſted Veſſel paſſing through the ſaid Draw, the Sum of *One Shilling and Six-pence* for every ſuch Paſſage; and, in caſe of Refuſal or Neglect, it ſhall and may be lawful for either of the ſaid Overſeers, or other Perſon by them appointed as aforeſaid, to ſue for, and recover the Sum or Sums due as aforeſaid, with Coſts, in any Court where the ſame may be cognizable. Toll, how to be recovered.

2. AND

* *Allinſon*, Chap. DLXXVII.

Penalty for faſtening a Veſſel to the Bridge, &c.

2. AND BE IT FURTHER ENACTED, That the Owner or Maſter of any Veſſel of Burden, for every Time the ſaid Veſſel may be tied or faſtened in any Manner to the ſaid Bridge, or any Part thereof, ſhall forfeit and pay the Sum of *Ten Shillings*; and the Owner or Maſter of any Veſſel who ſhall remove, or ſuffer to be removed by any Perſon belonging to the ſaid Veſſel, any of the Plank belonging to the ſaid Bridge, and ſhall leave the ſame diſplaced, or that ſhall leave the Draw hoiſted, or let it down amain without the neceſſary and proper Care, ſhall, for each and every ſuch Offence, forfeit and pay the ſum of *Ten Shillings*; and it ſhall and may be lawful for any Freeholder of the Townſhip aforeſaid to ſue for and recover the ſame, with Coſts, before any Juſtice of the Peace of the County; and in all Caſes of Conviction the Offender ſhall be ſubject to the Payment of full Damages occaſioned by his Miſconduct, to be recovered by either of the ſaid Overſeers of the Roads in an Action of Debt in any Court where the ſame may be cognizable.

Monies ariſing from the Toll, how to be applied.

3. AND IT IS HEREBY FURTHER ENACTED, That all the Monies ariſing from the Toll of the ſaid Bridge, and recovered for Damages done to the ſame, together with the Fines and Forfeitures aforeſaid, after deducting the Fees or Wages which ſhall be allowed to the Receiver of the ſaid Toll, ſhall be paid to the Overſeers of the Roads of ſaid Townſhip, to be by them applied ſolely to the Repair of the ſaid Bridge and the Expenditure thereof, to be approved of by one of the Juſtices of the Peace of the ſaid Townſhip, and the ſaid Overſeers ſhall account for all Monies by them received and expended as aforeſaid, and pay the Surplus, if any there be, to their Succeſſors in Office.

CHAP. CCCXXXI. *An* Act *for defraying ſundry Incidental Charges.*

Paſſed Oct. 5, 1782.

APPENDIX.

☞ Purſuant to the concurrent Reſolution of the Legiſlative-Council and Aſſembly, of the 23d and 24th *December*, 1783, the following Acts, paſſed ſince the foregoing Compilation was completed, are added. The Editor has thought they will come in more properly in this Place, than after the Appendix, as the Acts in Force will thereby be continued in regular Order.

At a GENERAL ASSEMBLY held at Trenton, from the twenty-ſecond Day of October, to the twenty-ſixth Day of December, 1782, the following Laws were paſſed.

SESSION SEVENTH—SITTING FIRST.

CHAP. CCCXXXII.

An ACT *for making Proviſion for ſuch invalid Soldiers of this State as may be diſcharged.*

Paſſed Nov. 6, 1782.

Preamble.

WHEREAS Congreſs have, on the twenty-third Day of *April* laſt, reſolved, that all ſuch Soldiers as ſhall be diſcharged by Order of His Excellency the Commander in Chief, or commanding Officer of a ſeparate Department, as unfit for further Duty either in the Field or Garriſon, ſhall be entitled to receive *Five Dollars* per Month in Lieu of all Pay and Emoluments; and alſo recommended to the ſeveral States to diſcharge ſuch Allowance, and to draw on the Superintendent of Finance for the Payment of the Money they ſhall ſo advance; Therefore,

Certificates to be produced.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Treaſurer of the State for the Time being ſhall pay out of any unappropriated Monies that may be in his Hands, to each and every invalid Soldier who ſhall produce a Certificate, ſigned by the Inſpector of the Army of the United States, or the Inſpector of a ſeparate Department, that he is unfit for any further Duty either in the Field or in Garriſon, alſo a Diſcharge ſigned by His Excellency the Commander in Chief, or commanding Officer of a ſeparate Department, certifying that ſuch Applicant is entitled to the Proviſion made by Congreſs in ſuch Caſes, and alſo that he is an Inhabitant of this State, *Five Dollars* per Month, reckoning from the Dates of their reſpective Diſcharges.

Monthly Allowance.

Treaſurer to draw for the Money advanced.

2. AND BE IT FURTHER ENACTED, That all Monies that may be paid out by Virtue of this Act ſhall by the Treaſurer be charged to the Account of the Superintendent of Finance, and that the ſaid Treaſurer ſhall draw annually on the ſaid Superintendent of Finance for the Payment of the ſame.

CHAP. CCCXXXIII.

An ACT *to divide the Townſhip of* Hardwick, *in the County of* Suſſex.

Paſſed Nov. 11, 1782.

Preamble. WHEREAS a Number of the Inhabitants of the Townſhip of *Hardwick*, in the County of *Suſſex*, by their Petition have ſet forth, that they have long laboured under many and great Difficulties by Reaſon of the large Extent of the ſaid Townſhip; for Remedy whereof,

Boundaries of the new Townſhip; *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That all that Part of the ſaid Townſhip of *Hardwick*, included in the following Boundaries, *viz.* beginning at *Pequeſt* River in the Diviſion Line between *Hardwick* and *Newtown*; thence running by ſaid Diviſion Line South eleven Degrees, Eaſt eight Miles to *Muſconetcong* River to a White-Oak Tree; thence down the ſaid River ſeven Miles and Three-Quarters to a Tree for a Corner; thence North ſixty Degrees Weſt ſix Miles to *Pequeſt* River; thence North eleven Degrees Weſt four Miles to a Tree for a Corner; thence North ſixty-four Degrees and fifteen Minutes Eaſt nine Miles to a Spruce Tree ſtanding on the Bank of *Pequeſt* River at the Turn of ſaid River called and known by the Name of the *Spruce-Bank*; thence up the ſaid River two Miles to the Place of Beginning; ſhall be, and is hereby ſet off from the Townſhip of *Hardwick*, and made a ſeparate Townſhip, to be called by the Name of the Townſhip of *Independence*.

to be called *Independence*.

Government. 2. AND BE IT ENACTED *by the Authority aforeſaid*, That the Inhabitants of the ſaid Townſhip of *Independence* ſhall be, and are hereby veſted with, and entitled unto all the like Powers, Privileges and Authorities, and ſhall be, and are hereby made ſubject to the like Regulations and Government which the Inhabitants of the aforeſaid Townſhip of *Hardwick* are ſubject and entitled unto.

CHAP. CCCXXXIV.

An ACT *for the Relief of the Poor of the North Ward of the City of* Perth-Amboy.

Paſſed Nov. 15, 1782.

Preamble WHEREAS Complaint hath been made to the Legiſlature (as ſet forth in the Petition of a Number of the Inhabitants of the Townſhip of *Woodbridge*) that the People inhabiting the North Ward of the City of *Perth-Amboy* have refuſed, in Conformity to the Conſtitution and Laws of the State, to elect their Town-Officers, and to make the neceſſary Proviſion for the Poor of the ſaid Ward, whereby they have become chargeable and burdenſome to the Inhabitants of the Townſhip aforeſaid: And inaſmuch as it is highly juſt and reaſonable, that the indigent and impotent Poor of the State ſhould be taken Care of, and ſubſiſted by the Inhabitants of the City, Town-Corporate, Townſhip or Precinct, to which they reſpectively belong; *Sect.*

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby enacted by the Authority of the ſame*, That, from and after the paſſing of this Act, it ſhall and may be lawful for the Overſeer or Overſeers of the Poor of the Townſhip of *Woodbridge*, when Application by the legal Poor of the ſaid Ward is to them made, to apply to ſome Juſtice of the Peace for the Townſhip aforeſaid; which Juſtice, upon Notice from the ſaid Overſeer or Overſeers, that Money is wanting for the Relief of the Poor of the ſaid Ward, ſhall forthwith proceed to direct the Sums ſo wanted, to be aſſeſſed and raiſed in the ſaid Ward by the Town-Officers of the Townſhip of *Woodbridge*, in like Manner and agreeably to the Directions given in the Act, intitled, * *An* Act *for the Settlement and Relief of the Poor*, paſſed the eleventh Day of *March*, One Thouſand Seven Hundred and Seventy-four; and the ſaid Officers are hereby inveſted with like Powers and Privileges, and ſubject to like Duties and Forfeitures, in taking Charge of, and providing for, the Poor of the ſaid Ward, as they are by the ſaid recited Law empowered and made liable to in the Caſe of the Poor of their own Townſhip; any Law, Uſage or Cuſtom to the contrary in anywiſe notwithſtanding.

Town-Officers of *Woodbridge* to take Care of the Poor of the North Ward of *Perth-Amboy* until, &c.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That this Act ſhall be and continue in Force until the Inhabitants of the ſaid Ward ſhall proceed to the Election of Town-Officers, and ſhall make the requiſite Proviſion for the Poor of the ſaid Ward, and no longer.

Continuance.

CHAP. CCCXXXV.

An ACT *to revive and continue the Act, intitled,* † *An Act to enable Creditors more eaſily to recover their Debts from Joint-Partners, within the Colony of* New-Jerſey.

Paſſed Nov. 25, 1782.

WHEREAS the Act, intitled, *An* Act *to enable Creditors more eaſily to recover their Debts from Joint-Partners, within the Colony of* New-Jerſey, paſſed the twenty-firſt Day of *December*, One Thouſand Seven Hundred and Seventy-one, hath expired by its own Limitation: AND WHEREAS for the expediting the Recovery of Debts due from Joint-Partners, within this State, it is neceſſary to revive and continue the ſame; Therefore,

Preamble.

BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid Act, and every Clauſe, Matter and Thing thereby Enacted, except the Section limiting the Continuance of the ſame, ſhall be revived, and continue in full Force without Limitation.

Act revived and continued without Limitation.

CHAP.

* *Allinſon*, Chap. DXC. † *Allinſon*, Chap. DXLIII.

CHAP. CCCXXXVI.

A ſupplemental ACT *to the* ‡ *Act for regulating and eſtabliſhing Admiralty Juriſdiction.*

Paſſed Nov. 29, 1782.

Preamble.

WHEREAS no ſufficient Proviſion is made by the Act, intitled, *An* Act *for regulating and eſtabliſhing Admiralty Juriſdiction*, paſſed the eighteenth Day of *December*, One Thouſand Seven Hundred and Eighty-one, for preventing colluſive Captures on the Water; Therefore,

Mode of proceeding in Caſes of Colluſion.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That in every Caſe of colluſive Capture by Water, the Proceedings and Determinations in the Court of Admiralty in this State, or Court eſtabliſhed in the ſaid recited Act for the Trial of Prizes under the Value of *Two Hundred Pounds*, ſhall be had and made conformable to the Ordinance of the United States in Congreſs aſſembled, dated the ſeventeenth Day of *July*, in the Year One Thouſand Seven Hundred and Eighty-two; and if any Share, Part or Proportion, of any Capture or Prize colluſively taken on the Water, ſhall be adjudged to belong to this State, the Account of Sales ſhall be filed in the Regiſter's Office, as directed in the ſaid recited Act, and after deducting the Coſts as aſcertained in the ſaid Act, or allowed by this Act, the Share adjudged to the Captor or other Perſon ſhall, by the Marſhal of the ſaid Court, or Collector of the Precinct, when ſold, be paid forward as in the ſaid Act mentioned, and the Part or Proportion adjudged to the State ſhall, by the ſaid Marſhal, be paid into the Treaſury; or, if ſold by the Collector of a Townſhip, Precinct or Ward, into the Hands of the Collector of the County, and by him to the Treaſurer of the State for the Uſe of the ſame; and if the ſaid Marſhal ſhall neglect or refuſe, within the Space of one Month after Condemnation and Sale, to pay the Monies thence ariſing for the Benefit of the State into the Treaſury as aforeſaid, he ſhall be ſubject to an Action at the Suit of the Treaſurer for the Time being, on Behalf of the State, for the Recovery of the ſame, together with Intereſt and Coſts of Suit, which Action the ſaid Treaſurer is hereby authorized and required to commence and proſecute to Effect accordingly; and if the ſaid Townſhip, Precinct or Ward Collector, ſhall neglect or refuſe, within the Space of twenty Days after Condemnation and Sale, to pay the Monies thence ariſing for the Benefit of the State into the Hands of the Collector of the County as aforeſaid, he ſhall be ſubject to an Action at the Suit of the ſaid County Collector, for the Recovery of the ſame, together with Intereſt and Coſts of Suit, which Action the ſaid County Collector is hereby authorized and required to commence and proſecute to Effect accordingly.

Account of Sales to be delivered to the Auditor, or to the Legiſlature.

2. AND BE IT FURTHER ENACTED, That where any Prize, or Veſſel and Cargo, ſhall be condemned by the Court of Admiralty in Virtue of this Act, in Whole or in Part, to the Uſe of the State, the Regiſter of the ſaid Court ſhall, within the Space of twenty Days after Condemnation and Sale, deliver or tranſmit to the Auditor of Accounts, or

‡ Chap. CCXC.

or to the Legiſlature, a Copy of the Account of Sales, under the Penalty of *Fifty Pounds*, to be recovered with Coſts by the Treaſurer for the Uſe of the State, in any Court where the Action may be cognizable; and if the ſaid Prize or Veſſel and Cargo ſhall be condemned in the Court appointed in the ſaid recited Act for the Trial of Cauſes under the Value of *Two Hundred Pounds*, the Amount of Sales ſhall, within twenty Days after the ſame are cloſed, be delivered forward, or tranſmitted, as is directed in the Act, intitled, * *An Act for preventing an illicit Trade and Intercourſe between the Subjects of this State and the Enemy*, paſſed *June* the twenty-fourth, One Thouſand Seven Hundred and Eighty-two.

Allowance for Account of Sales.

3. AND IT IS HEREBY FURTHER ENACTED, That the Regiſter ſhall be allowed, for a Copy of the Account of Sales to be delivered or tranſmitted as aforeſaid, the Sum of *Twenty Shillings*, to be paid by the Marſhal of the Court of Admiralty out of the Part of the Monies adjudged to the Uſe of the State.

Mode of preventing Embezzlement, &c.

4. AND, the better to prevent Embezzlement, Fraud and Colluſion, in the Trial and Sale of Veſſels and Cargoes, the ſuppoſed Real ſaleable Value of which, from the great Expences accruing, will not admit of their being brought for Trial in a Court of Admiralty; BE IT THEREFORE FURTHER ENACTED, That the Captain or Commander of every Ship or Veſſel of War, or Prize-Maſter or other Perſon, having Charge of any Capture or Re-Capture, or other Property ſeized upon the Water as aforeſaid, who ſhall conduct or bring the ſame into Port, ſhall, within ten Days after the Arrival of ſuch Prize as aforeſaid, exhibit, or cauſe to be exhibited in Writing, upon the Oath or Affirmation of ſuch Perſon, a true Manifeſt of all the Goods, Wares and Merchandize, on Board of ſuch Ship or Veſſel, ſetting forth the Packages, Marks and Numbers thereof, together with the Name, Burden and Condition of the Ship or Veſſel ſo captured or re-captured, to the Chief-Juſtice or either of the other Judges of the Supreme Court; and if it ſhall be made ſatisfactorily to appear to ſuch Chief-Juſtice or other Judge, that the real ſaleable Value of ſuch Veſſel and Cargo does not exceed the Value of *Four Hundred Pounds*, and is ſo certified under his Hand and Seal, then and in that Caſe the Captors ſhall be at Liberty to bring the Cauſe for Trial as is directed in the fourteenth Section of the Act to which this is a Supplement, any Thing in the ſaid Section to the contrary in any-wiſe notwithſtanding; and the Perſon who ſhall neglect or refuſe to make ſuch Manifeſt, or ſhall embezzle or keep back any Part of ſuch Capture, ſhall be liable to be fined in any Sum not exceeding *Two Hundred and Fifty Pounds*, with Coſts of Suit, to be recovered by the Marſhal of the State for the Time being, in any Court where the ſame may be cognizable, for the Uſe of the State.

Juſtices may try to the Amount of £. 400.

Colluſive Captors, what to forfeit.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That every Perſon who ſhall be guilty of bringing or conveying any Veſſel and Cargo which has been illegally captured from any Place in Poſſeſſion of the Enemy, or of any colluſive Capture on the Water, and ſhall be thereof legally convicted in any Court where the Action may be cognizable, ſhall forfeit and pay a Sum equal in Value to the Amount of the Veſſel and Cargo, or colluſive Capture ſo as aforeſaid made, to be applied to

* Chap. CCCXVII.

Proviſo. the Uſe of the State: PROVIDED ALWAYS, That Nothing in this Act ſhall affect or alter the Act, intitled, *An Act for preventing an illicit Trade and Intercourſe between the Subjects of this State and the Enemy.*

CHAP. CCCXXXVII.

An ACT *to repeal the ſeveral acts therein named.*

Paſſed Dec. 5, 1782.

Acts repealed. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Act, intitled, * *An Act for the Inſpection of Gun-Powder*, paſſed the fourth Day of *October*, One Thouſand Seven Hundred and Seventy-ſix: The Act, intitled, † *An Act to prevent the diſtilling of Wheat, Rye and other Grain*, paſſed the fourteenth Day of *March*, One Thouſand Seven Hundred and Seventy-ſeven: The Act, intitled, ‡ *An Act to ſuſpend the Operation of an Act, intitled, An Act to prevent the diſtilling of Wheat, Rye and other Grain*, paſſed the ſixth Day of *June*, One Thouſand Seven Hundred and Seventy-ſeven: The Act, intitled, ‖ *An Act to encourage the making of Salt, at the* Pennſylvania *Salt-Works, in the State of* New-Jerſey, paſſed the ſeventh Day of *October*, One Thouſand Seven Hundred and Seventy-ſeven: The Act, intitled, ¶ *An Act for regulating and limiting the Prices of ſundry Articles of Produce, Manufacture and Trade, and to prevent foreſtalling, regrating and engroſſing*, paſſed the eleventh Day of *December*, One Thouſand Seven Hundred and Seventy-ſeven: The Act, intitled, ¶ *An Act for regulating and limiting the Price of Labour, and ſundry Articles of Produce, Manufacture and Trade, and to prevent foreſtalling, regrating and engroſſing*, paſſed the thirty-firſt Day of *March*, One Thouſand Seven Hundred and Seventy-eight: The Act, intitled, ⸸ *An Act to amend an Act, intitled, An Act for the Settlement and Relief of the Poor*, paſſed the eighth Day of *June*, One Thouſand Seven Hundred and Seventy-nine: The Act, intitled, § *An Act to provide for the clothing of the Quota of Forces, raiſed or to be raiſed in this State, for the Service of the United States, and to repeal the Laws now in Force for that End*, paſſed the eleventh Day of *June*, One Thouſand Seven Hundred and Seventy-nine: The Act, intitled, ☞ *An Act to revive and continue an Act, intitled, An Act to provide for the better Subſiſtence of the Troops of this State in the Service of the United States*, paſſed the twenty-fifth Day of *December*, One Thouſand Seven Hundred and Seventy-nine: The Act, intitled, ‡‡ *An Act to prevent the Waſte of Timber, Trees and Poles, in this State, and to repeal the former Act for that Purpoſe*, paſſed the eighteenth Day of *March*, One Thouſand Seven Hundred and Eighty, and the Act, intitled, §§ *An Act more effectually to prevent Deſertion, and for the Puniſhment of Perſons harbouring Priſoners of War, or purchaſing the Clothing and Accoutrements of the Soldiers of the Army, and for the Repeal of a certain Act therein mentioned*, paſſed the ſeventeenth Day of *June*, One Thouſand Seven Hundred and Eighty, except the ſeventh Section thereof, ſhall be, and they, and each of them, are hereby declared to be ſeverally repealed.

CHAP.

* Chap. VI. † Chap. XIX. ‡ Chap. XXXVI. ‖ Chap. LI. ¶ Chap. LXVIII. ⸸ Chap. CXXXV. § Chap. CXLVI. See alſo Chap. CCLXXXII. by which this Act was repealed before. ☞ Chap. CLXXXIII. ‡‡ Chap. CXCIV. §§ Chap. CCXVIII.

CHAP. CCCXXXVIII.

An ACT *more effectually to compel the Attendance of Witneſſes and Jurors at the Courts eſtabliſhed in this State for the Trial of Cauſes cognizable before a ſingle Juſtice of the Peace.*

Paſſed Dec. 6, 1782.

Preamble. WHEREAS Doubts have ariſen whether ſufficient Proviſion is made by the Laws which eſtabliſh Courts for the Trial of Cauſes cognizable before a ſingle Juſtice of the Peace, to compel the Attendance of Witneſſes and Jurors; to remove which,

Enacting Clauſe. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the paſſing of this Act, any Perſon legally ſummoned to give Evidence in any Cauſe cognizable before a ſingle Juſtice of the Peace, who ſhall neglect or refuſe to attend accordingly, without a reaſonable Excuſe for ſo doing, ſhall be liable to pay a Fine, at the Diſcretion of the Court, not exceeding *Twelve Pounds*; and any Perſon, legally ſummoned to ſerve as a Juryman, on the Trial of any Cauſe cognizable as aforeſaid, who ſhall neglect or refuſe to attend accordingly, without a reaſonable Excuſe for ſo doing, ſhall be liable to pay a Fine, at the Diſcretion of the Court, not exceeding *Ten Shillings*; for which Fines ſo as aforeſaid incurred the Juſtice before whom ſuch Witneſs or Juror was ſummoned to appear, and made Default as aforeſaid, is hereby authorized and required to iſſue Execution, and the ſame, when recovered, to pay into the Hands of the County Collector, for the Uſe of the County: PROVIDED ALWAYS, *and it is the true Intent and Meaning of this Act*, That no Execution ſhall iſſue in Conſequence of any Fine impoſed on a Witneſs, in Virtue of this Act, in leſs than ten Days after the Time appointed for the Appearance of ſaid Witneſs, that the Perſon ſo fined may have an Opportunity to offer his Excuſe in Mitigation: And, PROVIDED NEVERTHELESS, That any Witneſs, thinking himſelf aggrieved by ſuch Fine, may have the Privilege of an Appeal to the next Court of Common Pleas, which Court is hereby empowered to hear the ſame, and do therein as may appear agreeable to Equity and Juſtice.

CHAP. CCCXXXIX.

An ACT *to repeal an Act, intitled,* * *An Act to ſecure the Profits of Land upon the Frontiers of the State to the Owners reſpectively, who have been compelled to abandon the ſame.*

Paſſed Dec. 11, 1782.

Preamble. WHEREAS the above recited Act has from Experience been found not to produce thoſe good Effects deſigned thereby, as appears by a Petition from ſundry Inhabitants of the State; Therefore,

BE

* Chap. CCXCIV.

Repeal. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That the above recited Act be, and the ſame is hereby repealed.

CHAP. CCCXL.

An ACT *to revive and continue an Act, intitled,* * *An Act for making Proceſs in Courts of Equity effectual againſt Mortgagers who abſcond and cannot be ſerved therewith, or who refuſe to appear.*

Paſſed Dec. 12, 1782.

Preamble. WHEREAS the Act, intitled, *An Act for making Proceſs in Courts of Equity effectual againſt Mortgagers who abſcond and cannot be ſerved therewith, or who refuſe to appear,* paſſed the twenty-ſixth Day of *September,* One Thouſand Seven Hundred and Seventy-two, hath expired by its own Limitation: AND WHEREAS, for the Security and Juſtice due to Creditors, it is neceſſary to revive and continue the ſame; Therefore,

Revival. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That the ſaid Act, and every Clauſe, Matter and Thing thereby Enacted, (except the Section limiting the Continuance of the ſame) ſhall be, and hereby is revived and continued. PROVIDED ALWAYS, That the Advertiſements, directed by the above recited Act, to be put in the *New-York* Papers, ſhall be deemed ſufficient if printed for the ſame Length of Time in each of the News-Papers of this State.

Private. CHAP. CCCXLI. † *An Act for the Recovery of certain Monies due for hiring Subſtitutes.*

Paſſed Dec. 17, 1782.

CHAP. CCCXLII.

An ACT *to eſtabliſh a Company of Artillery, in the City of* New-Brunſwick.

Paſſed Dec. 18, 1782.

Preamble. WHEREAS the Inhabitants of the City of *New-Brunſwick,* in the County of *Middleſex,* have, by their Petition, ſet forth, that they have procured, at their private Expence, an Iron Ordnance, carrying four Pound Shot, together with the neceſſary Equipment of an Artillery Company complete, and praying Leave, that they may be permitted to raiſe and embody a Company to take Charge of ſaid Ordnance: AND WHEREAS it appears, that the eſtabliſhing of a Company of Artillery, in the City of *New-Brunſwick,* will be of Utility to the State; Therefore,

Company of Artillery to be raiſed. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That a Company

* *Allinſon,* Chap. DLXV.

† Paſſed for the Relief of *Joſeph Haight,* Chap. CCXCV. having been found inſufficient.

pany of Artillery ſhall be immediately raiſed and formed in the North Ward of the City of *New-Brunſwick*, and it ſhall and may be lawful for ſuch of the Inhabitants of the ſaid Ward, as are willing and deſirous of being embodied and enrolled into the ſaid Company, to aſſemble and meet together, at a Time and Place to be for that Purpoſe appointed by the Colonel or commanding Officer of the ſecond Regiment of Foot-Militia, in the County aforeſaid, and then and there, by a Plurality of Voices, to elect one Captain, and one Lieutenant, who, upon due Certificate of ſuch Election, in Manner preſcribed by Law, ſhall be commiſſioned by the Governor, or Commander in Chief of the State for the Time being; and the ſaid Inhabitants, when ſo met, ſhall at the ſame Time elect two Sergeants, two Corporals, one Drummer and one Fifer.

Officers, how to be elected, &c.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Company, when embodied, ſhall conſiſt of the Number of twenty-four Privates only, and ſhall be armed, equipped and accoutred in the ſame Manner as Artillery Companies are in the regular Forces of the United States; and the Officers ſhall hold the ſame Rank reſpectively, with the Officers of the other Militia, having like Command, and the Officers, Non-commiſſioned Officers and Privates, ſhall be ſubject to the ſame Rules and Regulations, and entitled to the ſame Pay and Rations, when called into Service, and be liable to the ſame Penalties, Fines and Forfeitures for Default, Neglect or Refuſal of Duty, as thoſe inflicted on the regimental Militia.

Number of Men, and how to be equipped.

CHAP. CCCXLIII. *An Act for enabling Truſtees to ſell and diſpoſe of the Real Eſtate of* Jonathan Hampton, *late of* Elizabeth-Town, *in the County of* Eſſex, *Eſquire, deceaſed, for the Uſes and Purpoſes mentioned therein.* Private.

Paſſed Dec. 19, 1782.

CHAP. CCCXLIV. *An Act to enable the Owners of Meadows, ſituate in* Lower Penn's Neck, *in the County of* Salem, *adjoining* Delaware *River, to keep in Repair the Banks, Dams, and other Waterworks thereof, leading from a Point of faſt Land, in the Poſſeſſion of* John Callahan, *to the faſt Land in the Poſſeſſion of* Thomas Thackery, *and to keep the Watercourſes of ſaid Meadow open and clear.* Private.

Paſſed Dec. 21, 1782.

CHAP.

CHAP. CCCXLV.

* *An* ACT *to amend an Act, intitled,* † *An* Act *for preventing an illicit Trade and Intercourſe between the Subjects of this State and the Enemy.*

Paſſed Dec. 21, 1782.

Preamble.

WHEREAS, notwithſtanding the Act *for preventing an illicit Trade and Intercourſe between the Subjects of this State and the Enemy*, paſſed the twenty-fourth Day of *June*, One Thouſand Seven Hundred and Eighty-two, great Quantities of Proviſions and Produce of this and the neighbouring States, are, through the Arts of the Diſaffected, conſtantly conveyed to the Enemy, to the great Injury of the common Cauſe, and Diſhonour of the State; for Remedy whereof in future,

No Cattle to be driven through *Bergen* County without Paſſports.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the paſſing of this Act, no neat Cattle, driving from any of the Eaſtern States to any of the interior Counties of this State, or to the State of *Pennſylvania*, ſhall be permitted to go through the County of *Bergen*, without a Paſſport or Permiſſion for that Purpoſe previouſly obtained from ſome Juſtice of the Peace of the ſaid County of *Bergen*, expreſſing the Number of the ſaid Cattle, and the Place to which they are to be conveyed or drove, which ſhall not be to the Southeaſtward of the Road leading from *Kings-Ferry* through *Pompton*, *Morris-Town*, *Baſkenridge*, *Millſtone* and *Princeton*, to *Philadelphia*; and all Cattle as aforeſaid, which ſhall be found two Miles to the Southeaſtward of ſaid Road, ſhall be deemed and taken as intended to ſupply the Enemy, and liable to Seizure and Condemnation.

Live Stock, &c. driven, &c. within 5 Miles of the Enemy's Lines, liable to Seizure.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That all live Stock, Proviſions and naval Stores, of whatſoever Nature or Kind, which ſhall be conveyed or drove towards the Enemy's Lines, in the Counties of *Bergen*, *Eſſex*, *Middleſex* or *Monmouth*, by Night, or after Sun-Set and before Sun-Riſe, within five Miles of any Place in the Power or Poſſeſſion of the Enemy, the ſame ſhall be deemed and taken as intended for the Enemy, and liable to Seizure and Condemnation, together with the Carriages, Teams and Water-Crafts conveying the ſame, any Paſſport or Permiſſion for the ſame to the contrary notwithſtanding.

Other Goods in certain Circumſtances, liable to Seizure.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That every Article or Thing, of whatever Nature or Kind, the Produce, Growth or Manufacture of this or of the United States, which ſhall be found paſſing through the Counties of *Bergen*, *Eſſex*, *Middleſex* and *Monmouth*, towards the Lines of the Enemy, or through the Townſhip of *Little-Egg-*

* A Liberty has been taken with this Act, which has not been attempted in any other Caſe. Some few Alterations ſeemed neceſſary to be made, in order to clear the Act of Abſurdity. When that could be done by adding or ſtriking out a Prepoſition or ſingle Particle, the Alteration has been made, Miſtakes of ſuch a Nature being incident to the moſt exact Tranſcriber; but, where a Paragraph ſeemed conſiderably involved, and the whole Contexture neceſſary to be changed, in order to make the Language ſtrictly grammatical, it was thought beyond the Province of a Compiler to make any Emendation: and, as the whole Act will ſoon become to every Purpoſe obſolete, the inaccurate wording of it is of leſs Conſequence.

† Chap. CCCXVII.

Egg-Harbour, in the County of *Burlington*, or the Townſhip of *Galloway*, in the County of *Glouceſter*, towards the Shore, ſhall, on due Cauſe of Suſpicion that the ſame were intended to be conveyed to the Enemy, be liable to Seizure, together with the Water-Craft, Teams or Carriages conveying the ſame; and if the Party in whoſe Poſſeſſion the ſaid Articles may be found, or ſome other Perſon in his or their Behalf, cannot prove, to the Satisfaction of the Juſtice or Juſtices before whom Trial ſhall be had, that the Articles ſo ſeized were not intended to be conveyed to the Enemy, or into any Place in their Power or Poſſeſſion, it ſhall and may be lawful to condemn the ſame, together with the Water-Craft, Teams and Carriages ſeized therewith, and to diſpoſe thereof in Manner and Form herein after directed, and the Defendant ſhall pay the Coſt; but in caſe the Defendant ſhall prove to the Satisfaction of the ſaid Juſtice or Juſtices, that the Articles ſo ſeized were not intended to be conveyed to the Enemy, or into any Place in their Power or Poſſeſſion, the ſaid Articles, and every of them, ſhall be returned to the Defendant, and the Captors ſhall pay the Coſt. PROVIDED NEVERTHELESS, That every Article of Proviſion or Merchandize, ſeized in any of the Creeks, Rivers, Bays, Meadows or Upland, in the Counties aforeſaid, going towards the Enemy's Lines, or Places aforeſaid, and that ſhall have paſſed on beyond the inhabited Dwellinghouſes adjoining or neareſt to the ſame, it ſhall be deemed and conſtrued ſufficient Evidence to prove that the ſame were going to the Enemy, and ſhall be condemned accordingly. Proviſo.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That all Ox-Teams, Horſe-Teams, Cattle or Horſes, that may be drove or conveyed into the Salt-Meadows or Places beyond the aforeſaid inhabited Dwellinghouſes, in the Counties aforeſaid, where the Party driving, conveying or owning the ſame, cannot, when thereunto required, make full and ſatisfactory Proof that ſuch Team or Teams, Cattle or Horſes, did return in twenty-four Hours, ſuch Party or Owner ſhall be liable to pay any Sum not exceeding five Times the real Value of ſuch Team or Teams, to any Perſon who will proſecute the ſame to Effect, with Coſt of Suit, in any Court wherein ſuch Action may be cognizable, one Half to the Proſecutor, and the other Half to the State, which real Value ſhall be eſtimated and declared by one or more reputable Freeholders living in the Vicinity of ſuch Owner or Driver, to be choſen by the Proſecutor, or by the Court before whom the Trial ſhall be had. Teams, &c. Drivers liable to a Penalty.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That, from and after the paſſing of this Act, if any Perſon or Perſons ſhall, with Firelocks, or other Weapons of War, be found carrying or conveying, or be aiding and aſſiſting in the Conveyance thereof, of any Article or Thing prohibited by this or the before recited Act, ſuch Perſon or Perſons ſhall be declared guilty of Felony, and on Conviction thereof, ſhall ſuffer Death accordingly. Perſons aſſiſting in Arms, guilty of Felony.

6. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for any Judge of the Court of Common Pleas, on Application to him made by any Perſon on Oath, that he ſuſpects there are Articles deſigned to be conveyed to any Place in the Power or Poſſeſſion of the Enemy, concealed in any Dwellinghouſe or other Judges to grant Search-Warrants.

other Building, in any of the aforeſaid Counties or Townſhips, with Deſign to be conveyed to the Enemy, to grant a Warrant, as directed in the eighteenth Section of the before recited Act.

Mode of Trial and Condemnation.

7. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That in all Seizures made in Virtue of this or the before recited Act, the Articles ſo ſeized, together with the Perſon or Perſons in whoſe Poſſeſſion the ſame may be found, ſhall, within forty-eight Hours after ſuch Seizure, be conveyed before any Juſtice of the Peace of the County wherein ſuch Seizure is made, and the Articles valued by two diſintereſted Freeholders under Oath, and, if ſuch Valuation does not exceed the Sum of *Twelve Pounds*, the ſaid Juſtice is hereby authorized and empowered to try the ſame in Manner and Form as preſcribed in the before recited Act (that Part of the ſaid recited Act excepted which requires the ſummoning of two Juſtices to his Aſſiſtance) but in every Caſe where ſuch Valuation ſhall exceed the Sum of *Twelve Pounds*, the Proceedings thereon as to Trial, Condemnation, Sale and Forfeiture of the Offenders, ſhall be conducted in Manner and Form as directed in the before recited Act. PROVIDED ALWAYS, That in every Caſe where the Offender or Offenders ſhall be taken and ſecured, the Whole of the Monies ariſing from ſuch Condemnation and Sale, after deducting the Coſts and Charges thereof, ſhall be divided as directed in the thirteenth Section of the ſaid recited Act; but, if the Offender or Offenders ſhall not be taken and ſecured, in ſuch Caſe one Half the neat Proceeds of ſuch Sales ſhall be paid into the Hands of the County Collector for the Uſe of the State, and the other Half to the Captors as aforeſaid.

Proviſo.

Perſons releaſing may be Witneſſes.

8. AND WHEREAS the Secrecy with which this unlawful and ruinous Trade is carried on, renders it in moſt Caſes impoſſible to obtain any Proof but from the Parties concerned in the Seizure; BE IT ENACTED *by the Authority aforeſaid*, That, from and after the paſſing of this Act, any Perſon, not infamous, upon a Releaſe of Intereſt duly executed by him, and produced to the Court, ſhall, on all Trials in Conſequence of Seizures in Virtue of this or the before recited Act, be admitted as a legal Witneſs, any Law, Uſage or Cuſtom, to the contrary notwithſtanding.

Penalties on Witneſſes and Jurors, for Non-Attendance.

9. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That, from and after the paſſing of this Act, any Perſon duly ſummoned to give Teſtimony on Trials as aforeſaid, who ſhall neglect or refuſe to appear according to ſuch Summons, without a reaſonable Excuſe being alledged, ſhall be liable to pay a Fine of *Five Pounds*; and any Perſon duly ſummoned to attend as a Juror on Trials as aforeſaid, who ſhall neglect or refuſe to attend accordingly, without reaſonable excuſe alleged, ſhall be liable to pay a Fine of *Thirty Shillings*, for which Fine ſo incurred the Juſtice is hereby directed to iſſue Execution, and the ſame, when recovered, to pay into the Hands of the County Collector for the Uſe of the County.

Obſolete.

CHAP. CCCXLVI. *An* Act *to provide for the Payment of the ſeveral Officers of the Government of the State of* New-Jerſey, *to commence the eighth Day of* October, *One Thouſand Seven Hundred and Eighty-two, and to end the ſecond* Tueſday *in* October, *One Thouſand Seven Hundred and Eighty-three.*

Paſſed Dec. 24, 1782.

CHAP.

CHAP. CCCXLVII.

* *An* ACT *to enforce the Recovery of the Penalties on forfeited Recognizances, and ſuch other Debts and Forfeitures due to the State as are therein mentioned; and to authorize any Perſon to proſecute and defend his own Suit in any Court within this State, and to repeal Part of an Act therein mentioned.*

Paſſed Dec. 24, 1782.

Preamble.

WHEREAS it appears, that from Time to Time, many Perſons who have been bound by Recognizance, with Sureties for the Payment of conſiderable Sums of Money in caſe of Forfeiture, to appear in the ſeveral Courts of this State, and anſwer for Crimes with which they ſtand charged, have notwithſtanding made Default, and it appearing by the Returns from the Clerks of the ſeveral Courts, that few or none of the Penalties have been recovered or the Recognizances proſecuted to Effect, to the great Loſs and Injury of the State; Therefore,

Attorney-General, &c. to proſecute on forfeited Recognizances.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That every Perſon who hath heretofore been bound, or at any Time hereafter ſhall be bound, in any Recognizance to the State of *New-Jerſey*, or to the Commander in Chief thereof for the Time being for the Uſe of the State, with Condition for his Appearance at the Supreme Court of Judicature, or at the Court of Oyer and Terminer and General Gaol-Delivery, or the Court of Quarter-Seſſions of the Peace to be held for any County within the State, and hath not appeared, or ſhall not appear agreeably to the Condition of ſuch Recognizance, then the Attorney-General, or Attorney appointed by the Court to proſecute the Pleas of the State in his Abſence, ſhall, and he is hereby required to move ſuch Court, or the Court having Cognizance thereof, for a Writ or Writs of *Scire Facias*, agreeably to Law, and to proſecute ſuch Writs to Judgment and Execution, ſo that the Monies may be recovered for the Uſe of the State.

How puniſhed for Neglect.

2. AND BE IT FURTHER ENACTED, That if the Attorney-General, or any Attorney appointed as aforeſaid to proſecute the Pleas of this State in his Abſence, ſhall neglect or refuſe to move for ſuch Writ or Writs of *Scire Facias* in their proper Time and Place, or to proſecute the ſame to Effect, ſuch Attorney, on being thereof convicted before the Council on an Impeachment exhibited by the Houſe of Aſſembly, ſhall for ſuch his Offence be deprived of his Licenſe, and ſhall not be permitted to act as an Attorney or Solicitor in any Court of this State for the Term of one whole Year thereafter, any Law, Uſage or Cuſtom, to the contrary notwithſtanding.

Penalty for neglecting to proſecute for Debts, &c.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That if the Attorney-General of this State for the Time being ſhall refuſe, or, for three Months after receiving ſuch Return, neglect to proſecute any Perſon for any Debt, Fine or Forfeiture, due to the State, the Amount

* See Chap. XLIII. CXLIX. and CCXCI.

of which Debt, Fine or Forfeiture, has been returned to him for that Purpoſe agreeably to any Law of this State, by the Treaſurer, or by the Auditor of Accounts, and being thereof convicted as aforeſaid, ſhall, for ſuch his Neglect or Refuſal, be ſuſpended in Manner as is herein before directed.

All Perſons may proſecute or defend their own Suits.

4. AND WHEREAS Doubts have ariſen, whether any Perſon hath a Right to proſecute or to appear and defend his Suit in his own proper Perſon without the Aid of an Attorney, in the ſeveral Courts of this State, IT IS HEREBY DECLARED AND ENACTED *by the Authority aforeſaid*, That hereafter it ſhall and may be lawful for any Perſon to appear in any Court within this State, and proſecute or defend his Suit, accept of, or file a Declaration or Plea, to plead and be impleaded, and generally to do any other Matter or Thing which a licenſed Attorney of Right is entitled to do, any Law, Uſage or Cuſtom, to the contrary notwithſtanding. PROVIDED ALWAYS, That ſuch Perſon and Proceedings ſhall be regulated by, and be under the Control of the Court.

Proviſo.

Section of former Act repealed.

5. WHEREAS the ſixth Section of the Act, intitled, * *An Act for the more eaſy and expeditious Recovery of Penalties on forfeited Recognizances, and for the Appropriation of the Monies ariſing from the ſame, and from Fines and Amercements, and for other Purpoſes therein mentioned*, paſſed *September* the twenty-ſecond, One Thouſand Seven Hundred and Seventy-ſeven, directing Compenſation to be made to every Sheriff for ſummoning Grand and Petit Jurors, to appear at any Court of Oyer and Terminer, and General Gaol-Delivery, is now unneceſſary; BE IT THEREFORE ENACTED, That the ſaid ſixth Section in the ſaid recited Act, and every Clauſe, Matter and Thing therein contained, ſhall be, and the ſame is hereby repealed.

CHAP. CCCXLVIII.

An ACT *to explain an Act, intitled,* † *An Act for making Compenſation to the Troops of this State, in the Service of the United States, for the Depreciation of their Pay.*

Paſſed Dec. 26, 1782.

Preamble.

WHEREAS great Abuſes may be committed by Officers acting under the Authority of this State, who receive the publick Money in Conſequence of their reſpective Appointments in Truſt for the Uſe of the State, and when called on to ſettle and pay the ſame, or the Balances that may remain in their Hands into the Treaſury, or to ſuch Perſons as may be properly authorized to receive the ſame, by making Payment in Notes given under the Directions of the Act which this Act is deſigned to explain, notwithſtanding they have received the ſaid Monies in Gold or Silver; and as the ſaid Abuſes tend to the Injury of the State, for Remedy whereof,

Mode of endorſing Notes.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the paſſing of this Act, every publick Officer whatſoever who ſhall

* Chap. XLIII. † Chap. CCXL. ſee alſo Chap. CCCIX.

ſhall receive the ſaid Notes in Payment of any publick Debt, to paſs forward the ſame in Payment to the Treaſurer of this State, ſhall previous thereto have them regularly endorſed over to ſuch Officer, in which Endorſement ſhall be expreſſed the Time when, and the Name of the Perſon to whom endorſed, together with the Purpoſes for which ſaid Note or Notes were paid into ſuch Officer's Hands; and the Treaſurer of the State for the Time being, upon Receipt thereof, is hereby authorized and required to adminiſter the following Oath:

Qualification.

I DO ſolemnly ſwear, (or if a Quaker affirm) *that the Note or Notes* (as the Caſe may be) *now tendered in Payment, were by me received* bona fide *and without Colluſion, agreeably as is expreſſed in the, or their ſeveral Endorſements.*

Officers, in what Money to pay Balances.

2. AND BE IT FURTHER ENACTED, That every Officer, who heretofore has, or hereafter may, draw any Sum of Money from the Treaſury, in Truſt, for the Purpoſes expreſſed in the Law, whereby he was appointed, and who hath not expended the Whole agreeably to ſuch Law, ſhall repay the Balance remaining in his Hands unexpended, in that Species of Money only (Continental Money excepted) in which ſuch Draught was made, any Thing in any former Act to the contrary notwithſtanding.

Obſolete.

CHAP. CCCXLIX. *An* Act *for defraying ſundry Incidental Charges.*

Paſſed Dec. 26, 1782.

At a GENERAL ASSEMBLY held at Burlington, from the fifteenth Day of May, to the nineteenth Day of June, 1783, the following Laws were paſſed.

SESSION SEVENTH—SITTING SECOND.

CHAP. CCCL.

An ACT *to ratify and confirm an Agreement made between Commiſſioners appointed by the Legiſlature of the State of* Pennſylvania, *and Commiſſioners appointed by the Legiſlature of the State of* New-Jerſey, *for the Purpoſe of ſettling the Juriſdiction of the River* Delaware, *and Iſlands within the ſame.*

Paſſed May 27, 1783.

Preamble.

WHEREAS Commiſſioners duly appointed on the Part of the State of *Pennſylvania*, and * Commiſſioners duly appointed on the Part of the State of *New-Jerſey*, for the Purpoſe of ſettling the Juriſdiction

* The Commiſſioners on the Part of *New-Jerſey* were appointed by Reſolution of both Branches of the Legiſlature.

Juriſdiction of the River *Delaware* and Iſlands within the ſame, have executed two Inſtruments of an Agreement for the Purpoſes aforeſaid, one for each State, which Agreement is contained in the following Words:

Agreement.

AN Agreement made and concluded between *George Bryan*, *George Gray*, and *William Bingham*, Commiſſioners appointed by the Legiſlature of the State of *Pennſylvania*, for ſettling the Juriſdiction of the River *Delaware*, and Iſlands within the ſame; and *Abraham Clark*, *Joſeph Cooper* and *Thomas Henderſon*, Commiſſioners appointed by the Legiſlature of the State of *New-Jerſey*, for the like Purpoſe.

WHEREAS Inconveniencies and Miſchiefs have ariſen, and may hereafter ariſe from the Uncertainty of Juriſdiction within and on the River *Delaware*; therefore to prevent the ſame, and in order that Law and Juſtice may hereafter in all Caſes be executed and take Effect within and upon the ſaid River from Shore to Shore in all Parts and Places thereof where the ſame River is the Boundary between the ſaid States, the ſaid Commiſſioners do agree and eſtabliſh for and in Behalf of their reſpective States in Manner following; *that is to ſay*,

FIRST. It is declared that the River *Delaware* from the Station-Point or northweſt Corner of *New-Jerſey*, northerly, to the Place upon the ſaid River where the circular Boundary of the State of *Delaware* toucheth upon the ſame in the whole Length and Breadth thereof, is and ſhall continue to be and remain a common Highway, equally free and open for the Uſe, Benefit and Advantage, of the ſaid contracting Parties. PROVIDED NEVERTHELESS, That each of the Legiſlatures of ſaid States ſhall hold and exerciſe the Right of regulating and guarding the Fiſheries on the ſaid River *Delaware*, annexed to their reſpective Shores in ſuch Manner that the ſaid Fiſheries may not be unneceſſarily interrupted during the Seaſon for catching Shad, by Veſſels riding at Anchor on the Fiſhing-Ground, or by Perſons fiſhing under Claim of a common Right on ſaid River.

SECONDLY. That each State ſhall enjoy and exerciſe a concurrent Juriſdiction within and upon the Water, and not upon the dry Land between the Shores of ſaid River, but in ſuch Sort, nevertheleſs, that every Ship and other Veſſel while riding at Anchor before any City or Town in either State where ſhe hath laſt laded or unladed, or where it is intended ſhe ſhall firſt thereafter either lade or unlade, ſhall be conſidered excluſively within the Juriſdiction of ſuch State; and every Veſſel faſtened to or aground on the Shore of either State, ſhall in like Manner be conſidered excluſively within the Juriſdiction of ſuch State; but, that all capital and other Offences, Treſpaſſes or Damages, committed on ſaid River, the juridical Inveſtigation and Determination thereof ſhall be excluſively veſted in the State wherein the Offender or Perſon charged with ſuch Offence ſhall be firſt apprehended, arreſted or proſecuted.

THIRDLY. That all Iſlands, Eylots and dry Land within the Bed, and between the Shores of the ſaid River, and between the ſaid Station-Point, northerly, and the Falls of *Trenton*, ſoutherly, ſhall, as to Juriſdiction, be hereafter deemed and conſidered as Parts and Parcels of the

State

State to which ſuch inſulated dry Land doth lie neareſt at the Time of making and executing this Agreement, and that from ſaid Falls of *Trenton* to the State of *Delaware*, ſoutherly, *Biles*'s Iſland near *Trenton*, *Windmill* Iſland oppoſite to *Philadelphia*, *League* Iſland, *Mud* or *Fort* Iſland, *Hog* Iſland and *Little Tinnicum* Iſlands, ſhall be annexed to the State of *Pennſylvania*, and conſidered as Parts and Parcels thereof; and that *Biddle*'s or *Newbold*'s Iſland, *Burlington* Iſland, *Petty*'s Iſlands, *Redbank* Iſland, *Harmanus Helm*'s Iſland, *Cheſter* Iſland and *Shiverſe*'s Iſland, ſhall be annexed to the State of *New-Jerſey*, and conſidered as Parts and Parcels thereof; and that all other Iſlands within ſaid River, between the Falls of *Trenton* and the State of *Delaware*, which are not herein before particularly enumerated, ſhall be hereafter deemed and conſidered as Parts and Parcels of the State to which ſuch Iſland doth lie neareſt at the Date hereof; and that all Iſlands which may hereafter be formed within the ſaid River, ſhall be claſſed and annexed to the Juriſdiction of either State according to the ſame Principle.

FOURTHLY. That this preſent Agreement, and every Article and Clauſe therein contained, ſhall be ſuſpended and take no Effect until each of the Legiſlatures of the State of *Pennſylvania* and *New-Jerſey* reſpectively ſhall have paſſed Laws approving of and ratifying the ſame; which being done, the ſaid Agreement ſhall then be conſidered as a Joint-Compact between the ſaid States, and the Citizens thereof reſpectively, and be forever thereafter irrevocable by either of the ſaid contracting States, without the Concurrence of the other. In Witneſs whereof we, the Commiſſioners of the aforeſaid States, have ſet our Hands and Seals to two Inſtruments of the Agreement, one for each State, dated this twenty-ſixth Day of *April*, *Anno Domini*, One Thouſand Seven Hundred and Eighty-three.

ABRAHAM CLARK,	(L. S.)	GEORGE BRYAN,	(L. S.)
JOSEPH COOPER,	(L. S.)	GEORGE GRAY,	(L. S.)
THOMAS HENDERSON,	(L. S.)	WM. BINGHAM,	(L. S.)

THEREFORE,

BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the aforeſaid Agreement, and every Article, Clauſe, Matter and Thing therein contained, ſhall be, and the ſame is hereby fully and amply ratified and confirmed, and ſhall be and ever hereafter remain in Force, agreeably to the true Tenor and Extent thereof. Enacting Clauſe.

CHAP. CCCLI.

An ACT *for the Promotion and Encouragement of Literature.*

Paſſed May 27, 1783.

WHEREAS Learning tends to the Embelliſhment of Human Nature, the Honour of the Nation, and the general Good of Mankind; and as it is perfectly agreeable to the Principles of Equity, that Men of Learning who devote their Time and Talents to the preparing Treatiſes for Publication, ſhould have the Profits that may ariſe from the Sale of their Works ſecured to them, therefore, Preamble.

Authors to have an excluſive Right to the Sale of their own Works, for 14 Years.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Author of any Book or Pamphlet not yet printed, being an Inhabitant or Reſident in the United States of *America*, and his Heirs and Aſſigns, ſhall have the excluſive Right of printing, publiſhing and vending, the ſame within this State, for the Term of fourteen Years, to commence from the Day of its firſt Publication in this State; and if any Perſon or Perſons within ſaid Term of fourteen Years as aforeſaid, ſhall preſume to print any ſuch Book or Pamphlet within this State, or to introduce into this State for Sale, any Copies of ſuch Book or Pamphlet printed beyond the Limits of this State, or ſhall knowingly publiſh, vend, utter or diſtribute, the ſame without the Conſent of the Author or Proprietor thereof in Writing, duly atteſted, every ſuch Perſon or Perſons ſhall forfeit and pay to the Author or Proprietor of ſuch Book or Pamphlet, double the Value of all the Copies of ſuch Book or Pamphlet ſo printed, introduced, diſtributed, vended or expoſed for Sale, to be recovered by ſuch Author or Proprietor in any Court of this State where the ſame may be cognizable. PROVIDED NEVERTHELESS, That no Author, Aſſignee or Proprietor, of any ſuch Book or Pamphlet, ſhall be entitled to the Benefit of this Act, until he ſhall duly regiſter his Name as Author, Aſſignee or Proprietor, with the Title of ſuch Book or Pamphlet in the Secretary's Office of this State, who is hereby required to enter the ſame on Record.

Proviſo.

At the End of which Term, the Right to return to the Author if living.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That, at the Expiration of ſaid Term of fourteen Years, in the Caſes herein before mentioned, the excluſive Right of printing and diſpoſing of any ſuch Book or Pamphlet in this State, ſhall return to the Author thereof, if then living, his Heirs and Aſſigns, for the Term of fourteen Years more; and that all and every Perſon or Perſons who ſhall re-print, import, vend, utter or diſtribute in this State, any Copies thereof without the Conſent of ſuch Author or Proprietor obtained as aforeſaid, during ſaid ſecond Term of fourteen Years, ſhall be liable to the ſame Penalties, to be recovered in the ſame Manner as is herein before directed.

CHAP. CCCLII.

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

Paſſed June 9, 1783.

Preamble.

WHEREAS the Inhabitants of the Townſhip of *Newton* have, by Petition, ſet forth, that they apprehend it would be more equitable than the preſent Mode preſcribed by Law to repair their publick Highways by Hire, as well as be a Means of having that publick Service better attended to, and prayed a Law to enable the ſaid Townſhip to raiſe Money and apply it to that Purpoſe; Therefore,

Mode of repairing Highways.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That all publick

publick Roads or Highways now laid out, or hereafter to be laid out, within the ſaid Townſhip, ſhall be repaired, amended, cleared out and kept in good Order by Hire; for which Purpoſe a Rate and Aſſeſſment ſhall be made from Time to Time upon the Inhabitants thereof, as Occaſion may require, in the ſame Manner and in the ſame Proportion with the Poor Taxes to be raiſed; and the Inhabitants of ſaid Townſhip, at their Town-Meetings on the ſecond *Tueſday* of *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, and ſhall make an Order in Writing, ſigned by their Clerk, directed to the Aſſeſſor of ſaid Townſhip, ſetting forth the Sum to be raiſed, and a limited Time within which he ſhall aſſeſs the Inhabitants, and deliver a Duplicate to the Collector.

Overſeers, their Duty, &c.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Overſeers of the Highways in the ſaid Townſhip, choſen by Virtue of an Act, intitled, * *An* Act *for regulating Roads and Bridges*, ſhall, within ten Days after they are ſo choſen, repair to a Magiſtrate of the County, and take an Oath or Affirmation for the faithful Performance of their Offices, and when ſo qualified, ſhall have Power to hire Labourers to repair the Highways whenever it ſhall become neceſſary within their Diſtricts or Allotments; 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 on them by this Act, he or they, ſo neglecting or refuſing, ſhall ſuffer the ſame Pains and Penalties as is directed in the before recited Act for a Breach of Duty; and the ſaid Overſeers ſhall ſettle their Accounts before any one Juſtice of the ſaid County, and the two choſen Freeholders of ſaid Townſhip, and the ſaid Accounts being ſigned by any two of them, ſhall be a ſufficient Settlement of the ſame; and they ſhall retain *Five Shillings* per Day for every Day they have neceſſarily ſpent in the Diſcharge of their Office, and ſhall pay the Money remaining, if any be in their Hands, to their Succeſſors, and on Neglect or Refuſal to pay ſuch Remainder as aforeſaid, their Succeſſors ſhall ſue for and recover the ſame by Action of Debt in any Court of Record where the ſame may be cognizable, with Coſts of Suit.

Aſſeſſor and Collector, their Duty, &c.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Aſſeſſor and Collector, 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 Collector, within thirty Days after receiving the Duplicate or Aſſeſſment, ſhall collect and pay the Money therein aſſeſſed to the Overſeers of the Highways of ſaid Townſhip, or one of them, to be applied to the Purpoſes aforeſaid; and the ſaid Aſſeſſor and Collector ſhall proceed againſt all Delinquents who may neglect or refuſe to give a true Account of their rateable Eſtates, or pay their Taxes in the Manner as is directed by the ſinking Fund Acts, and ſhall alſo receive the ſame Rewards for the Performance, and ſuffer the ſame Pains and Penalties for the Neglect of the Duties herein required as by ſaid Acts are directed.

4. AND

* *Allinſon*, Chap. DLXXXIX.

Inhabitants, neglecting, &c. to raiſe Money, Mode of procuring it.

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

This Act, when to take Effect—and its Continuance.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That this Act ſhall take Effect on the firſt Day of *March*, which will be in the Year One Thouſand Seven Hundred and Eighty-four, and continue in Force for three Years, and from thence to the End of the next Sitting of the General Aſſembly, and no longer.

CHAP. CCCLIII.

Obſolete.

An ACT *to raiſe the Sum of* Ninety Thouſand Nine Hundred and Thirty Pounds, *in the State of* New-Jerſey, *for the Exigencies of the Year One Thouſand Seven Hundred and Eighty-three, and for other Purpoſes therein mentioned.*

Paſſed June 9, 1783.

This Act is obſolete, except the 26th Section.

26. AND BE IT FURTHER ENACTED, That if it ſhall appear on the next Settlement of the Quotas of the ſeveral Counties, by a more clear and complete Account of the ſeveral Perſons, Articles and Things, made rateable therein, that the Quota of any County, as laid in this Act, is greater than its juſt Proportion, the Surplus ſhall be credited to ſuch County in the Settlement of its next Quota.

Private.

CHAP. CCCLIV. *An* Act *to enable* Jacob Fries, *ſurviving Executor of the Laſt Will and Teſtament of* John Jarman, *deceaſed, to fulfil the Purpoſes of the ſaid Will.*

Paſſed June 11, 1783.

Private.

CHAP. CCCLV. *An* Act *to diſſolve the Marriage of* Aaron Chew, *with* Elizabeth *his Wife.*

Paſſed June 11, 1783.

Private.

CHAP. CCCLVI. *An* Act *to confirm the Charter of the Reformed Proteſtant* Dutch *Church of* New-Shannick, *in* Hillſborough, *in the County of* Somerſet.

Paſſed June 11, 1783.

CHAP.

CHAP. CCCLVII. *An* Act *for incorporating ſundry Perſons as Truſtees of the* Preſbyterian *Congregation at* Fairfield, *in the County of* Cumberland. Private.

Paſſed June 11, 1783.

CHAP. CCCLVIII.

An ACT *to authorize the United States in Congreſs aſſembled, to levy a Duty on certain Goods and Merchandize imported into this State, from any foreign Port, Iſland or Plantation, and for the Appropriation of the ſame.*

Paſſed June 11, 1783.

Preamble.

WHEREAS the Congreſs of the United States, by their Act, bearing Date the eighteenth Day of *April*, in the Year of our Lord One Thouſand Seven Hundred and Eighty-three, did reſolve, that it be recommended to the ſeveral States, as indiſpenſably neceſſary to the Reſtoration of publick Credit, and to the punctual and honourable Diſcharge of the publick Debts, to inveſt the United States in Congreſs aſſembled with a Power to levy, for the Uſe of the United States, the following Duties upon Goods imported into the ſaid States, from any foreign Port, Iſland or Plantation, *videlicet*, upon all Rum of *Jamaica* Proof per Gallon, Four Ninetieths of a *Dollar*; upon all other ſpirituous Liquors per Gallon, Three Ninetieths of a *Dollar*; upon *Madeira* Wine per Gallon, Twelve Ninetieths of a *Dollar*; upon all other Wines, Six Ninetieths of a *Dollar*; upon common Bohea Tea per Pound, Six Ninetieths of a *Dollar*; upon all other Teas per Pound, Twenty-four Ninetieths of a *Dollar*; upon Pepper per Pound, Three Ninetieths of a *Dollar*; upon brown Sugar per Pound, Half a Ninetieth of a *Dollar*; upon Loaf Sugar per Pound, Two Ninetieths of a *Dollar*; upon all other Sugars per Pound, One Ninetieth of a *Dollar*; upon Molaſſes per Gallon, One Ninetieth of a *Dollar*; upon Cocoa and Coffee per Pound, One Ninetieth of a *Dollar*; upon all other Goods a Duty of *Five per Centum* * *ad Valorem* at the Time and Place of Importation: And the Legiſlature of this State, deſirous of adopting a Mode of Revenue, which preſerves ſo juſt a Meaſure to the Abilities of Individuals, promotes Frugality, and taxes Extravagance,

United States to levy Duties on certain Articles.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the United States in Congreſs aſſembled ſhall be, and they are hereby fully authorized and empowered, at any Time after the paſſing of this Act, to levy, for the Uſe of the United States, the following Duties upon Goods imported into this State, from any foreign Port, Iſland or Plantation, *that is to ſay*, upon all Rum of *Jamaica* Proof per Gallon, Four Ninetieths of a *Dollar*; upon all other ſpirituous Liquors per Gallon, Three Ninetieths of a *Dollar*; upon *Madeira* Wine per Gallon, Twelve Ninetieths of a *Dollar*; upon all other Wines per Gallon, Six Ninetieths of a *Dollar*; upon common Bohea Tea per Pound, Six Ninetieths of a *Dollar*; upon all other Teas per Pound, Twenty-four Ninetieths of a *Dollar*; upon Pepper per Pound, Three

* At or on the Value.

Ninetieths of a *Dollar*; upon brown Sugar per Pound, Half a Ninetieth of a *Dollar*; upon Loaf Sugar per Pound, Two Ninetieths of a *Dollar*; upon all other Sugars per Pound, One Ninetieth of a *Dollar*; upon Molaſſes per Gallon, One Ninetieth of a *Dollar*; upon Cocoa and Coffee per Pound, One Ninetieth of a *Dollar*; upon all other Goods a Duty of *Five per Centum ad Valorem* at the Time and Place of Importation. PROVIDED ALWAYS, That none of the ſaid Duties ſhall be applied to any other Purpoſe than the Diſcharge of the Intereſt or Principal of the Debts contracted on the Faith of the United States, for ſupporting the War, agreeably to the Reſolution of Congreſs of the ſixteenth Day of *December* laſt: AND PROVIDED ALSO, That this Duty ſhall not be continued for a longer Term, than twenty-five Years, to commence from the Time of its Operation.

Proviſo.

Collector, by whom to be appointed, &c.

2. AND BE IT HEREBY ENACTED *by the Authority aforeſaid*, That the Council and Aſſembly in Joint-Meeting, ſhall appoint a Collector of the ſaid Duties within this State, and when ſo appointed, he ſhall be and hereby is made amenable to, and removable by, the United States in Congreſs aſſembled only.

All the Ports in this State declared free.

3. AND WHEREAS Congreſs, by their Act of the eighteenth of *April* aforeſaid, did reſolve, that the Importations and Duties to be laid in Virtue of the Powers given them by this Act, ſhall not take Effect until each of the States in the Union ſhall have acceded to the Meaſure: And the Legiſlature deſirous of giving, in the Mean-Time, the fulleſt Encouragement to Trade andCommerce within this State, BE IT THEREFORE FURTHER ENACTED *by the Authority aforeſaid*, That in the Mean-Time all the Ports in this State be, and they are hereby declared free and open for the Importation and Exportation of any Goods, Wares or Merchandize whatſoever, clear of all Duties, Cuſtoms or Impoſitions, of any Species or Denomination. PROVIDED ALWAYS, That Nothing herein contained ſhall be taken or conſtrued to alter or affect the Act, intitled, * *An* Act *impoſing a Duty on Perſons convicted of heinous Crimes, and to prevent poor and impotent Perſons being imported into this Province of* New-Jerſey, *and for Amendment of the Law relating to Servants*, paſſed the eighth Day of *July*, in the Year of our Lord Seventeen Hundred and Thirty; or the Act, intitled, † *An* Act *for laying a Duty on the Purchaſers of Slaves imported into this Colony*, paſſed the ſixteenth Day of *November*, in the Year of our Lord Seventeen Hundred and Sixty-nine.

Proviſo.

Act repealed.

4. AND BE IT FURTHER ENACTED, That the Act, intitled, ‡ *An* Act *to enable the Congreſs of the United States to levy Duties of* Five per Centum ad Valorem *on certain Goods and Merchandize imported into this State, and on Prize-Goods, and for appropriating the ſame*, paſſed the ſecond Day of *June*, in the Year One Thouſand Seven Hundred and Eighty-one, ſhall be, and the ſame hereby is repealed.

Private.

CHAP. CCCLIX. *An* Act *to releaſe* § Abraham Hendricks *from the Payment of a Sum of publick Money taken by Robbers.*

Paſſed June 11, 1783.

CHAP.

* *Allinſon*, Chap. CXXXVI. † Ditto, Chap. CCCCXCIV. ‡ Chap. CCLII. of this Collection.
§ Collector of the Townſhip of *Upper Freehold*, in the County of *Monmouth*.

CHAP. CCCLX. *An* Act *for incorporating ſundry Perſons as Truſtees of the ſecond* Preſbyterian *Church in* Newark. Private.

Paſſed June 11, 1783.

CHAP. CCCLXI.

An ACT *more effectually to prevent the Waſte of Timber in this State, and to repeal the former Act for that Purpoſe.*

Paſſed June 13, 1783.

WHEREAS the Laws heretofore made for the Purpoſe of preventing the Waſte of Timber, Pine and Cedar-Trees, and Poles, within this State, have been found on Experience inſufficient to anſwer the good Purpoſes intended; for Remedy of which for the Future, Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That if any Perſon or Perſons whatſoever ſhall, at any Time hereafter, cut, fell, work up, carry away, box, bore or deſtroy, any Tree, Sapling or Pole, ſtanding or lying on any Land within this State, 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, felled, worked up, carried away, boxed, bored or deſtroyed, as aforeſaid, the Sum of *Three Pounds*, 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, felling, working up, carrying away, boxing, boring or deſtroying of any ſuch Tree, Sapling or Pole; and that, whenever any Perſon or Perſons within this State, ſhall be ſued or proſecuted before any Juſtice of the Peace within the ſame, it ſhall and may be lawful for ſuch Juſtice of the Peace to proceed whenever the Penalty demanded ſhall not exceed *Twelve Pounds*, 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, felled, worked up, boxed, bored, deſtroyed or carried away, 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 double the Sum ſo demanded, with a Sufficiency for Coſts of Suit, conditioned for his, her or their Appearance at the next Court, where the ſame may be cognizable 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. Perſons deſtroying Trees, &c. what to forfeit. Mode of Proſecution.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Perſon or Perſons ſhall ſaw any Log or Logs ſo ſtolen, knowing them to be ſuch, each and every Perſon ſo offending ſhall, on Conviction, pay the Sum of *Three Pounds*, for every Log ſo ſawed, to be recovered in any Court where the ſame may be cognizable, with Coſt Perſons ſawing ſtolen Logs, what to forfeit.

of

of Suit, one Half to the Perſon who ſhall proſecute the ſame to Effect, and the other Half to the Owner or Owners of the Land from whence ſaid Logs were ſtolen.

Perſons not affected by this Act.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, 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 State, 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.

Nor to prevent Trees from being uſed for repairing Highways.

4. AND BE IT FURTHER ENACTED, That Nothing in this Act ſhall be conſtrued or taken to extend to prohibit the cutting, felling or carrying away, any Wood or Timber within the Bounds or Limits of the Highways within this State, for making and repairing of Bridges and Highways; any Thing in this Act to the contrary in anywiſe notwithſtanding.

Act repealed.

5. AND BE IT FURTHER ENACTED, That the Act, intitled, * *An Act to prevent 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*, paſſed *March* the eleventh, in the Year of our Lord One Thouſand Seven Hundred and Thirteen-Fourteen, be, and the ſame is hereby repealed.

Private.

CHAP. CCCLXII. *An Act for remedying certain Defects in the Teſtament and Laſt Will of* Thomas Shreve, *late of the County of* Salem, *deceaſed, and to eſtabliſh and confirm the ſaid Teſtament and Laſt Will.*

Paſſed June 14, 1783.

CHAP. CCCLXIII.

An ACT *for altering the Place of holding the Inferior Court of Common Pleas, and Court of General Quarter-Seſſions of the Peace, in and for the County of* Bergen.

Paſſed June 16, 1783.

Preamble.

WHEREAS the new Gaol, near the Pond Church, in the Townſhip of *Franklin*, in ſaid County, lately appointed by Law for holding the Inferior Court of Common-Pleas, and Court of General Quarter-Seſſions of the Peace, in the County of *Bergen*, hath become inconvenient by Reaſon of its Diſtance from the central Part of ſaid County; Therefore,

Courts, where to be held.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after *July* next, the ſaid Courts ſhall be opened and held at the Houſe

* *Allinſon*, Chap. XXXVIII.

Houſe of *Archibald Campbell* in *Hackinſack*, in the Precinct of *New-Barbados*, in ſaid County, at the Times appointed by Ordinance for holding the ſame; and that all Writs, and every Proceſs whatſoever, returnable to either of the ſaid Courts, at the new Gaol, near *Pond* Church, in ſaid County, ſhall be returned to the ſaid Courts reſpectively, at the Place aforeſaid, any Law, Uſage or Ordinance, to the contrary in anywiſe notwithſtanding.

2. BE IT ENACTED *by the Authority aforeſaid*, That, from and after the firſt Day of *Auguſt* next, the firſt Section of the Act, intitled, * *An Act for altering the Place of holding the Inferior Court of Common-Pleas, and Court of General Quarter-Seſſions of the Peace, in and for the County of* Bergen, paſſed the twenty-fifth Day of *June*, One Thouſand Seven Hundred and Eighty-one, ſhall be, and the ſame is hereby repealed. Section of an Act repealed.

CHAP. CCCLXIV. *An Act to releaſe* † Thomas Fenimore *from the Payment of a Sum of publick Money taken by Robbers.* Private.

Paſſed June 16, 1783.

CHAP. CCCLXV. *An Act to enable* Ephraim Martin, *Eſquire, to recover certain Monies from ſundry 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, *and for other Purpoſes therein mentioned.* Private.

Paſſed June 16, 1783.

CHAP. CCCLXVI.

An ACT *to authorize the Delegates repreſenting this State, in the Congreſs of the United States, to ratify an Alteration in one of the* ‡ *Articles of the Confederation.*

Paſſed June 17, 1783.

WHEREAS it has been recommended by Congreſs to the ſeveral States in Union, to authorize their reſpective Delegates to ſubſcribe and ratify an Alteration in the eighth of the Articles of Confederation and Perpetual Union; and as the Reaſons urged by Congreſs appear to make the Alteration recommended neceſſary; Therefore, Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That ſo much of the eighth of the Articles of Confederation and Perpetual Union between the Thirteen States of *America* as is contained in the Words following, *to wit*, 'All Charges of War, and all other Expences that 'ſhall be incurred for the common Defence or general Welfare, and 'allowed by the United States in Congreſs aſſembled, ſhall be defrayed 'out of a common Treaſury, which ſhall be ſupplied by the ſeveral 'States, in Proportion to the Value of all Land within each State granted 'to or ſurveyed for any Perſon, as ſuch Land and the Buildings and Part of the eighth Article revoked.

* Chap. CCLXVI. † Collector of the County of *Burlington*.
‡ For theſe Articles ſee Appendix, No. 11.

'Improvements thereon ſhall be eſtimated according to ſuch Mode as the 'United States in Congreſs aſſembled ſhall from Time to Time direct 'and appoint,' ſhall be, and the ſame is hereby revoked and made void, ſo far as the ſame extended to this State.

Words ſubſtituted.

2. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for the Delegates repreſenting this State in the Congreſs of the United States, and they are hereby required to ſubſcribe and ratify the following as Part of the ſaid Inſtrument of Union, and in Place of the Part revoked and made void, as aforeſaid, *to wit*, 'That all Charges of 'War, and all other Expences that have been, or ſhall be incurred for 'the common Defence or general Welfare, and allowed by the United 'States in Congreſs aſſembled, except ſo far as ſhall be otherwiſe pro-'vided for, ſhall be defrayed out of a common Treaſury, which ſhall 'be ſupplied by the ſeveral States in Proportion to the whole Number 'of White and other free Citizens and Inhabitants of every Age, Sex 'and Condition, including thoſe bound to Servitude for a Term of 'Years, and three-fifths of all other Perſons not comprehended in the 'foregoing Deſcription, except Indians not paying Taxes in each State;' which ſaid Alteration, when ſo ſubſcribed and ratified, ſhall be deemed and held to be as ſufficient and valid for the Purpoſes therein mentioned, as the Part herein before revoked and made void, was or ought to have been before the Revocation and Diſannulling thereof.

CHAP. CCCLXVII.

An ACT *to veſt the Profits of the Ferry from* Burlington *to* Briſtol, *in the Inhabitants of the Town of* Burlington; *and to prevent Horſes running at large on the Commons of the ſaid Town.*

Paſſed June 17, 1783.

Preamble.

WHEREAS the Inhabitants of the Town of *Burlington*, by their humble Petition, have ſet forth their ancient Claim to the Profits ariſing by the Ferry from the Town of *Burlington* to *Briſtol*, in *Pennſylvania*, which they have been deprived of by the late Governor *Franklin*, granting the ſaid Ferry to one *Adam Shepperd*, his Coachman, who hath ever ſince refuſed to account with ſaid Town for the Profits thereof;

Ferry, by whom to be let, and Money how to be applied.

Sect. 1. THEREFORE BE IT ENACTED *by the Council and General Aſſembly of this State, 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 Juſtices of the Peace reſiding in the ſaid Town, or one of them, together with the choſen Freeholders and Overſeers of the Poor, for the Time being, and their Succeſſors, to let out the ſaid Ferry at all Times hereafter, the Rents and Profits thereof to be applied towards the Support of the Poor of the ſaid Town.

By whom to be managed.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the ſaid Ferry ſhall be kept and managed by ſuch Perſon or Perſons as the ſaid Juſtices, Freeholders and Overſeers of the Poor, ſhall from Time to Time appoint; and that ſuch Ferryman or Ferrymen ſo appointed,

pointed, and no other, ſhall and may demand and have the Fees or Ferriages following, *to wit*,

Rate of Ferriage.

For every ſingle Perſon carried over the ſaid Ferry, *Six-pence*; if above one Perſon, *Four-pence* for each.

For each Perſon with a Horſe, *One Shilling and Three-pence.*

For every Ox, Cow, Steer or Heifer, *One Shilling.*

For every Sheep, Calf or Hog, *Three-pence.*

For every Pipe or Hogſhead of Liquor or Molaſſes, *Two Shillings and Three-pence.*

Barrels of Liquor, *Six-pence* each.

Barrels of Beef, Pork or Fiſh, *Six-pence.*

Barrels of Flour, *Three-pence.*

All Kind of Wheel Carriages and two Horſe Teams, Paſſengers included, *One Shilling* per Wheel; and for every Horſe over and above, *Nine-pence.*

Carcaſſes of Beef at *Three-pence* per Quarter.

Carcaſſes of Mutton and Veal, *One Penny* per Quarter.

Flour or Pork, per Hundred Weight, *Two-pence.*

Grain of any Kind, *One Penny* per Buſhel.

Good Boats to be kept, &c.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the Ferryman ſo appointed ſhall keep good and ſufficient Boats for carrying Men, Horſes and Cattle, and ſhall well and duly attend the Service of the ſaid Ferry at all Times, on the Terms aforeſaid, under the Penalty of *Twenty Shillings* for every ſuch Default, to be recovered by Action of Debt before any Juſtice of the Peace within the County of *Burlington*; the one Half of which Penalties ſhall be applied to the Repairs of the Town-Wharf, and the other to the Perſon who ſhall ſue for the ſame. PROVIDED ALWAYS, That it ſhall and may be lawful for the Ferryman to take and receive double Fees for Ferriages between the Hours of Nine of the Clock in the Evening and Day-light in the Morning, and alſo when the ſaid Ferry is ſo much obſtructed by the Ice as to make it neceſſary to employ a double Number of Ferrymen.

Forfeiture.

Other Perſons ferrying for Fee, what to forfeit.

4. AND BE IT ENACTED *by the Authority aforeſaid*, That every Perſon who ſhall ferry over for Fee or Reward any Perſon or Perſons, Horſes, Cattle, Sheep, Hogs, Goods or Merchandizes, from the ſaid Town of *Burlington* to *Briſtol*, without the Conſent of the Ferryman appointed as aforeſaid, ſhall forfeit and pay the Sum of *Twenty Shillings* for every ſuch Offence, to be recovered by the Ferryman appointed as aforeſaid, before any Juſtice of the Peace of the County of *Burlington*; the one Half of which Forfeitures ſhall be applied to the Repairs of the Town-Wharf, and the other Moiety to the ſaid Ferryman.

Horſes running at large on the Commons to be impounded.

5. BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Clerk of the Market, who is hereby enjoined and required for the preſent, and for ſuch other Perſon as the Inhabitants of the Town of *Burlington* ſhall elect, at their annual Town-Meeting, on the ſecond *Tueſday* in *March*, to take up all ſuch Horſes, Mares or Geldings, that he ſhall find running at large on the Commons of the ſaid Town, within the Iſland, between the firſt Day of *April* and the firſt Day of *November* yearly, and them impound in his own Yard, for which he ſhall be entitled to receive of the

Owner

Owner the Sum of *Six-pence* for the firſt Offence, and for all other Times that he ſhall find the ſaid Horſe, Mare or Gelding, on the Commons aforeſaid, between the Times aforeſaid, it ſhall and may be lawful to demand and receive of the Owner the Sum of *Five Shillings*, which, on Neglect or Refuſal of Payment, when demanded, may be ſued for, before any Juſtice of the Peace within the ſaid County of *Burlington*, and give this Act in Evidence, which Juſtice is hereby enjoined and required to hear and determine the ſame. PROVIDED ALWAYS, That if any Defendant ſhall make it appear to the Satisfaction of ſuch Juſtice that his Horſe, Mare or Gelding, got out by Accident, the Penalty above mentioned ſhall be remitted, any Thing herein contained to the contrary in anywiſe notwithſtanding: AND PROVIDED ALSO, That when any Horſe, Mare or Gelding, ſhall be taken up, the Owner whereof being not to be found, the ſaid Clerk of the Market, or ſuch other Perſon as aforeſaid, ſhall advertiſe the ſame in five of the moſt publick Places in the County of *Burlington*, deſcribing the Colour and Marks, natural and artificial, for which he ſhall be entitled to receive of the Owner the Expence of keeping and advertiſing; and if no Owner ſhall appear before the firſt Day of *November*, the ſaid Clerk, or other Perſon as aforeſaid, ſhall give Notice to the Clerk of the Town, who ſhall enter the ſame as an Eſtray.

Fees.

Proviſo.

Penalty for Neglect of Duty.

6. AND BE IT ENACTED *by the Authority aforeſaid*, That if the Clerk of the Market, or ſuch other Perſon as ſhall be hereafter elected, ſhall neglect or refuſe to do any Duty, Act, Matter or Thing, by this Act on him enjoined, every ſuch Perſon ſo neglecting or refuſing ſhall forfeit for each Offence the Sum of *Five Pounds*, to be recovered by any Perſon who will ſue for the ſame, one Half to the Overſeers of the Poor for the Uſe of the Poor, and the other Half to the Perſon ſo ſuing with Coſts of Suit.

Act repealed.

Continuance.

7. AND BE IT FURTHER ENACTED, That the Act, intitled, * *An Act for eſtabliſhing a Ferry from the Town of* Burlington, *in the Province of* New-Jerſey, *to the Town of* Briſtol, *in the Province of* Pennſylvania, paſſed *March* ſeventeenth, One Thouſand Seven Hundred and Thirteen-Fourteen, be, and the ſame is hereby repealed. PROVIDED ALWAYS, That this Act ſhall be and remain in full Force for and during the Term of four Years, and from thence to the End of the next Sitting of the General Aſſembly, and no longer.

CHAP. CCCLXVIII.

An ACT *to authorize the Juſtices and Freeholders of the County of* Middleſex, *to repair the Barracks at* New-Brunſwick, *to be made uſe of as a Courthouſe and Gaol for the ſaid County.*

Paſſed June 18, 1783.

Preamble.

WHEREAS a Number of the Inhabitants of the County of *Middleſex*, by their Petition, have ſet forth, that the Courthouſe and Gaol in *Amboy* is at preſent much out of Repair, and alſo very inconvenient for the Inhabitants of ſaid County; and praying a Law to

* *Allinſon*, Chap. XLVIII.

to authorize them to repair the Barracks at *New-Brunſwick*, for the Purpoſes of holding their Courts and confining of Priſoners; Therefore,

Barracks, how to be repaired.

* *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for any two Juſtices of the Peace of the County of *Middleſex* to ſummon the Juſtices and Freeholders of ſaid County to meet at *New-Brunſwick* on a Day by them to be ſet, which Juſtices and Freeholders, or a Majority of them when met, ſhall proceed to aſcertain the Sum neceſſary for repairing ſaid Barracks, and to agree with ſome Perſon or Perſons to repair them ſufficient for the Purpoſe of holding Courts, and for the Confinement of Priſoners, and alſo to make out their Order to the reſpective Aſſeſſors within the County, directing the ſaid Aſſeſſors to aſſeſs the Sum by them agreed on, upon the Inhabitants, in Manner and Form as is directed by the Act, intitled, † *An* Act *for raiſing Ninety Thouſand Nine Hundred and Thirty Pounds in the State of* New-Jerſey, paſſed the ninth Day of *June*, One Thouſand Seven Hundred and Eighty-three; and the Money ſo aſſeſſed ſhall be collected by the reſpective Townſhip or Precinct Collectors within the County, and by them paid to the Collector of the County, at the Time when the laſt Payment of the above recited Act is directed to be paid, and the ſaid County Collector is hereby required to pay out the ſaid Money when received, to the Order of the ſaid Juſtices and Freeholders, or a Majority of them, and the ſeveral Aſſeſſors, Collectors and Juſtices, to whom Returns of Delinquents may be made, and Conſtables in whoſe Hands Returns may come, ſhall receive the ſame Fees and Rewards for Services, be ſubject to the ſame Fines and Penalties for Neglect, as is directed by the above recited Act, and the reſpective Town-Collectors ſhall ſettle their Duplicate with their County Collector, who ſhall ſettle his Accounts of Expenditure of the Money by him ſo received with the Juſtices and Freeholders at their next or any ſubſequent Meeting when thereunto required.

Declared to be the lawful Courthouſe and Gaol.

2. BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the Judges and Juſtices of the County of *Middleſex*, at any Time or Term hereafter, to open and hold their Courts and confine Priſoners in any Part of ſaid Barracks, and the ſaid Barracks, or ſuch Part thereof as ſhall be ſo repaired, is hereby declared to be the lawful Courthouſe and Gaol of the ſaid County of *Middleſex*.

CHAP. CCCLXIX.

An ACT *for directing the Settlement of certain Debts contracted by the Citizens of this State previous to the thirteenth Day of* June, *in the Year of our Lord One Thouſand Seven Hundred and Eighty-one, on Principles of Equity.*

Paſſed June 18, 1783.

Preamble.

WHEREAS it is repreſented to the Legiſlature, that great Difficulties occur in the Settlement of Debts contracted previous to the thirteenth Day of *June*, in the Year of our Lord One Thouſand Seven

* The greater Part of this firſt Section is obſolete.

† Chap. CCCL. of this Compilation,

Seven Hundred and Eighty-one, on the Principles of common Law, without doing manifeſt Injury and Injuſtice to either one or the other of the Parties concerned, occaſioned by the fluctuating Value and different Species of Money, as alſo by the Removal of Parties, Books and Documents, and other Occurrences during the War, by which Debtors have been deprived of an Opportunity of diſcharging their Debts, or any Part thereof; Therefore,

Mode of ſettling certain Debts.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the paſſing of this Act, all Actions brought into any of the Courts of this State for the Recovery of Debts, which ſhall appear to have been contracted previous to the thirteenth Day of *June*, in the Year One Thouſand Seven Hundred and Eighty-one, it ſhall and may be lawful for the Court and Jury before whom ſuch Action may be brought for Trial, after hearing the Proofs and Allegations of the Parties, and taking into Conſideration the particular Time when, and Circumſtances under which, the Debt was contracted, and whether the Non-Payment thereof was occaſioned by any Default of the Creditor, or owing to his having remained or removed within the Lines of the Enemy, or Places in their Poſſeſſion; and alſo the Nature and Extent of the Laws of this State relative to the Payment of Debts previous to the thirteenth Day of *June*, in the Year One Thouſand Seven Hundred and Eighty-one, then to decide, to the beſt of their Knowledge and Underſtanding, agreeably to Equity and good Conſcience, any Law, Uſage or Cuſtom, anywiſe to the contrary notwithſtanding.

State Obligations may be tendered in certain Caſes, in the Payment of Debts.

2. AND WHEREAS it would tend greatly to the Injury of many of the Citizens of this State, to have them ſubjected to Suits at Law for the Recovery of ſuch Debts as aforeſaid, until there is more of a circulating Medium, whereby the Debtor may be enabled to procure Money for the Diſcharge of his Debt, BE IT FURTHER ENACTED, That in all ſuch Caſes as afore-mentioned, where the Non-Payment was owing to the Creditor, it ſhall and may be lawful for the Debtor, in caſe of Proſecution within twelve Months from the paſſing of this Act, to tender in Payment of his Debt in any Species of State Obligations, both for Principal and Intereſt, or ſuch Part thereof as ſhall be adjudged by the Court as aforeſaid; and all Courts in this State are hereby required to govern themſelves accordingly. PROVIDED ALWAYS, That Nothing herein contained ſhall prevent any Creditor from demanding Security of his Debtor, where he ſuppoſes himſelf in Danger of loſing his Debt; and in ſuch Caſe, if the Debtor ſhall neglect or refuſe to give ſufficient Security, he ſhall be deprived of the Benefit of this Act.

CHAP. CCCLXX.

An ACT *to amend, revive and continue, an Act, intitled, An* Act *for the Relief of Inſolvent Debtors.*

Paſſed June 18, 1783.

Preamble.

WHEREAS many Perſons are now languiſhing in Confinement in the ſeveral Gaols of this State for Debt; many of whom, from

from the Confuſion of the Times, and the Conſequences of a long and deſtructive War, have been reduced ſo as to be unable to ſatisfy their Creditors.

BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Act * *for the Relief of Inſolvent Debtors*, paſſed the twenty-firſt Day of *December*, One Thouſand Seven Hundred and Seventy-one, except that Part of the fifth Section of the ſaid Act which requires Notice to be given to Creditors in *Great-Britain*, and that in the Order of Payment in the fourteenth Section thereof "this State" be ſubſtituted in the Room of "His Majeſty, his Heirs and Succeſſors," and "this State" in the Room of "this Colony," and every Clauſe, Matter and Thing, therein contained, is hereby revived and continued in full Force. PROVIDED ALWAYS, That if a major Part in Value of the Creditors ſhall petition, the ſame ſhall be as ſufficient under the Conditions in the ſaid Act limited for the Diſcharge of the Debtor, as if the Two-thirds thereof, as in and by the ſaid Act is required, had petitioned for the ſame. Enacting Clauſe.

CHAP. CCCLXXI. *An* Act *to authorize* Abraham Brown *and* Aſher Brown, *of the County of* Burlington, *and their Heirs and Aſſigns, to erect and maintain a Milldam and other Waterworks acroſs the North-Branch of* Ancocas *Creek, in the Townſhips of* Northampton *and* New-Hanover, *in the County aforeſaid, at or near a Place called the* Fork-Bridge. Private.

Paſſed June 18, 1783.

CHAP. CCCLXXII. *An* Act *for defraying ſundry Incidental Charges.* Obſolete.

Paſſed June 18, 1783.

CHAP. CCCLXXIII. *An* Act *ſubjecting the Proprietary Rights and Shares of Propriety, late belonging to* Elias Bland, *deceaſed, to the Payment of Debts, and directing the Sheriff in his Proceedings therein.* Private.

Paſſed June 19, 1783.

C H A P. CCCLXXIV.

An ACT *to revive and continue an* Act, *intitled,* † *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; alſo an* Act, *intitled,* ‡ *An* Act *to prevent the Exportation of unmerchantable Flour to foreign Markets; and alſo an* Act, *intitled,* § *An* Act *to regulate the packing of Beef and Pork, and to aſcertain the Size of Caſks.*

Paſſed June 19, 1783.

BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Act, intitled, Enacting Clauſe.

* *Allinſon*, Chap. DXLVII. † *Allinſon*, Chap. DXCII. ‡ Do. DLXVIII. § Do. DXCIX.

intitled, *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*, paſſed the eleventh of *March*, One Thouſand Seven Hundred and Seventy-four; and the Act, intitled, *An* Act *to prevent the Exportation of unmerchantable Flour to foreign Markets*, paſſed the twenty-ſixth of *September*, One Thouſand Seven Hundred and Seventy-two; and alſo the Act, intitled, *An* Act *to regulate the packing of Beef and Pork, and to aſcertain the Size of Caſks*, paſſed *March* the eleventh, One Thouſand Seven Hundred and Seventy-four, and every Clauſe, Matter and Thing, in the ſaid Acts ſeverally contained, are hereby revived and continued in full Force.

Repealed, and ſupplied by Chap. CCCLXXXVIII

CHAP. CCCLXXV. *An additional Supplement to the Act, intitled, An* Act *for regulating the Election of Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners, of the State of* New-Jerſey; *and alſo to direct the Election of Delegates to repreſent the ſaid State in the Congreſs of the United States.*

Paſſed June 19, 1783.

CHAP. CCCLXXVI.

An ACT *to revive and continue an Act, intitled, An* Act *for the Relief of certain Perſons who have purchaſed Property for the Uſe of the Publick.*

Paſſed June 19, 1783.

Preamble. WHEREAS the Act, intitled, * *An* Act *for the Relief of certain Perſons who have purchaſed Property for the Uſe of the Publick*, has expired, and there being no Proviſion yet made for the Diſcharge of the ſaid Contracts;

Enacting Clauſe. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid recited Act, and every Clauſe, Matter and Thing, therein contained, is hereby revived and continued in Force until the End of the next Seſſion of General Aſſembly, and no longer.

CHAP. CCCLXXVII.

An ACT *to amend and continue an Act, intitled,* † *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.*

Paſſed June 19, 1783.

Preamble. WHEREAS the Act, intitled, *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*, paſſed the ſixth Day of *December*, One Thouſand Seven Hundred and Seventy-five, will expire this Seſſion of Aſſembly; and as the ſaid Law has from Experience been proved to be of publick Utility;

BE

* Chap. CCCXX. † *Allinſon*, Chap. DCXXXIV.

BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the above recited Act, and every Section, Clauſe, Matter and Thing, therein contained, is hereby continued in full Force, without Limitation. PROVIDED ALWAYS, That the ſaid Act ſhall not be conſtrued to interfere with the Act, intitled, * *An Act to extend the Power of Juſtices of the Peace, in the ſeveral Counties in this State, to try Cauſes to the Amount of* Twelve Pounds, *and to prevent Actions under* Fifty Pounds *being brought in the Supreme Court, and for other Purpoſes therein mentioned.* Enacting Clauſe. Proviſo.

At a GENERAL ASSEMBLY held at Trenton, from the twenty-eighth Day of October, to the twenty-fourth Day of December, 1783, the following Laws were paſſed.

SESSION EIGHTH—SITTING FIRST.

CHAP. CCCLXXVIII. † *A ſupplementary* Act *to the Act, intitled,* ‡ *An Act ſubjecting the Proprietary Rights and Shares of Propriety, late belonging to* Elias Bland, *deceaſed, to the Payment of Debts, and directing the Sheriff in his Proceedings therein.* Private.

Paſſed Nov. 11, 1783.

CHAP. CCCLXXIX. *An* Act *to confirm and eſtabliſh the Teſtament and Laſt Will of* James Hamilton, *late of* Buſh-Hill, *in the County of* Philadelphia, *of the Commonwealth of* Pennſylvania, *Eſquire, deceaſed.* Private.

Paſſed Nov. 14, 1783.

CHAP. CCCLXXX. *An* Act *to releaſe* § Abraham Chapman *from the Payment of a Sum of publick Money and Certificates taken by Robbers.* Private.

Paſſed Nov. 26, 1783.

CHAP. CCCLXXXI. *An* Act *to confirm the Charter of the Reformed Proteſtant* Dutch *Church of* Hillſborough, *in the Townſhip of* Hillſborough, *in the County of* Somerſet. Private.

Paſſed Nov. 26, 1783.

CHAP. CCCLXXXII.

An ACT *to annex the ſeveral Iſlands, ſituate in the River* Delaware, *belonging to this State, to the reſpective Counties and Townſhips to which they lie neareſt.*

Paſſed Nov. 26, 1783.

WHEREAS in and by the Act, intitled, ¶ *An* Act *to ratify and confirm an Agreement made between Commiſſioners appointed by the* Preamble.

* Chap. CCCVII. of this Collection. † Doubts having ariſen whether the recited Act extended to Judgments and Executions obtained and iſſued prior to its paſſing, this Supplement was paſſed to declare its Extenſion to theſe Purpoſes. ‡ Chap. CCCLXXIII. § Collector of the Townſhip of *Cheſterfield*, in the County of *Burlington*. ¶ Chap. CCCLI.

Legiſlature of the State of Pennſylvania, *and Commiſſioners appointed by the Legiſlature of the State of* New-Jerſey, *for the Purpoſe of ſettling the Juriſdiction of the River* Delaware, *and Iſlands within the ſame*, there are many Iſlands annexed to this State, and as it is neceſſary to annex the ſame to the particular Counties and Townſhips, ſo that civil Government may be properly extended thereto, and publick Taxes recovered therefrom; Therefore,

Enacting Clauſe.

BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That all Iſlands, Eylots and dry Land annexed to the Juriſdiction of this State, in and by the Act the Title of which is recited in the Preamble to this Act, and lying between the Station-Point or Northweſt-Corner of *New-Jerſey* northerly, and the State of *Delaware* ſoutherly, ſhall hereafter be deemed and conſidered as Parts and Parcels of ſuch Counties and Townſhips, to which ſaid Iſlands or inſulated dry Land doth lie neareſt, except *Petty*'s Iſlands, which ſhall be annexed to the Townſhip of *Newton*, in the County of *Glouceſter*; and the Proprietors or Owners thereof ſhall be ſubject to the Payment of Taxes for the ſaid Iſlands in the ſaid Counties and Townſhips accordingly.

CHAP. CCCLXXXIII.

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

Paſſed Nov. 26, 1783.

Preamble.

WHEREAS many ignorant and unſkilful Perſons do take upon themſelves to adminiſter Phyſick and Surgery within this State, to the endangering of the Lives and Limbs of the good Subjects of the ſame, who have been perſuaded to become their Patients; for the Prevention of ſuch Abuſes in future,

No Perſon to practiſe without Licenſe.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the Publication of this Act, no Perſon whatſoever ſhall adminiſter Phyſick or practiſe Surgery in the State of *New-Jerſey*, before he ſhall have been firſt examined, approved of and admitted by any two of the Juſtices of the Supreme Court of this State for the Time being, taking to their Aſſiſtance for ſuch Examination, two able and ſkilful Practitioners in Phyſick and Surgery, who, after due Examination and ſatisfactory Proofs being given of ſuch Candidate's Learning and Skill in Phyſick or Surgery, ſhall certify under their Hands and Seals, or at leaſt under the Hands and Seals of three of the ſaid Examiners, that the Perſon applying is approved of and ought to be admitted to practiſe as a Phyſician or Surgeon, or both, and ſhall give a Teſtimonial of his Examination and Admiſſion in the Form following, *videlicet*,

To

* The Act formerly paſſed for this Purpoſe, which has expired, may be ſeen *Allinſon*, Chap. DLXVI.

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

KNOW ye, that in Purſuance of an Act of the Council and General Aſſembly of the State of New-Jerſey, *paſſed the* *intitled,* "*An* Act *to regulate the Practice of Phyſick and Surgery, within the* "*State of* New-Jerſey," N. R. *having been duly examined in Phyſick and Surgery, by* A. B. *and* C. D. *two of the Juſtices of the Supreme Court of* New-Jerſey, *and Doctor* E. *and* F. *or by three of them (as the Caſe may be) as appears by their Certificates annexed, they having approved of his Skill, do hereby admit him as a Phyſician or Surgeon (or Phyſician and Surgeon, as the Caſe may be) to practiſe in the ſaid Faculty or Faulties, throughout the State of* New-Jerſey; *in Teſtimony whereof, they have hereunto ſubſcribed their Names and affixed their Seals to this Inſtrument at this Day of* Anno Domini 17 Form thereof.

And the Juſtices ſo examining, ſhall be entitled to a Fee of *Twenty Shillings* for their Services, to be paid by the Perſon ſo applying.

2. 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 State 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 the City or Townſhip where the Offence ſhall have been committed, 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, within this State, before the paſſing of the ſame: AND PROVIDED ALWAYS, That where any Perſon, not qualified by Law, ſhall adminiſter Phyſick or practiſe Surgery, in this State, on any Emergency where a regular Phyſician or Surgeon cannot conveniently be had, ſuch Perſon ſo adminiſtering or practiſing, ſhall not be liable to the Penalties hereby inflicted. PROVIDED ALSO, That Nothing herein contained ſhall be conſtrued to extend to prevent any ſkilful Phyſician or Surgeon in any of the neighbouring States, being ſent for on any particular Occaſion from practiſing on ſuch Occaſion within this State. Penalty for practiſing without Licenſe. Proviſo.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That every Phyſician, Surgeon or Mountebank Doctor, who ſhall come into, travel through, or remain in this State, and ſhall 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 *Twelve Pounds*, 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, Townſhip or Precinct, where the ſame Offence ſhall be committed. Penalty on Mountebanks, *&c.* erecting Stages, *&c.*

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That every Perſon now practiſing Phyſick or Surgery, or that ſhall hereafter be licenſed 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 Phyſician's Bills to be taxed.

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 wherein the Party complaining reſides, calling to their Aſſiſtance ſuch Perſons therein ſkilled as they may think proper.

Private. CHAP. CCCLXXXIV. *An* Act *to confirm and eſtabliſh the Teſtament and Laſt Will of* Samuel Purviance, *late of* Pittſgrove, *in the County of* Salem, *deceaſed.*

Paſſed Nov. 27, 1783.

Private. CHAP. CCCLXXXV. *An* Act *to enable* James Parker, *one of the Executors of the Laſt Will and Teſtament of Doctor* Lewis Johnſton, *deceaſed, in Conjunction with* Bowes Reed, *to fulfil the Purpoſes of the ſaid Will.*

Paſſed Dec. 9, 1783.

Private. CHAP. CCCLXXXVI. *An* Act *for incorporating ſundry Perſons as Truſtees of the* Preſbyterian *Congregation at* Bedminſter, *in the Counties of* Somerſet *and* Hunterdon.

Paſſed Dec. 10, 1783.

CHAP. CCCLXXXVII.

An ACT *for the better Regulation of Juries.*

Paſſed Dec. 13, 1783.

Preamble. WHEREAS the preſent Mode of empannelling Jurors to ſerve in the Trial of Cauſes at the reſpective Courts in this State is liable to Inconveniencies and Abuſes; and it appearing that it would tend greatly to the Prevention of ſuch Abuſes, and to the more impartial returning of Jurors to ſerve at ſaid Courts, to have the ſaid Juries appointed by Ballot; Therefore,

Number of Perſons to be ſummoned, and how to be empannelled. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the firſt Day of *April* next, every Sheriff or other Officer to whom the Return of the Writ of *Venire Facias Juratores* for Trial of Cauſes in the Supreme Court of this State, or in any of the Inferior Courts of Common-Pleas, or before the Juſtices of Aſſize or Niſi Prius, Oyer and Terminer, General Gaol Delivery, or General or Quarter Seſſions of the Peace, in any County within this State, ſhall hereafter at any Time belong, ſhall, upon his Return of every ſuch Writ (unleſs in Caſes where a ſpecial Jury ſhall be ſtruck by Order or Rule of Court) annex a Panel to the ſaid Writ, containing the Names, Additions and Places of Abode, of a competent Number of Jurors qualified according to Law, to ſerve on Juries, the Names of the ſaid Perſons to be inſerted in the Panel annexed to every *Venire Facias Juratores*, for the Trial of all Iſſues at any of the Courts herein before mentioned in each reſpective County, which Number of Jurors ſhall not be leſs than thirty-ſix, nor more than ſixty, without the Direction of the Judge or Judges of ſaid Court or Courts in any County or Place where ſuch Cauſe or Cauſes

are

are to be tried, who are reſpectively hereby empowered and required, if he or they ſee Cauſe, by Order under his or their reſpective Hand or Hands, to direct a greater or leſſer Number, and then ſuch Number as ſhall be ſo directed ſhall be the Number to be inſerted in each Panel: And in order that ſuch Judge or Judges may be the better enabled to direct (according to the Intent of this Act) what Number of Jurors are neceſſary to be ſummoned, the Party or Parties in any Cauſe or Cauſes which may be at Iſſue in any of the Courts aforeſaid, or his Attorney or Attornies ſhall, at the ſame Time they give Notice of Trial to the Party or Attorney on the other Side, give the like Notice in Writing to the Judge or Judges before whom ſuch Suit is triable: And the Writ of *Habeas Corpora Juratorum* or *Diſtringas*, ſubſequent to ſuch Writ of *Venire Facias Juratores*, need not have inſerted in the Bodies of ſuch reſpective Writs the Names of all the Perſons contained in ſuch Panel, but it ſhall be ſufficient to inſert in the mandatory Parts of ſuch Writs reſpectively (the Bodies of the ſeveral Perſons named in the Panel to this Writ annexed) or Words of the like Import, and to annex to ſuch Writs reſpectively, Panels containing the ſame Names as were returned in the Panels to ſuch *Venire Facias Juratores* with their Additions and Places of Abode, that the Parties concerned in any ſuch Trials may have timely Notice of the Jurors who are to ſerve, in order to make their Challenges to them if there be Cauſe; and that for the making the Returns and Panels aforeſaid, and annexing the ſame to the ſaid reſpective Writs, no other Fee or Fees ſhall be taken than what are now allowed by Law to be taken for the Return of the like Writs and Panels annexed to the ſame: And every Sheriff or other Officer to whom the Return of the *Venire Facias Juratores* ſhall at any Time hereafter belong, ſhall, upon Application made to him for that Purpoſe, at any Time within five Days next before the Day on which the Return of the Jury is by ſuch Writ directed to be made, deliver or cauſe to be delivered to any of the Party or Parties in any Cauſe to be tried by ſuch Jurors, or any Attorney on their Behalf, a true Copy of ſuch Panel of Jurors, certified under his or their Hands to have been ſummoned, whoſe Names ſhall be ſo inſerted in the Panel to be annexed to ſuch Writ with their reſpective Additions and Places of Abode; ſuch Perſon or Perſons ſo applying for the ſame, paying therefor unto ſuch Sheriff or other returning Officer giving the ſame, the Sum of *Two Shillings*, in order that the Parties concerned in any ſuch Trials to be had by ſuch Juries may have timely Notice and Information of the Jurors who are to be returned to ſerve in ſuch Cauſes to be tried, and may the better be enabled to make their Challenges to them, if they ſhall find Cauſe.

From whom Jurors are to be elected by Ballot.

2. AND BE IT ENACTED, That the Name of each and every Perſon who ſhall be ſummoned and empannelled as aforeſaid, with his Addition and Place of Abode, ſhall be written on ſeveral and diſtinct Pieces of Paper or Parchment, being all as near as may be of equal Size and Bigneſs, and ſhall be delivered unto the Clerk of the Supreme Court, or other Courts aforeſaid, and to the Clerk of the Aſſize at the reſpective Circuit Courts, by the Sheriff, Under-Sheriff or Deputy-Sheriff, in each reſpective County, or ſome Agent or Agents of him or them reſpectively; and ſhall, by Direction and Care of ſuch reſpective Clerk or Clerks, be rolled up all as near as may be in one and the ſame Manner, and put together in a Box, to be by each reſpective Sheriff provided for that Purpoſe; and when any Cauſe ſhall be brought on to be tried,

ſome indifferent Perſon, by Direction of the Court, may and ſhall, in open Court, draw out twelve of the ſaid Papers or Parchments one after another; and if any of the Perſons whoſe Names ſhall be ſo drawn ſhall not appear, or be challenged and ſet aſide, then ſuch further Number thereof ſhall be drawn as ſhall make up the Number twelve who do appear, after all Cauſes of Challenge allowed, as fair and indifferent; and the ſaid twelve Perſons ſo firſt drawn and appearing, and approved as indifferent, their Names being marked in the Panel, and they ſworn, ſhall be the Jury to try ſuch Cauſe; and the Names of the Perſons ſo drawn and ſworn ſhall be kept apart by themſelves in ſome other Box, to be kept and provided as aforeſaid for that Purpoſe, till ſuch Jury ſhall have given in their Verdict, and the ſame is recorded, or until ſuch Jury ſhall, by Conſent of the Parties, or Leave of the Court, be diſcharged; and then the ſaid Names ſhall be rolled up again, and returned to the former Box, there to be kept with the other Names remaining at that Time undrawn, and ſo as often as any Cauſe remains then to be tried: PROVIDED ALWAYS, That if any Cauſe ſhall be brought on to be tried in any of the ſaid Courts reſpectively, before the Jury in any other Cauſe ſhall have brought in their Verdict, or be diſcharged, it ſhall and may be lawful for the Court to order twelve of the Reſidue of the ſaid Papers or Parchments to be drawn in ſuch Manner as aforeſaid, for the Trial of the Cauſe which ſhall ſo be brought on to be tried.

Proviſo.

CHAP. CCCLXXXVIII.

An ACT *for regulating the Election of Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners, of the State of* New-Jerſey, *and of Delegates to repreſent the ſaid State in the Congreſs of the United States.*

Paſſed Dec. 16, 1783.

Time and Place of Election.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That all Elections of Repreſentatives to ſerve in the Council and General Aſſembly, and of Sheriffs and Coroners, in this State, ſhall be annual, and held on the ſecond *Tueſday* in *October* yearly and every Year, at the Place of holding the Courts of General Quarter-Seſſions of the Peace, in the reſpective Counties in this State, except in the County of *Hunterdon*, where they ſhall be held at the Houſe generally known by the Name of *Ringo*'s Tavern; and the Council and Aſſembly of this State, ſhall ſeparately meet at *Trenton* on the ſecond *Tueſday* next after the ſaid Day of Election annually.

Legiſlature, where to meet.

Candidates, by whom and when to be ſet up, &c.

2. AND BE IT ENACTED, That the Sheriff of the County, or the firſt Judge of the Court of Common-Pleas, or any one of the other Judges of ſaid Court, in caſe of the Non-Attendance of the Sheriff or firſt Judge, or the Clerk of the County, in caſe of the Non-Attendance of the Sheriff, or any one of the Judges aforeſaid, or in caſe of the Non-Attendance of either of the aforeſaid Officers, then, any one reputable Freeholder, who ſhall be choſen by a Majority of the Electors preſent, ſhall, between the Hours of ten in the Forenoon, and twelve

at

at Noon, cauſe publick Proclamation to be made in Preſence of the Perſons met at the Place of holding the Election, requiring all Perſons who intend to ſtand Candidates, or deſign to name any Perſons as Candidates, to repreſent the County in the Legiſlative-Council and Aſſembly of the State, or for Sheriff or Coroners, to deliver in their Names to him before two o'Clock in the Afternoon of the ſame Day, or they will be excluded; and ſhall alſo conduct the Buſineſs of the Election ſo far as relates to opening the Poll when a Poll is demanded, keeping good Order during the Time of Election, and proclaiming the Perſons duly elected after the cloſing the Poll, for which Purpoſe the ſeveral Clerks ſhall make Return to him as ſoon as the Poll is cloſed, of the Number of Voters for each Candidate: PROVIDED ALWAYS, That if any of the Officers herein directed to ſuperintend the Buſineſs of the Election, ſhould be ſet up as a Candidate for any Office or Appointment at ſaid Election, then, and in ſuch Caſe, the next in Order ſhall conduct the ſaid Buſineſs. Proviſo.

3. AND BE IT ENACTED, That the Inhabitants of each County entitled to vote for Repreſentatives in the ſaid Council and Aſſembly when met, at the Place of Election, ſhall, between the Hours of ten in the Forenoon and twelve at Noon, chooſe one judicious Freeholder from each Townſhip to ſerve as Inſpectors of the Election; and in caſe it ſhould ſo happen that there ſhould be no Freeholder attending from any one Townſhip, then, and in ſuch Caſe it may be lawful for the Inhabitants ſo met, to chooſe any reputable Freeholder attending, that may be beſt acquainted with the Townſhip, from which there is no Freeholder; and the Perſons ſo choſen ſhall ſeverally take the following Oath or Affirmation: Inſpectors to be choſen.

I do ſwear (or affirm, as the Caſe may be) that I will duly and impartially ſerve, as one of the Inſpectors of this Election; that I will neither receive nor aſſent to the receiving the Vote of any Perſon who I ſhall have Reaſon to think is not by the Law of this State entitled to vote in this Election. Their Qualification.

4. AND BE IT FURTHER ENACTED, That if any Inſpector ſhall be ſet up as a Candidate at the ſaid Election, it ſhall and may be lawful for the Electors who may be preſent to appoint ſome proper Perſon to ſerve in the Place of him ſo diſqualified; and the Perſon ſo appointed ſhall immediately take the Oath or Affirmation before directed for the Inſpectors to take. Inſpector a Candidate, another to be choſen.

5. AND BE IT ENACTED, That the Inſpectors appointed as aforeſaid, after being qualified, ſhall, between the Hours of ten in the Morning and one in the Afternoon, chooſe, by Plurality of Voices, three Perſons to ſerve as Clerks of the Election, whoſe Buſineſs it ſhall be to take down in Writing the Name of each Candidate, the Name of each Elector, and, when any Vote may be objected againſt, the Place of Abode of the Voter; and the Clerks ſo appointed ſhall ſeverally, before they proceed to Buſineſs, take the following Oath or Affirmation, *videlicet*, Inſpectors, how to chooſe Clerks.

I do ſwear (or affirm, as the Caſe may be) that I will truly and impartially ſerve as one of the Clerks of this Election; that I will not enter the Name of any Elector until his Vote has been received and approved Their Qualification.

proved by the Inſpectors, nor wilfully omit to enter the Name of any Elector whoſe Vote ſhall have been approved of by the ſaid Inſpectors.

Candidates, how and when to be nominated.

6. AND BE IT ENACTED, That every Candidate ſhall be nominated by ſome Perſon who is entitled to vote, and enrolled by the Clerks as a Candidate for the Council or Aſſembly, Sheriff or Coroner, agreeably to ſuch Nomination, before any Vote ſhall be for him received; and the Names of the Candidates ſo enrolled ſhall be wrote in fair Characters under the Word Council or Aſſembly, Sheriff or Coroners, agreeably to the ſaid Nomination and Enrolment, and fixed up in full View at the Door of the Houſe where the Election is held; and if any Perſon ſhall ſtand as a Candidate for more than one Department, his Name ſhall be entered accordingly, and in like Manner wrote on the Paper fixed up at the Door aforeſaid; and no new Candidate ſhall be ſet up, or enrolled after two of the Clock in the Afternoon of the firſt Day of the Election.

Perſons entitled to vote.

7. AND BE IT ENACTED, That all Inhabitants of this State of full Age, who are worth *Fifty Pounds*, Proclamation Money, clear Eſtate in the ſame, and have reſided within the County in which they claim a Vote for twelve Months immediately preceding the Election, ſhall be entitled to vote for Repreſentatives in Council and Aſſembly, and alſo for all other publick Officers that ſhall be elected by the People of the County at large, excepting ſuch as may be herein after excluded for Offences committed againſt the State.

Thoſe objected againſt to qualify.

8. AND BE IT ENACTED, That if any Perſon's Vote ſhall be objected againſt, it ſhall not be received until he ſhall have taken the Oaths of Abjuration and Allegiance preſcribed by an Act, intitled, *An Act for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix, unleſs he may have taken the ſame previous to the Time of Objection; and likewiſe if required, the following Oath or Affirmation, *videlicet*,

Qualification.

I VERILY believe, that I am twenty-one Years of Age, and worth Fifty Pounds, *Proclamation Money, clear Eſtate, in this State; and that I am and have been for one whole Year laſt paſt an Inhabitant of this County.*

Perſons offering Reward for Votes or voting for Fee, what to forfeit.

9. AND BE IT ENACTED, That if any Perſon ſhall at any ſuch Election give, offer, or promiſe any Fee or Reward, Victuals, Drink, or other Entertainment, or by any undue Influence at any Time, endeavour to prevail on any Perſon to vote for him, or for any other Perſon, he ſhall, for every ſuch Offence, forfeit the Sum of *Fifty Pounds*, to be recovered with Coſts of Suit, by any Perſon that will ſue for the ſame in any Court of Record where the ſame may be cognizable; one Half to the Proſecutor, and the other Half ſhall be paid to the Collector of the County where the Offence is committed, to be applied for the Uſe of the County; and if any Perſon ſhall vote for Fee or Reward at any Election to be held for the Purpoſes aforeſaid he ſhall, for every ſuch Offence, forfeit and pay the Sum of *Fifty Pounds*, to be recovered and applied as before directed; and if any Sheriff, Judge, Inſpector or Clerk, ſhall neglect or refuſe to perform any of the Duties required by this Act, or ſhall be guilty of manifeſt Partiality, or ſhall attempt in

Sheriff, *&c.* neglecting his Duty, what to forfeit.

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an undue Manner to Influence the Election, the Perſon ſo offending ſhall forfeit and pay the Sum of *Fifty Pounds*, to be recovered and applied as before directed.

Perſons uſing Threats, &c. how to be puniſhed.

10. AND BE IT ENACTED, That if any Perſon ſhall appear at ſaid Election with any Weapons of War, or uſe any Threats that may tend to put any of the Electors in Fear of perſonal Danger, or ſhall maliciouſly or adviſedly propagate any falſe Report concerning any Candidate at ſuch Election, with a View to prevent his being elected, or that ſhall have an evident Tendency thereto, he ſhall, for every ſuch Offence, forfeit the Sum of *Twelve Pounds*, to be recovered and applied in Manner aforeſaid; and the Perſon guilty of Defamation ſhall be liable to an Action for Scandal or Defamation by the Party injured.

Mode of Election.

11. AND BE IT ENACTED, That all future Elections of Repreſentatives to ſerve in the Council and General Aſſembly of this State, and of Sheriffs and Coroners, in the Counties of *Bergen*, *Eſſex*, *Middleſex*, *Monmouth*, *Cumberland*, *Cape-May*, *Morris* and *Suſſex*, ſhall be *viva voce*; and that all Elections for the Purpoſes aforeſaid to be held in the Counties of *Somerſet*, *Burlington*, *Glouceſter*, *Salem* and *Hunterdon*, ſhall be by Ballot; and that every Elector in ſaid Counties which vote by Ballot ſhall openly and in full View of all the Inſpectors deliver his Vote or Ticket to one of the Inſpectors, who, on Receipt thereof, ſhall, with an audible Voice, pronounce the Name of ſuch Elector, and if no Objection is made to the Voter, put the Ticket immediately into the Election-Box.

And how to conduct it.

12. AND BE IT ENACTED, That the Sheriff of each of the ſaid Counties directed to vote by Ballot, ſhall provide a good and convenient Box with a Lock and Key thereto, and deliver the ſame to the Inſpectors of the Election as ſoon as they are qualified as aforeſaid; and in caſe the Election ſhall be adjourned, the ſaid Box, with the Tickets locked up therein, ſhall be kept by ſuch Perſon as a Majority of the Inſpectors ſhall for that Purpoſe appoint, and the Key ſhall be kept by the Sheriff or other Perſon who may conduct the Election as directed in the ſecond Section of this Act, till the Election ſhall be again opened; and at the Cloſe of every Election the Box containing the Tickets ſhall, in the Preſence of the Inſpectors, be opened by one of them, and all the Tickets therein contained taken out by him one at a Time, who ſhall call out diſtinctly while the Ticket remains in his Hand, the Names contained therein, and to what Appointment, and then deliver the ſame to one other of the Inſpectors to be by him diſtinctly read off, after which the Ticket ſhall be delivered to the Sheriff or other Perſon conducting the Buſineſs of the Election as aforeſaid, to be by him filed; and the Clerks ſhall ſeverally enter in diſtinct Columns all the Names contained in each Ticket, and the Appointment therein ſet forth; and when this is done, the Number of Votes for each Candidate ſhall be carefully caſt up, and by the Sheriff, or other Perſon conducting the Buſineſs of the Election, diſtinctly, and with an audible Voice, be publickly declared unto the People: PROVIDED ALWAYS, That if any Ticket delivered in as aforeſaid ſhall contain more Names than it ought to contain, or otherwiſe appear to be fraudulent, it ſhall be rejected as utterly void.

Proviſo.

Sheriffs, &c. when and where to adjourn the Election.

13. AND BE IT ENACTED, That the Sheriff or other Perſon conducting the Election as aforeſaid, with a Majority of the Inſpectors, ſhall have full Power to adjourn the Election from Time to Time, as Occaſion may require; and alſo to cloſe the ſame when the Votes or Tickets of all the Electors preſent are delivered in, or a reaſonable Time for that Purpoſe ſhall have been allowed: PROVIDED ALWAYS, That the Sheriff or other Perſon conducting the Election in the County of *Bergen* ſhall, when a Majority of the Inſpectors of the County think it expedient, adjourn the Poll to *Hopper*'s Town at any Time during ſuch Election; and the Poll in the County of *Eſſex* may be adjourned in like Manner to the Houſe where *Jecamiah Smith* now lives in *Elizabeth-Town*, and where *James Laſhly* now lives near *Acquackanunck* Bridge at any Time during ſuch Election; and the Poll in the County of *Hunterdon* may be adjourned in like Manner to *Bonnel*'s Tavern, the *White-Houſe* in *Readingtown*, to *Quaker-Town*, *Pennington* and *Trenton*, at any Time during ſuch Election; and the Poll in the County of *Burlington* may be adjourned in like Manner to *Bordentown* at any Time during ſuch Election; and the Poll in the County of *Suſſex* may be adjourned in like Manner to *Hardiſton* and *Oxford* at any Time during ſuch Election; and the Poll in the County of *Middleſex* may be removed to *Bonham-Town* and *Cranbury* at any Time during ſuch Election; and the Poll in the County of *Glouceſter* may be adjourned to the Sign of the *Blue-Anchor* on the *Egg-Harbour* Road at any Time during ſuch Election; and the Poll in the County of *Morris* may be adjourned to the Houſe of *Joſhua Douglaſs* in the Townſhip of *Roxbury*, and to *Henry Howell*'s in *Troy*, at any Time during ſuch Election; and it ſhall and may be lawful for the Poll to be cloſed at any one of the ſaid Places where the Elections are directed to be opened at or adjourned to.

Certificates for Council and Aſſembly by whom to be given.

14. AND BE IT ENACTED, That when the Election is over the Sheriff, or other Perſon conducting the Buſineſs of the Election as aforeſaid, and at leaſt three of the Inſpectors, ſhall deliver, under their Hands and Seals, a Certificate thereof to the Perſon elected to ſerve in Council, and a Certificate to each of the Perſons elected to ſerve in the Aſſembly; the Certificate for the Member of Council ſhall be as follows, *videlicet*,

Form thereof.

WE do hereby certify, to all whom it may concern, that at an Election this Day held in the County of (or if it hath been held more Days than one, then at an Election in the County of begun on the Day of this Inſtant, and ended this Day) A. B. *was duly elected to repreſent the ſaid County in the Legiſlative-Council of this State, during the enſuing Year. Witneſs our Hands and Seals the Day of* October, Anno Domini 17

For what Purpoſe.

And the Certificates for the Members of the Aſſembly ſhall be expreſſed in the ſame Manner, ſave only that the Word Aſſembly ſhall be uſed inſtead of the Word Council; and the ſaid Sheriff or other Perſon conducting the Buſineſs of the Election, and at leaſt three of the Inſpectors, ſhall deliver under their Hands and Seals one Duplicate-Certificate of the Election of the Repreſentative for the Council, and one Duplicate-Certificate of the Election of the Repreſentatives for the Aſſembly; and the ſaid Sheriff or other Perſon conducting the Election ſhall forward the ſame to be laid, the one for the Member of Council, before the Council, the other before the Houſe of Aſſembly.

15. AND

15. AND BE IT ENACTED, That three of the Inſpectors, and at leaſt three reputable Freeholders, ſhall deliver under their Hands and Seals a Certificate to the Perſon who ſhall be elected to ſerve as Sheriff, and one to each of the Perſons who ſhall be elected to ſerve as Coroners, which Certificate ſhall be as follows, *videlicet*, Certificates for Sheriff and Coroners, by whom given.

To His Excellency the GOVERNOR, or the Honourable the VICE-PRESIDENT of the LEGISLATIVE-COUNCIL of the State of *New-Jerſey*.

WE do hereby certify, that, at an Election held this Day in the County of (or if it has been held more Days than one, then, at an Election in the County of begun on the Day of this Inſtant, and ended this Day) A. B. *was duly elected to ſerve as Sheriff (or as one of the Coroners, as the Caſe may be) of the ſaid County for the enſuing Year. Witneſs our Hands and Seals the Day of* October, Anno Domini Form thereof.

16. AND BE IT ENACTED, That if any Perſon choſen a Member of the Legiſlative-Council or Aſſembly ſhall accept of the Certificate of his Election, and ſhall afterwards neglect to attend and take his Seat accordingly, he ſhall, for every Day he ſhall ſo neglect to attend, forfeit and pay the Sum of *Three Pounds*, to be ſued for and recovered by the Treaſurer in any Court where the ſame ſhall be cognizable with Coſts of Suit, and applied to and for the Uſe of the State, unleſs it ſhall appear by the Minutes of the Houſe to which he belongs, that his Reaſons for Non-Attendance have been accepted as ſatisfactory. Members of Council or Aſſembly accepting their Certificate, and neglecting to attend, what to forfeit.

PROVIDED ALWAYS, AND IT IS HEREBY ENACTED, That no ſuch Forfeiture ſhall extend to more than twenty Days, and if any Perſon ſo choſen ſhall neglect to attend for the Space of twenty Days, after the Day herein before directed for the Meeting of the Legiſlature, he ſhall, for ſuch Neglect, be rendered incapable of taking his Seat without a new Election, in which Caſe the Forfeiture ſhall be ſued for and recovered by the Collector of the County, and applied to and for the Uſe of the County. Proviſo.

PROVIDED ALWAYS, That if any Perſon ſo accepting of his Certificate and not attending, ſhall ſend forward his Reaſons to the Preſident or Vice-Preſident if choſen a Member of Council, or to the Speaker of the Houſe if a Member of the Aſſembly, and they ſhall appear ſatisfactory to the reſpective Houſes to which they are returned, the ſaid Perſon ſhall not be liable to the Penalty inflicted by this Act, nor to have his Seat vacated for ſuch Neglect. Proviſo.

17. AND BE IT ENACTED, That if any Perſon choſen as aforeſaid to ſerve in Council or Aſſembly ſhall neglect as aforeſaid, or refuſe to take his Seat purſuant to his Election, or ſhall die or remove out of the State, or be expelled from his Seat by a Vote of the Houſe to which he ſhall belong, then, and in every ſuch Caſe the Preſident or Vice-Preſident of the Council, or the Speaker of the Houſe of Aſſembly, as the Caſe may be, ſhall iſſue a Warrant to the Sheriff of the County where the Vacancy may happen, requiring him forthwith to ſet up Advertiſements in eight of the moſt publick Places in the County fourteen Days at leaſt before the Day of Election, informing the People when and where the ſame is to be held; and the Election ſhall be carried on in all Reſpects as the annual Elections are before directed to be carried on, and the Return thereof be made accordingly. Members not taking their Seats, others to be elected.

18. AND

Sheriff refuſing, &c. to ſerve, another to be elected.

18. AND BE IT ENACTED, That if any Sheriff choſen as aforeſaid in any of the Counties of this State ſhall refuſe to ſerve, or ſhall neglect to apply for his Commiſſion within one Month after his Election, or ſhall die or remove out of the County in which he was elected before the Term of his Office is expired, then, and in ſuch Caſe the Clerk of the County ſhall immediately advertiſe a new Election in the ſame Manner in which the Sheriff is herein before directed to advertiſe, which Election ſhall be in every Reſpect conducted agreeably to the Directions before given in this Act.

Fees for conducting the Election.

19. AND BE IT ENACTED, That the Sheriff or other Perſon conducting the Election, and the Inſpectors and Clerks of the ſaid Elections, ſhall be allowed the Sum of *Seven Shillings and Six-pence* each by the Day for their Service, to be paid by the Collector of the County on producing a Certificate of the Time of their Service, ſigned by the Sheriff or other Perſon conducting the Buſineſs of the Election.

Perſons not eligible, unleſs, &c.

20. AND BE IT ENACTED, That no Perſon ſhall hereafter be elected as a Member of the Legiſlative-Council or Aſſembly of this State, unleſs he ſhall have been a Freeholder and Inhabitant in the ſame for at leaſt two Years, and a Citizen of the United States for at leaſt ſeven Years next before his Election; and alſo a Freeholder and Inhabitant of the County which he is to repreſent for one whole Year next before his Election; and if a Member of the Council, worth *One Thouſand Pounds;* and if a Member of the Aſſembly, worth *Five Hundred Pounds*, in Real and Perſonal Eſtate in the ſaid County.

Perſon, how to be qualified for a Repreſentative.

21. AND BE IT ENACTED, That every Perſon who ſhall hereafter be elected a Member of the Council or Aſſembly of this State, ſhall, before he takes his Seat in either of the ſaid Departments, take and ſubſcribe the Oaths or Affirmations of Abjuration and Allegiance preſcribed in an Act, intitled, * *An Act for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix; and alſo the Oath preſcribed in the twenty-third Section of the Conſtitution of this State (except only the Word *State* ſhall be ſubſtituted inſtead of *Colony* in the ſame;) and likewiſe if a Member of the Council, the following Oath or Affirmation, *viz.*

Form of Councillor's Oath.

I as a Member of the Council for the County of do ſwear (or Affirm, as the Caſe may be) that I am and have been for two whole Years next before my Election a Freeholder and Inhabitant of the State of New-Jerſey, *and a Citizen of the United States of* America *for ſeven Years laſt paſt; and alſo a Freeholder and Inhabitant of ſaid County for one whole Year next before my Election; and that to the beſt of my Knowledge and Belief, I am worth* One Thouſand Pounds *in Real and Perſonal Eſtate in the ſame County.*

And if a Member of the Aſſembly, then the following Oath or Affirmation:

Aſſembly-man's Oath.

I as a Member of the Aſſembly for the County of do ſwear (or affirm, as the Caſe may be) that I am and have been for two whole Years next before my Election a Freeholder and Inhabitant of the

* Chap. II.

the State of New-Jerſey, *and a Citizen of the United States of* America *for ſeven Years laſt paſt; and alſo a Freeholder and Inhabitant of ſaid County for one whole Year next before my Election, and to the beſt of my Knowledge and Belief, I am worth* Five Hundred Pounds *in Real and Perſonal Eſtate in the ſame County.*

Members ſo qualified, to adminiſter the Oaths to Fellow-Members.

22. AND BE IT ENACTED, That any Perſon elected to ſerve as a Member of either Branch of the Legiſlature, ſhall have full Power and Authority, when a Quorum of either Houſe are met together, to adminiſter the ſaid Oaths or Affirmations to any of his Fellow-Members.

Perſons incapable of being elected, or of voting.

23. AND BE IT ENACTED, That each and every Perſon being an Inhabitant of this State, who hath at any Time during the Continuance of the paſt War with *Great-Britain*, voluntarily joined the Enemy by taking Refuge amongſt them, or who hath been, or ſhall hereafter be, convicted of High Treaſon, or who hath or ſhall hereafter forfeit his Eſtate, or who hath been, or ſhall be duly convicted of Treaſon, Felony or Miſdemeanor, for going to, taking Refuge with, or affording any Aid and Aſſiſtance to the ſaid Enemy, or who hath been fined or impriſoned for refuſing to give Teſtimony of their Allegiance by taking the Oath or Affirmation of Abjuration and Allegiance to this State, preſcribed by an Act, intitled, *An Act for the Security of the Government of* New-Jerſey, each and every of the aforeſaid deſcribed Perſons is and are hereby declared to be incapable forever of being ſet up as a Candidate for any Office at the ſaid annual Elections, or of being admitted into, holding or exerciſing, any Office of Truſt or Profit, either civil or military, or of voting for Repreſentatives of the Legiſlative-Council or Aſſembly, Sheriffs or Coroners, in this State.

Delegates to repreſent this State in Congreſs, how to be appointed.

24. AND BE IT ENACTED, That the Council and Aſſembly in Joint-Meeting, at the firſt Sitting of the Legiſlature after the annual Election, and at any other Time when the ſame may be neceſſary, ſhall elect and chooſe any Number of Delegates not leſs than three, nor more than ſeven, to repreſent this State in the Congreſs of the United States, and ſhall agree upon the Form of Credentials to be given them of their Appointment, which Credentials, ſigned by the Chairman of the Joint-Meeting, ſhall authorize the ſaid Delegates to ſit and vote on the Part of this State, in the Congreſs of the United States, during the Year or Time for which they are elected, unleſs in that Time ſuperſeded by a new Appointment.

Perſons not to be elected, unleſs, *&c.*

25. AND BE IT ENACTED, That no Perſon ſhall be hereafter elected a Delegate to repreſent this State in the Congreſs of the United States, unleſs he hath been a Freeholder within this State for at leaſt three Years, and an Inhabitant of the ſame for at leaſt ſeven Years next before his Election, and worth *One Thouſand Pounds* in Real and Perſonal Eſtate, within this State.

Perſons elected, to take the Oaths of Abjuration and Allegiance, *&c.*

26. AND BE IT ENACTED, That every Delegate who ſhall be appointed to repreſent this State in the Congreſs of the United States, ſhall, before he takes his Seat in Congreſs, take and ſubſcribe, before any one of the Judges of the Court of Common-Pleas in this State, who is hereby authorized to adminiſter the ſame, the Oaths or Affirmations of Abjuration and Allegiance, preſcribed by the Act, intitled, *An Act for*

the Security of the Government of New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix; and alſo the following Oath or Affirmation, *videlicet*,

Oath of Office.

I do ſwear (or affirm, as the Caſe may be) that I am and have been for ſeven Years laſt paſt a Reſident, and for three Years laſt paſt a Freeholder of the State of New-Jerſey; *and to the beſt of my Knowledge and Belief, am worth* One Thouſand Pounds *in Real and Perſonal Eſtate within the ſame.*

Which Oaths are to be filed.

A Copy of which Oaths or Affirmations ſhall be as ſoon as convenient filed in the Secretary's Office of this State by the Judge adminiſtering the ſame.

Former Act, &c. repealed.

27. AND BE IT ENACTED, That the Act, intitled, * *An Act for regulating the Election of Members of the Legiſlative-Council and Aſſembly, Sheriffs and Coroners, of the State of* New-Jerſey; *and alſo to direct the Election of Delegates to repreſent the ſaid State in the Congreſs of the United States*, paſſed the twenty-fourth Day of *December*, One Thouſand Seven Hundred and Seventy-nine; and the ſeveral ſupplementary † Acts thereto, together with the ‡ Act to amend the ſame, ſhall be, and the ſame are hereby ſeverally repealed.

Private.

CHAP. CCCLXXXIX. *An Act to releaſe* § Humphry Waln *from the Payment of a Sum of publick Money taken by Robbers.*

Paſſed Dec. 16, 1783.

Private.

CHAP. CCCXC. *An Act to confirm to* Rebecca Elliot, *her Heirs and Aſſigns, a Tract of Land, ſituate in the County of* Monmouth.

Paſſed Dec. 16, 1783.

Private.

CHAP. CCCXCI. *An Act to amend and confirm the Charter of the two United Proteſtant* Dutch *Churches of* Hackinſack *and* Schralenbregh, *in the County of* Bergen, *and State of* New-Jerſey.

Paſſed Dec. 16, 1783.

CHAP. CCCXCII.

An ACT *to direct the Agents of forfeited Eſtates in the reſpective Counties in this State, to proceed to the Sale of ſaid Eſtates; and to repeal an Act to ſuſpend the Sales of Real Eſtates which have, or hereafter may, become forfeited to, and veſted in, this State.*

Paſſed Dec. 16, 1783.

Preamble.

WHEREAS the ſelling of ſuch Real Eſtates as have become forfeited to, and veſted in, this State, would at this Time tend greatly to the Advantage of the Publick; Therefore,

Sect. 1.

* Chap. CLXXVIII. † Chap. CCXXXIX. CCCXXIV. CCCLXXV. ‡ Chap. CCLXXXIV.
§ Collector of the Township of *Nottingham*, in the County of *Burlington*.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Act, intitled, * *An* Act *to ſuſpend the Sales of Real Eſtates which have, or hereafter may, become forfeited to, and veſted in, this State*, paſſed the twenty-ſixth Day of *June*, One Thouſand Seven Hundred and Eighty-one, ſhall be, and the ſame is hereby repealed. Former Act, repealed.

2. AND BE IT ENACTED, That all Proceſſes, directed to be iſſued out of the Court of Common-Pleas in any County in this State, purſuant to the Directions of the tenth Section of the Act, intitled, † *An* Act *for forfeiting to, and veſting in, the State of* New-Jerſey, *the Real Eſtates of certain Fugitives and Offenders, and for directing the Mode of determining and ſatisfying the lawful Debts and Demands which may be due from, or made againſt, ſuch Fugitives and Offenders, and for other Purpoſes therein mentioned*, paſſed the eleventh Day of *December*, One Thouſand Seven Hundred and Seventy-eight, ſhall in Future be iſſued as therein required, excepting that the ſame ſhall be directed to the Agents of forfeited Eſtates which now are, or hereafter may be, appointed purſuant to an Act, intitled, ‡ *An* Act *for the more ſpeedy Settlement of the publick Accounts*, paſſed the twentieth Day of *December*, One Thouſand Seven Hundred and Eighty-one, who ſhall, immediately upon the Receipt of ſuch Proceſs, proceed to advertiſe, as is therein directed, the Sale of all ſuch Real Eſtates in ſuch County as have been forfeited to, and veſted in, this State, and againſt which final Judgment has been entered in Behalf of the State, previous to the third Day of *February*, Seventeen Hundred and Eighty-three, doing and performing, and in all Reſpects conforming themſelves to the Duties enjoined the Commiſſioners in and by the above-ſaid Act of the eleventh Day of *December*, One Thouſand Seven Hundred and Seventy-eight, excepting with Regard to advertiſing the ſaid Eſtates, which ſhall be one Month in the County where the Premiſes lie, and one Month in the News-Papers of this State; and alſo the ſame Time in ſome one of the *New-York* and *Pennſylvania* News-Papers. Proceſſes, how to be iſſued.

3. AND WHEREAS, from the numerous Demands the Inhabitants of the State have on the Publick, it is not only juſt and reaſonable, but would greatly advance the Intereſt of the Citizens in general, to receive State Obligations in Payment for all ſuch Eſtates; and alſo to prolong the Time of Payment for the ſame; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the ſaid Agents reſpectively, and they are hereby required to receive, in Payment for ſuch Eſtates as they may ſell by Virtue of this Act, Gold and Silver, Officers' and Soldiers' Notes, given for the Depreciation of Pay, Contractors' Certificates, or Collectors' Surplus Certificates, and ſhall make publick Proclamation thereof previous to the Time of Sale, and ſhall alſo inſert the ſame in all the Advertiſements they may offer to the Publick. Agents to receive State Obligations.

4. AND BE IT FURTHER ENACTED, That the Term of three Months, allowed the Commiſſioners in and by the thirteenth Section of the Act for ſelling ſaid Eſtates, to pay the Money ariſing from the Sales thereof into the Treaſury, ſhall be, and the ſaid Term is hereby prolonged to ſix When to pay the Amount of Sales into the Treaſury.

* Chap. CCLXIX. † Chap. CXXII. ‡ Chap. CCXCI.

six Months; and the said Agents are hereby required to pay the Money or State Obligations, that they may receive in Payment for any such Estates, into the Treasury of the State, within six Months after the same may be sold. PROVIDED ALWAYS, That no Interest shall be allowed to the said Agents, that may arise on any such State Obligations as they may receive in Payment as aforesaid, after the Day or Time when the said Estates shall be sold.

Proviso.

Certain Demands to be first paid by the Treasurer.

5. BE IT FURTHER ENACTED *by the Authority aforesaid*, That all Demands made agreeably to the sixteenth Section of the aforesaid Act, passed the eleventh Day of *December*, in the Year Seventeen Hundred and Seventy-eight, which provides for the Payment of all just and equitable Demands against the Offenders whose Estates have been forfeited to, and vested in, this State, pursuant to the Direction of the said Act, which are secured to the Creditors by Mortgage, shall have the Preference, and be first paid by the Treasurer, not exceeding the Amount of Sales of the Offenders' Estates against whom such Demand may be made.

CHAP. CCCXCIII.

An ACT *to ascertain the Salaries of the several Officers of the Government of the State of* New-Jersey, *and to provide for supporting the Government of said State for one Year, to commence the fourteenth Day of* October, *One Thousand Seven Hundred and Eighty-three, and to end the second* Tuesday *in* October, *One Thousand Seven Hundred and Eighty-four.*

Passed Dec. 18, 1783.

Preamble.

WHEREAS it is necessary that the Government of this State should be supported; Therefore,

Salaries of Officers of Government.

Sect. 1. BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby Enacted by the Authority of the same*, That there shall be, and there is hereby given, to be paid out of the Treasury,

Governor.

To His Excellency *William Livingston*, Esquire, Governor and Commander in Chief of this State, or to the Governor or Commander in Chief for the Time being, at the Rate of *Five Hundred and Fifty Pounds* per Annum.

Chief-Justice.

To the Honourable *David Brearly*, Esquire, Chief-Justice of the State, or to the Chief-Justice for the Time being, at the Rate of *Three Hundred Pounds* per Annum.

Second Justice.

To the Honourable *Isaac Smith*, Esquire, Second Justice of the Supreme Court of this State, or to the Second Justice for the Time being, at the Rate of *One Hundred and Twenty-five Pounds* per Annum.

Third Justice.

To the Honourable *John-Cleves Symmes*, Esquire, Third Justice of the Supreme Court of this State, or to the Third Justice for the Time being, at the Rate of *One Hundred and Twenty-five Pounds* per Annum.

Attorney-General.

To *Joseph Bloomfield*, Esquire, Attorney-General of this State, or the Attorney-General for the Time being, at the Rate of *Twenty Pounds* per Annum.

To

To the Treaſurer of the State for the Time being, at the Rate of *One Hundred and Seventy-five Pounds* per Annum. Treaſurer.

To *James Ewing*, Eſquire, Auditor of Accounts of this State, or to the Auditor of Accounts for the Time being, at the Rate of *One Hundred and Thirty Pounds* per Annum. Auditor.

ALL which Salaries ſhall be paid to the reſpective Officers before-mentioned, their Executors, Adminiſtrators or Aſſigns, on Warrants by him or them being reſpectively produced to the Treaſurer, ſigned by the Governor or Commander in Chief for the Time being in Council, any three whereof to be a Quorum. PROVIDED ALWAYS, That in caſe His Excellency the Governor, or any other of the Officers before-mentioned, ſhall, by Death or otherwiſe, be removed from his Office at any Time before the ſaid ſecond *Tueſday* in *October* next, his Salary ſhall ceaſe and determine on ſuch his Removal from Office, and the Salary of his Succeſſor in Office ſhall commence at and from the Time ſuch Succeſſor ſhall be ſworn or affirmed into Office, and continue till the ſaid ſecond *Tueſday* in *October*. Mode of Payment. Proviſo.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Treaſurer of this State ſhall pay out of any publick Money in his Hands to the Juſtices of the Supreme Court, on Warrants to be produced as aforeſaid, the Sum or Sums hereafter mentioned for holding the Courts of Niſi Prius and of Oyer and Terminer and General Gaol Delivery in the reſpective Counties during the Continuance of this Act, *that is to ſay*, for each Time the ſaid Courts ſhall be held in any County in this State where there ſhall be real Occaſion for the ſame, to the Juſtice or Juſtices who ſhall ſo attend, the Sum of *Ten Pounds*; provided that no more than two ſuch Courts in any one County ſhall be ſo paid for during the Continuance of this Act, one of which to be held at the Time appointed in the uſual Manner for holding the Courts of Niſi Prius, and the other, if Occaſion ſhall require it, on Application made in Writing, ſigned by the major Part of the Freeholers choſen for ſuch County, together with three Juſtices of the Peace in the ſaid County, to any one or more of the ſaid Juſtices of the Supreme Court; and that twenty Days Notice be given to the Sheriff of the County of the Appointment of every ſuch Court. PROVIDED ALSO, That no ſuch Payment be allowed for holding the ſaid Courts at the Time the Supreme Court ſhall be held in this State. Juſtices of the Supreme Court, Sums to be paid them for holding Courts of Niſi Prius, &c.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Treaſurer ſhall pay to each of the Delegates who ſhall attend on the Part of this State, as one of the Members of the Congreſs of the United States, during the Continuance of this Act, the Sum of *Thirty Shillings* per Day for each Day he ſhall ſo attend, on his producing an Account for ſuch Attendance, proved by his Oath or Affirmation. Wages of the Delegates in Congreſs.

4. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Treaſurer ſhall pay to each of the Members of the Council, and to each of the Members of the Houſe of Aſſembly, the Sum of *Ten Shillings* per Day for the Time they have reſpectively attended, or ſhall attend at this or any other Sitting of the General Aſſembly, during the Continuance of this Act, on a Certificate to be produced, ſigned by the Preſident or Vice-Preſident of the Council for the Members of Council, Members of Council and Aſſembly, their Wages.

and for the Members of the Houſe of Aſſembly by the Honourable *Ephraim Harris*, Eſquire, *Benjamin Van-Cleve*, *Edward Bunn*, *George Anderſon* and *Iſrael Shreve*, Eſquires, or any two of them, expreſſing the Number of Days ſuch Members reſpectively ſhall have attended.

Clerk of the Council, his Wages. To the Clerk of the Council the Sum of *Fourteen Shillings* per Day, for each Day he ſhall have attended at this or any other Sitting of the General Aſſembly during the Continuance of this Act; and the Sum of *Four-pence* per Sheet, reckoning ninety Words to the Sheet, for entering the Minutes of the Council, and of the Joint-Meeting, during the Continuance of this Act, fair in the Journals; and at a like Rate for a Copy thereof for the Printer, on a Certificate to be produced, ſigned by the Preſident or Vice-Preſident of the Council.

Clerk of the Aſſembly, his Wages. To the Clerk of the Houſe of Aſſembly the Sum of *Fourteen Shillings* per Day, for each Day he ſhall have attended at this or any other Sitting of the Aſſembly, during the Continuance of this Act; and the Sum of *Four-pence* per Sheet, reckoning ninety Words to the Sheet, for entering the Minutes of ſuch Sitting fair in the Journals of the Houſe; and at the like Rate for a Copy thereof, and of the publick Laws (together with the Titles of ſuch private Laws as may be paſſed) for the Printer, on a Certificate ſigned by the Speaker of the Houſe of Aſſembly.

Printer's. To *Iſaac Collins*, or any other Printer who ſhall be employed to print the publick Laws and Votes or Minutes of the Council and Aſſembly, during the Continuance of this Act, ſuch Sum or Sums as the Honourable *Philemon Dickinſon* or *Joſiah Hornblower*, Eſquires, and the Honourable *Ephraim Harris*, Eſquire, *George Anderſon*, *Daniel Hendrickſon*, *Samuel Tucker* and *Benjamin Van-Cleve*, Eſquires, or any three of them, ſhall certify under their Hands as due for the ſame.

Sergeant at Arms. To the Sergeant at Arms for the Time being, who ſhall attend the Council or the Houſe of Aſſembly, the Sum of *Five Shillings* per Day, on a Certificate to be produced expreſſing the Number of Days he ſhall have attended, ſigned by the Preſident or Vice-Preſident of the Council, or by the Speaker of the Houſe of Aſſembly.

Doorkeepers. To the Doorkeeper of the Council, and to the Doorkeeper of the Houſe of Aſſembly for the Time being, the Sum of *Four Shillings* per Day, on a Certificate to be produced expreſſing the Number of Days he ſhall have attended, ſigned by the Preſident or Vice-Preſident of the Council, or by the Speaker of the Houſe of Aſſembly.

ALL which Warrants and Certificates, with Endorſements thereon, ſigned by the Perſons to whom they are reſpectively made payable, ſhall be ſufficient Vouchers to diſcharge the ſaid Treaſurer of and from the reſpective Sums mentioned therein.

Private. CHAP. CCCXCIV. *An Act to enable the Owners and Poſſeſſors of* Petty's *Iſland, ſituate in the River* Delaware, *in the County of* Glouceſter, *to appoint Perſons veſted with proper Powers for the well Improvement of the ſaid Iſland.*

Paſſed Dec. 19, 1783.

CHAP.

CHAP. CCCXCV.

An ACT *to repeal an Act, intitled,* * *An* Act *for granting an annual Salary to the Secretary of this State, in Lieu of his Fees on the Commiſſions of Juſtices, Coroners and Militia Officers, and to make more proper Proviſion for defraying the Expence of granting ſaid Commiſſions.*

Paſſed Dec. 19, 1783.

Preamble. WHEREAS the Reaſons that induced the Legiſlature to grant the Salary as expreſſed in the Act, intitled, *An* Act *for granting an annual Salary to the Secretary of this State, in Lieu of his Fees on the Commiſſions of Juſtices, Coroners and Militia Officers*, do not at this Time exiſt in ſo great a Degree as they did at the Time the ſaid Law was paſſed; and as it is reaſonable to continue ſome Proviſion for defraying the Expences attending the granting ſaid Commiſſions, therefore,

Act repealed. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Act, intitled, *An* Act *for granting an annual Salary to the Secretary of this State, in Lieu of his Fees on the Commiſſions of Juſtices, Coroners and Militia Officers*, paſſed the ſeventeenth Day of *March*, One Thouſand Seven Hundred and Seventy-ſeven, ſhall be, and the ſame hereby is repealed.

Salary. 2. AND BE IT FURTHER ENACTED, That the Treaſurer of this State for the Time being ſhall be, and he is hereby required to pay to the Secretary of this State an annual Salary of *Fifty Pounds*, during the Continuance of this Act, to commence from the Time of the paſſing of this Act, in Lieu of the Fees the ſaid Secretary was entitled to receive on the Commiſſions of Juſtices, Coroners and Militia Officers, by an Act, intitled, † *An* Act *for the better enabling the Judges and Juſtices of this Colony to aſcertain and tax Bills of Coſt, and for making Proviſion by Law for the Payment of the Services of the ſeveral Officers of the Colony, and for preventing the ſaid Officers from taking exorbitant Fees:* And, in caſe of the Death or Removal of the ſaid Secretary from the Execution of his ſaid Office, the Treaſurer ſhall only pay ſuch Proportion of the ſaid annual Salary as may be due at the Time of his Death or Removal.

Part of an Act repealed. 3. AND BE IT FURTHER ENACTED, That ſo much of the laſt recited Act as reſpects the Fees to be taken by the Secretary on the aforeſaid Commiſſions ſhall be, and the ſame is hereby repealed.

Private. CHAP. CCCXCVI. *An* Act *for the Sale of the Eſtate of* Philip French, *late of* New-Brunſwick, *in the County of* Somerſet, *deceaſed, or of ſuch Part thereof as may be neceſſary to ſatisfy certain Executions levied thereon.*

Paſſed Dec. 19, 1783.

CHAP.

* Chap. XXVI. † *Allinſon*, Chap. CCX.

CHAP. CCCXCVII.

An ACT *to procure an Eſtimate of the Sums due to the Militia and Troops who have been raiſed for the Defence of the Frontiers of the State, and to provide for the Settlement of the ſame.*

Paſſed Dec. 20, 1783.

Preamble.

WHEREAS there are conſiderable Sums of Money due to the Militia and Troops who have ſerved on the Frontiers of this State for the Defence thereof; and as it is not only neceſſary to aſcertain the ſame, but juſt and reaſonable that the Perſons who have ſerved the Publick as aforeſaid ſhould be put on as good a Footing as the other Creditors of the State are, therefore,

Paymaſters when and with whom to ſettle their Accounts.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Paymaſters to the Militia in the ſeveral Counties in this State ſhall be, and they and each of them hereby are, directed and required, finally to ſettle their Accounts as Paymaſters, for all Monies by them received and paid, with the Auditor of Accounts of this State for the Time being, on or before the firſt Day of *May* next enſuing, under the Penalty of *One Hundred Pounds*, to be ſued for and recovered by the Treaſurer of the State for the Time being, with Coſts of Suit, in any Court of Record where the ſame may be cognizable, and applied to and for the Uſe of the State.

Penalty for Neglect.

Auditor of Accounts, his Duty.

2. AND, in order that the Treaſurer of the State for the Time being may be properly informed and better enabled to do his Duty in this Reſpect, BE IT ENACTED, That the Auditor of Accounts for the Time being ſhall, on the ſecond Day of *May* next enſuing, make out an Account of the Names of ſuch Paymaſters as may be delinquent as aforeſaid, if any ſuch there ſhould be, and alſo an Account of what Monies may remain in the Hands of ſuch Delinquent or Delinquents, which Sum or Sums ſo remaining unaccounted for by the ſaid Delinquent or Delinquents, the ſaid Treaſurer ſhall alſo proſecute for and recover in Manner aforeſaid.

Office of Paymaſter, when to ceaſe.

3. AND BE IT FURTHER ENACTED, That, from and after the ſaid firſt Day of *May* next enſuing, the Office of Paymaſter to the Militia ſhall ceaſe and be aboliſhed, excepting ſo far as may relate to the Settlement of the Accounts of ſuch of the ſaid Paymaſters as may be delinquent, if any ſuch there ſhould be; and alſo with Regard to the delivering up ſuch Payrolls as may have been put into their Hands.

Payrolls, by whom to be ſettled.

4. AND BE IT ENACTED *by the Authority aforeſaid*, That the following Perſons be, and they hereby are, appointed Commiſſioners in the ſeveral Counties of this State, for the Purpoſe of ſettling and adjuſting the Payrolls of the Militia and the Troops of this State as aforeſaid, and alſo for ſigning and delivering out to each and every Perſon a Note for the Payment of what may be juſtly due.

For

For the County of *Bergen*, *Peter Wilſon*, Eſquire.
For the County of *Eſſex*, Captain *Thomas Clark*.
For the County of *Middleſex*, *Thompſon Stelle*, Eſquire.
For the County of *Monmouth*, *Thomas Henderſon*, Eſquire.
For the County of *Somerſet*, *Wilhelmus Verbryke*, Eſquire.
For the County of *Burlington*, *Joſeph Kirkbride*, Eſquire.
For the County of *Glouceſter*, *Thomas Carpenter*.
For the County of *Salem*, *John Smith*, Eſquire.
For the County of *Cape-May*, *Eli Eldredge*, Eſquire.
For the County of *Hunterdon*, *Charles Axford*, junior.
For the County of *Morris*, *Silas Condict*, Eſquire.
For the County of *Cumberland*, *Eli Elmer*, Eſquire.
For the County of *Suſſex*, Mr. *Joſeph Gaſton*.

5. AND BE IT FURTHER ENACTED, That the Notes to be given as aforeſaid ſhall be printed on good Paper, and indented in the ſame Manner as the Notes that were given to the Officers and Soldiers of this State for Depreciation of Pay, and ſhall be ſigned by the Commiſſioner of the County in which the ſame may be iſſued, and delivered to the Perſon to whom the ſaid Sums are reſpectively allowed, or to their Order; which Notes ſhall be in the following Form: Notes to be printed, their Uſe and Form.

No.]
THE *State of* New-Jerſey *is indebted unto of the County of in the Sum of being for Militia Services; which ſaid Sum ſhall be paid unto the ſaid or his lawful Repreſentative, in Specie, with Intereſt at the Rate of Six per Centum per Annum until paid. Witneſs my hand this Day of One Thouſand Seven Hundred and Eighty-*

Commiſſioner.

6. AND BE IT FURTHER ENACTED, That the Notes ſo given as aforeſaid ſhall be negociable or transferable, and ſhall be at any Time hereafter receivable in Payment of all Debts due to the State, and in Payment for any forfeited Eſtates that may be ſold in this State; and the Agents in the reſpective Counties are required to receive the ſame accordingly: PROVIDED ALWAYS, That in caſe any of the ſaid Notes ſhould be tendered in Payment as aforeſaid, the ſaid Agents ſhall not be allowed or have any Intereſt that may ariſe thereon, after the Day or Time the ſaid Eſtates may be ſold. To be transferable and receivable for State Debts.

7. AND BE IT FURTHER ENACTED, That the Treaſurer of the State ſhall, as ſoon as convenient, after the paſſing of this Act, procure to be printed, at the Expence of the State, Ten Thouſand Notes, agreeably to the aforeſaid Form, and ſhall deliver them out to the Commiſſioners appointed as aforeſaid, in Proportion to the Number of Men who have rendered Service in each County reſpectively; which Number ſhall be determined by the Payrolls returned, charging the Commiſſioners of each and every County with the Number that may be ſo delivered; which ſaid Notes ſhall alſo be printed with a Margin on the left Side of each Note, in which Margin ſhall be entered the Number, the Perſon's Name, and the Sum ſpecified in the ſaid Notes, and which ſhall be by the ſaid Commiſſioners ſeparated from the ſaid Notes in ſuch To whom to be delivered, &c.

Manner as to ſerve as a Check againſt Counterfeits; and which ſaid Margins ſhall be carefully kept together by the reſpective Commiſſioners in Order as they may be numbered.

Commiſſioners, when to proceed to Buſineſs.

8. AND BE IT FURTHER ENACTED, That the ſaid Commiſſioners ſhall, as ſoon as convenient, after the ſaid firſt Day of *May* next, proceed to the Buſineſs of their Appointment, by applying to the Perſons who now are Paymaſters to the Militia, for all the Payrolls and other Documents they may have in their Hands, that may be uſeful in the Adjuſtment of the ſaid Buſineſs; and the ſaid Perſons are hereby required to deliver to the ſaid Commiſſioners, on Application to them for that Purpoſe, all ſuch Documents as aforeſaid; and the ſaid Commiſſioners ſhall alſo give publick Notice, by Advertiſements in the Counties reſpectively, of the Buſineſs to which they are appointed, and ſhall require all Perſons, having any Demands for Militia Services, or for Services rendered under temporary Enliſtments, to exhibit the ſame to the ſaid Commiſſioners, at ſuch Time and Place as they the ſaid Commiſſioners ſhall appoint; and it ſhall and may be lawful for the ſaid Commiſſioners to adjourn from Time to Time, as they may think proper, provided that the Time to which they may adjourn ſhall not exceed the Time herein after limited for all the ſaid Demands to be exhibited.

Auditor to give Inſtructions.

9. AND BE IT FURTHER ENACTED, That the ſaid reſpective Commiſſioners ſhall, in their Settlement and Adjuſtment of the ſaid Buſineſs, proceed therein agreeably to ſuch Inſtructions as they may receive from the Auditor of Accounts, which he is hereby required to give, conſonant to the Reſolutions of Congreſs and Laws of this State, in which the Pay and Subſiſtence of the Troops are particularly defined.

Commiſſioners to keep Books, *&c.*

10. AND BE IT FURTHER ENACTED, That the ſaid Commiſſioners ſhall enter fairly and regularly, in a Book to be by them procured for that Purpoſe, the Name of every Perſon to whom any Note may be given as aforeſaid, the Rank of each and every Perſon, the Sum contained in the ſaid Note, and the Number thereof; and ſhall, at the Expiration of the Time herein after limited for ſuch Demands to be exhibited, carefully compute the whole Amount of the ſaid Notes ſo iſſued and recorded; which ſaid Books, together with the Margin of the ſaid Notes as aforeſaid, and alſo ſuch blank Notes as may remain at that Time in the Hands of the ſaid Commiſſioners, ſhall, within one Month after the Expiration of the Time aforeſaid, be depoſited in the Treaſury of the State; and the Treaſurer is hereby required to give the ſaid Commiſſioners Receipts for the ſaid Books, Margins of the ſaid Notes, ſpecifying the Number thereof, and blank Notes, if any there be; and ſhall at the ſame Time deliver to the Treaſurer all ſuch Payrolls as may be received and ſettled by Virtue of this Act.

Vacancies, how to be ſupplied.

11. AND BE IT ENACTED *by the Authority aforeſaid*, That if either or any of the ſaid Commiſſioners, appointed by Virtue of this Act, ſhould refuſe to accept of their Appointment, or ſhould neglect to perform the Duties thereof for one Month after the ſaid firſt Day of *May*, or by Death or other Diſability, ceaſe to perform the Duties of them required by this Act, the Vacancy ſo happening ſhall be ſupplied by the

the Repreſentatives of the County where ſuch Vacancy may happen, or a Majority of them; and the Perſon or Perſons ſo appointed ſhall be veſted with the ſame Powers, perform the like Duties, and receive the ſame Rewards, as the Commiſſioners appointed in and by this Act.

Demands, when to be exhibited.

12. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That each and every Perſon, having Demands againſt the State for Services rendered as aforeſaid, and who ſhall not exhibit the ſame to the ſaid Commiſſioners on or before the firſt Day of *November* next enſuing, after which Time the ſaid Commiſſioners ſhall receive no further Demands as aforeſaid, each and every Perſon ſo neglecting ſhall be, and are hereby declared to be forever debarred from recovering, in and by Virtue of ſaid Demand or otherwiſe, of which the ſaid Commiſſioners ſhall give Notice in their firſt Advertiſements to the Publick.

Commiſſioners, their Allowance.

13. AND BE IT FURTHER ENACTED, That the ſaid Commiſſioners ſhall be allowed one Half per Centum for all the Amount of ſuch Payrolls they may adjuſt as aforeſaid, and for which they ſhall have iſſued Notes; and ſhall alſo be allowed for their Trouble of conveying the Books and Documents as aforeſaid to the Treaſurer *Six-pence* per Mile for each Mile the Commiſſioners' Place of Abode may be who may carry or convey the ſame to the Treaſury, to be paid by the County Collector where ſuch Commiſſioners reſpectively belong; and the Receipt of the ſaid Commiſſioners to the ſaid County Collectors ſhall be ſufficient Vouchers in their Settlement with the Treaſurer; and the Receipts of the ſaid County Collectors ſhall be ſufficient Vouchers to the Treaſurer in the Settlement of his Accounts.

CHAP. CCCXCVIII.

An ACT *for raiſing a Revenue of* Thirty-one Thouſand Two Hundred and Fifty-nine Pounds Five Shillings *per Annum, for the Term of twenty-five Years, for the Purpoſe of paying the Intereſt and Principal of Debts due from the United States, agreeably to a Recommendation of Congreſs of the eighteenth Day of* April, *One Thouſand Seven Hundred and Eighty-three, and for appropriating the ſame.*

Paſſed Dec. 20, 1783.

Preamble.

WHEREAS the Honourable the Congreſs of the United States aſſembled, by their Act of the eighteenth Day of *April*, One Thouſand Seven Hundred and Eighty-three, for the Purpoſe of reſtoring publick Credit, and diſcharging the Debts due from the United States, recommended the levying certain Duties upon Goods imported from foreign Parts; and, in Addition thereto, " recommended to the ſeveral States to eſtabliſh, for a Term limited to twenty-five Years, and to appropriate to the Diſcharge of the Intereſt and Principal of the Debts contracted on the Faith of the United States for ſupportiug the War, ſubſtantial and effectual Revenues of ſuch Nature as they may judge moſt convenient, for ſupplying their reſpective Proportion of *One Million Five Hundred Thouſand Dollars* annually, excluſive of the aforementioned

mentioned Duties; which Proportion ſhall be affixed and equalized, from Time to Time, according to the Rule which is or may be preſcribed by the Articles of Confederation; and in caſe the Revenues eſtabliſhed by any State ſhall at any Time yield a Sum exceeding its actual Proportion, the Exceſs ſhall be refunded to it; and in caſe the Revenues of any State ſhall be found to be deficient, the immediate Deficiency ſhall be made up by ſuch State with as little Delay as poſſible, and a future Deficiency guarded againſt by an Enlargement of the Revenues eſtabliſhed. PROVIDED, That until the Rule of the Confederation can be carried into Practice, the Proportions of the ſaid *One Million Five Hundred Thouſand Dollars* ſhall be as follows:" In which Recommendation the Proportion of this State is fixed at *Eighty-three Thouſand Three Hundred and Fifty-eight Dollars*, equal to *Thirty-one Thouſand Two Hundred and Fifty-nine Pounds Five Shillings*; in order, therefore, to comply with the before in Part recited Recommendation of Congreſs.

Sum to be raiſed—when to be paid.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That there ſhall be aſſeſſed, levied and raiſed, on the ſeveral Inhabitants of this State, their Goods and Chattels, and on the Lands and Tenements within the ſame, for the Time being, the Sum of *Thirty-one Thouſand Two Hundred and Fifty-nine Pounds Five Shillings*, yearly and every Year, for the Term of twenty-five Years; the firſt Payment whereof to be in the Year One Thouſand Seven Hundred and Eighty-four, and the laſt in the Year One Thouſand Eight Hundred and Eight; and that the ſame ſhall be aſſeſſed, collected and paid into the Treaſury, on or before the firſt Day of *October*, in each and every of ſaid twenty-five Years; which Payments ſhall be made in Gold or Silver, or other lawful current Money of this State, or in the Bills iſſued for paying Intereſt on publick Debts, purſuant to the Directions of this Act.

Perſons, Articles, &c. made taxable.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That in aſſeſſing the aforeſaid Sum of *Thirty-one Thouſand Two Hundred and Fifty-nine Pounds Five Shillings*, the ſeveral Perſons, Articles and Things, made taxable by this Act, ſhall in each and every of the aforeſaid Years be valued and rated at the Diſcretion of the Aſſeſſors.

All Houſeholders (under which Deſcription ſhall be included all married Men living with their Parents, and not ſupporting a ſeparate Table) the eſtimated Value of whoſe ratable Eſtate does not Amount to *Twenty-five Pounds*, any Sum in Proportion to their Abilities, not exceeding *Six Pounds* over and above their Certainties and other Eſtate made ratable by this Act.

All Merchants, Shopkeepers and Traders, any Sum not exceeding *Twelve Pounds.*

All accuſtomed Fiſheries, the Property of private Perſons, where Fiſh are caught for Sale, any Sum not exceeding *Five Pounds.*

All Sawmills, that ſaw Timber for Sale or Hire, any Sum not exceeding *Five Pounds.*

All Griſtmills, for each Pair of Stones, any Sum not exceeding *Three Pounds Five Shillings.*

All Fullingmills, any Sum not exceeding *Three Pounds.*

All Furnaces, any Sum not exceeding *Nine Pounds.*

All Forges that work Pig-Iron, and all Forges and Bloomaries that work

work Bar-Iron immediately from the Ore, any Sum not exceeding *Forty Shillings* for each Fire.

All Rolling and Slittingmills, any Sum not exceeding *Fifteen Pounds.*

All Stills, that diſtil ſpirituous Liquors for Sale or Hire, any Sum not exceeding *Three Pounds.*

All Breweries, that brew for Sale or Hire, any Sum not exceeding *Two Pounds.*

All Tavernkeepers or Retailers of ſpirituous Liquors, any Sum not exceeding *Five Pounds.*

All Tanyards, that tan Leather for Sale or Hire, any Sum not exceeding *Five Pounds.*

Every Ferry or Toll-Bridge, any Sum not exceeding *Nine Pounds.*

Every coaſting Sloop, Schooner, Shallop, Flat, Paſſage-Boat, Pilot-Boat, Wood-Boat and Pettiauger, that carries Freight for Sale or Hire, in Proportion to their Burden and Buſineſs, any Sum not exceeding *Six Pounds.*

Every ſingle Man, whether he lives with his Parents or otherwiſe, who keeps a Horſe, Mare or Gelding, any Sum not exceeding *Twenty-five Shillings.*

Every ſingle Man, whether he lives with his Parents or otherwiſe, who does not keep a Horſe, Mare or Gelding, any Sum not exceeding *Fifteen Shillings.* PROVIDED ALWAYS, That every ſingle Man poſſeſſed of a ratable Eſtate, the Tax whereof amounts to the higheſt Sum he is above directed to be rated at, ſhall be aſſeſſed for ſuch Eſtate only, and not as a ſingle Man. Proviſo.

Every Male Slave, between the Ages of ſixteen and fifty-five Years, any Sum not exceeding *Ten Shillings.* PROVIDED ALWAYS, That no Slave ſhall be taxed who is unable to work, or may appear to the Aſſeſſor to be no Profit to his Maſter or Miſtreſs.

Every Coach, Chariot, four-wheeled Chaiſe or Phæton, any Sum not exceeding *Three Pounds.*

Every two Horſe Chaiſe or Curricle, any Sum not exceeding *Ten Shillings.*

Every riding Chair, Kittereen or Sulky, any Sum not exceeding *Three Shillings.*

Every light travelling Waggon with a Top or Covering, that hangs on Springs, ſhall be rated any Sum not exceeding *Thirty Shillings.*

All covering Horſes, of three Years old and upwards, that cover for Hire, any Sum not exceeding *Five Pounds.*

All other Horſes, Mares and Geldings, of two Years old and upwards, ſhall be valued at *Twenty-five Shillings* each Head.

All horned Cattle, of two Years old and upwards, ſhall be valued at *Twenty Shillings* each Head.

All Tracts of Land held or owned by Deed, Patent, Occupancy, Survey or otherwiſe, whether improved or unimproved, ſhall be valued at the Diſcretion of the Aſſeſſors in each reſpective County of this State, at any Sum not exceeding *Eighty Pounds* by the hundred Acres. PROVIDED ALWAYS. That all Lands whereon any Improvement is made, the whole Tract ſhall be conſidered as improved Land: AND PROVIDED ALSO, That Houſes and Lots of Lands ſituate, lying and being in any County of this State, of ten Acres of Land and under, ſhall not be included in the above Valuation, but ſuch ſhall be valued by the reſpective Aſſeſſors at their Diſcretion, having Regard to their yearly Proviſo. Proviſo.

Rent

Rent and Value, proportioning the ſame as nearly as may be to the Value of Land aforeſaid.

Proportion of each County.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Sum of *Thirty-one Thouſand Two Hundred and Fifty-nine Pounds Five Shillings*, ſhall be aſſeſſed, levied and raiſed in the ſeveral Counties in this State, according to the Quotas that ſhall be fixed by the Legiſlature every four Years during ſaid Term after the firſt Year's Tax, the Quota of which firſt Tax or Aſſeſſment ſhall be as follows:

By the County of *Bergen*, the Sum of *One Thouſand Eight Hundred and Forty-ſix Pounds Eight Shillings and Ten-pence Three Farthings.*

By the County of *Eſſex*, the Sum of *Two Thouſand Two Hundred and Ninety-ſix Pounds Eighteen Shillings and Six-pence Three Farthings.*

By the County of *Middleſex*, the Sum of *Two Thouſand Five Hundred and Fifty Pounds Eleven Shillings and Nine-pence.*

By the County of *Monmouth*, the Sum of *Three Thouſand One Hundred and Ninety-eight Pounds and Two-pence Three Farthings.*

By the County of *Somerſet*, the Sum of *Two Thouſand Seven Hundred and Sixty Pounds Six Shillings and Eight-pence Farthing.*

By the County of *Burlington*, the Sum of *Three Thouſand Two Hundred and Seventy-nine Pounds Nineteen Shillings and Three Farthings.*

By the County of *Glouceſter*, the Sum of *Two Thouſand Four Hundred and Sixty-three Pounds Three Shillings and Six-pence Farthing.*

By the County of *Salem*, the Sum of *Two Thouſand One Hundred and Twenty-four Pounds Five Shillings and One Penny Farthing.*

By the County of *Cape-May*, the Sum of *Five Hundred and Eighty-five Pounds Nineteen Shillings and Two-pence.*

By the County of *Hunterdon*, the Sum of *Four Thouſand Two Hundred and Forty-eight Pounds Seven Shillings and Three-pence Three Farthings.*

By the County of *Morris*, the Sum of *Two Thouſand Four Hundred and Twenty-two Pounds and One Penny Half-penny.*

By the County of *Cumberland*, the Sum of *One Thouſand Three Hundred and Five Pounds Twelve Shillings.*

By the County of *Suſſex*, the Sum of *Two Thouſand One Hundred and Seventy-ſeven Pounds Twelve Shillings and Seven-pence.*

Amount of Tax, how to be regulated.

4. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for the Legiſlature of this State to alter, either by encreaſing or reducing, the aggregate Amount of the annual Tax directed by this Act ſo far as to make the ſame conformable to ſuch future Quota as may be fixed by Congreſs for this State, agreeably to the Rule which now is, or hereafter may be, fixed for that Purpoſe.

Town-Officers, not choſen at the annual Meeting, how to be appointed.

5. AND WHEREAS ſome of the Townſhips, Precincts and Wards, within this State, may hereafter neglect to elect Aſſeſſors or Collectors in the Manner directed by Law; for Remedy whereof, BE IT ENACTED, That any two Juſtices of the Peace of the County, where-ever ſuch Delinquency happens, are hereby required to notify the Inhabitants thereof, by Advertiſement ſet up in three of the moſt publick Places within ſuch Townſhip, Precinct or Ward, to meet together on the laſt *Monday* in *May*, at two o'Clock in the Afternoon, at the uſual Place for holding of their annual Town-Meetings; at which Meeting it ſhall

and

and may be lawful for them, by Plurality of Voices, to elect ſuch and ſo many Town-Officers as they are entitled to by Law or Charter, that they have not already choſen; and the Officers ſo elected ſhall perform the ſame Duties, and be ſubject to the ſame Penalties, as if they had been regulary choſen at the annual Town-Meeting.

Aſſeſſors to take Oaths.

6. AND BE IT ENACTED *by the Authority aforeſaid*, That the Aſſeſſors of the ſeveral Townſhips, Precincts or Wards, in each reſpective County of this State, ſhall, before they proceed to the Duties required of them by this Act, ſeverally take the following Oath or Affirmation before a Juſtice of the Peace in the reſpective Counties, *videlicet*,

Form.

THAT I will truly and impartially value and aſſeſs the ratable Eſtate of the Inhabitants of the Townſhip, Precinct or Ward, of purſuant to the Directions of the Act, intitled, 'An Act for raiſing a Revenue of Thirty-one Thouſand Two Hundred and Fifty-nine Pounds Five Shillings *per Annum, for the Term of twenty-five Years, for the Purpoſe of paying the Intereſt and Principal of Debts due from the United States, agreeably to a Recommendation of Congreſs of the eighteenth Day of* April, *One Thouſand Seven Hundred and Eighty-three, and for appropriating the ſame.*

Inhabitants to give in their Names and Ratables.

7. AND, to the End that the ſaid Tax may be equitably and effectually aſſeſſed and levied, BE IT ENACTED *by the Authority aforeſaid*, That all and every the Inhabitants of the ſeveral Townſhips, Precincts or Wards, in the ſeveral Counties of this State, on Application to them made by the Aſſeſſors of the reſpective Townſhips, Precincts and Wards, ſhall forthwith give a full and true Account of their Names and Surnames, and of their Eſtates, Real and Perſonal, made ratable by this Act, which the Aſſeſſors ſhall take down in Writing, as well thoſe of Houſeholders as others, together with all the Certainties, in order to be enabled thereby to make juſt and true Aſſeſſments, and that the Legiſlature may be enabled thereby to make a juſt Settlement of the Quotas of the ſeveral Counties; and in caſe any of the ſaid Inhabitants ſhall neglect or refuſe to give in ſuch Account, or any Part thereof, ſuch Perſon or Perſons ſo neglecting or refuſing, ſhall be rated double the Sum at which the Aſſeſſors reſpectively may, in their Diſcretion, ſuppoſe the ſaid Perſon or Perſons, ſo neglecting or refuſing, might otherwiſe, in Proportion to their Eſtates, have been rated and aſſeſſed.

Aſſeſſors to make Liſts.

8. AND BE IT ENACTED *by the Authority aforeſaid*, That the Aſſeſſors aforeſaid reſpectively ſhall take a true Account, and make an exact Liſt of the Perſons and Articles made ratable by this Act as aforeſaid, on or before the laſt *Tueſday* in *July* yearly, during the Continuance of this Act; and ſhall meet together for ſettling the Quotas on the ſaid laſt *Tueſday* in *July* annually, at ten o'Clock in the Morning of each Day, at the Place of holding the Courts in the ſeveral Counties, except in the County of *Hunterdon*, for which they ſhall meet at the preſent Dwellinghouſe of *John Snyder*, in *Amwell*; and, at the ſaid reſpective Times and Places, ſhall compute what the Sum total of all the Certainties laid by this Act on the ſaid County will amount unto; and ſhall likewiſe then and there compute the Value of all the Eſtates, Real and Perſonal, taken by the ſaid Aſſeſſors within each of the ſaid Townſhips, Precincts or Wards, in each and every County of this State, at ſuch

Value

Value as they, or a Majority of them then preſent, in their Diſcretion ſhall think reaſonable to fix, according to the Reſtrictions herein before limited and preſcribed; and ſhall thereby determine and adjuſt the Quotas to be levied and collected within each reſpective Townſhip, Precinct or Ward; and ſhall make out a true Abſtract of the Amount of all the Articles made ratable by this Act, in each of the reſpective Townſhips in the ſeveral Counties to which they belong, in Manner and Form following, *that is to ſay*,

A Liſt of the Ratables of the ſeveral Townſhips in the County of *Jerſey*, taken in the Month of 1 in the State of *New-* with the Aſſeſſments made thereon.

Townſhips Names.	A. B.	C. D.	E. F.	Here caſt up the Total of each Column.
Acres of improved Land.				
Value of do. per hund. Acres.				
Acres of unimproved Land.				
Value of do. per hund. Acres.				
Houſes and Lots of Land not exceeding ten Acres, expreſſing the Number of Acres contained in each Lot.				
Value of Houſes and Lots.				
Horſes at 25 *ſ.* each.				
Horned Cattle at 20 *ſ.* each.				
£. ſ. d.				
Houſeholders.				
Merchants, Shopkeepers & Traders.				
Fiſheries.				
Sawmills.				
Griſtmills.				
Fullingmills.				
Furnaces.				
Forges.				
Rolling and Slittingmills.				
Stills.				
Breweries.				
Taverns.				
Tanyards.				
Ferries.				
Veſſels and Boats.				
Single Men and Horſe.				
Single Men.				
Slaves.				
Coaches, &c.				
Two Horſe Chaiſes.				
Riding Chairs, &c.				
Covered Waggons.				
Covering Horſes.				
£. ſ. d. Amount of the Certainties in each Townſhip.				
£. ſ. d. Amount of Taxes.				

Abſtract of the Articles, *&c.* made ratable.

Which Abſtract ſhall be ſigned by each of the ſaid Aſſeſſors, and delivered to the Collector of the County immediately; and the Aſſeſſors reſpectively

reſpectively ſhall deliver to the Collector of each Townſhip, Precinct or Ward, of the ſeveral Counties within this State, true and exact Duplicates of the ſaid Aſſeſſments, on or before the ſecond *Tueſday* in *Auguſt* annually, containing as well a full Account of the Certainties and Rates aforeſaid, as of the ratable Eſtate given in by each Perſon, and the Aſſeſſments made thereon; which Duplicates ſhall be made in the ſame Manner and Form with the Abſtract before-mentioned, excepting that the Names of the ſeveral Perſons ſhall be inſerted in the Place therein allotted for the Names of the ſeveral Townſhips; and the ſaid Aſſeſſors ſhall add together the Sums contained in each Column of ſaid Duplicate, and place the aggregate Sum at the Foot of their reſpective Columns through every Page of ſaid Duplicate; Copies of which Duplicate the ſaid Aſſeſſors ſhall alſo deliver to the Collectors of the ſeveral Counties, who are hereby required, at the Times before directed for the Payment of the Monies raiſed by this Act, to deliver or tranſmit the ſaid Duplicate, together with the ſaid Abſtracts, to the Treaſurer, and to pay the Monies or Bills iſſued for Payment of Intereſt collected thereon by the Times before-mentioned.

Duplicates of which, when to be delivered to the Town-Collectors.

9. AND BE IT ENACTED, That the ſeveral and reſpective Aſſeſſors, after having taken a Liſt of the Ratables, and ſettled the Quotas of the ſeveral Townſhips, Precincts or Wards as aforeſaid, ſhall eſtimate, adjuſt and determine, the Value or Rate to be affixed to each Perſon and Article made ratable by this Act, taking into Conſideration the Loſſes and Damages, as well as the Acquirements of each Perſon ſince the Beginning of the late War, together with their Situation, Opportunities, and whatever elſe may tend towards the more equitable Aſſeſſment of the ſaid Tax, and ſhall levy the ſame accordingly within the Limitations and Reſtrictions of this Act.

Aſſeſſors, how to rate each Perſon, &c.

10. AND BE IT ENACTED, That the ſaid Aſſeſſors reſpectively, after having ſettled the ſeveral Rates and Valuations aforeſaid, ſhall deduct the Certainties from the Quotas of the reſpective Townſhips ſo as before adjuſted, and having added their own, and the Collectors Fees to the Remainder, ſhall aſſeſs ſuch Remainder and Addition of Fees equally on the *Pound* Value of all the Real and Perſonal Eſtates, within each of their ſeveral Townſhips, Precincts or Wards, ſo as to make up at leaſt their reſpective Quotas with the additional Charges of valuing, aſſeſſing and collecting, receiving and paying, the ſame into the Treaſury.

Fees of the Aſſeſſors, &c. how to be aſſeſſed.

11. AND BE IT ENACTED, That in caſe any of the Aſſeſſors in either of ſaid Years ſhall neglect or refuſe to make the ſaid Aſſeſſments, or to deliver unto the ſaid Collectors true and exact Duplicates of ſuch Aſſeſſments, or ſhall neglect or refuſe to deliver true and exact Copies of ſaid Duplicates to the County Collector, in Manner and Form as is directed by this Act, within the Times herein before prefixed, every ſuch Aſſeſſor ſo offending ſhall forfeit and pay, for each Offence, the Sum of *Twelve Pounds*; and in caſe any Aſſeſſor ſhall neglect or refuſe to do any Duty required of him by this Act, he ſhall forfeit and pay, for each Offence, the Sum of *Forty Shillings*, to be recovered as is hereinafter directed; and the Aſſeſſors ſhall reſpectively have and receive, of and from the County Collector, the Sum of *Three-pence* on the *Pound*, for their Trouble in aſſeſſing and rendering Duplicates as aforeſaid;

Aſſeſſors Forfeiture for Neglect of Duty.

Fees.

and if any Perſon or Perſons ſhall think him, her or themſelves aggrieved, by any Aſſeſſment made in Purſuance of this Act, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal to the Commiſſioners of Appeal for the Townſhip, Precinct or Ward, to which he, ſhe or they, may belong, which ſaid Commiſſioners are hereby required to attend for that Purpoſe at the uſual Place for holding the annual Town-Meetings, to hear Appeals from the Aſſeſſment annually on the firſt *Monday* in *September*, at which Time and Place the Aſſeſſor of ſuch Townſhip is required to attend and offer ſuch Reaſons as he may judge neceſſary to ſupport the Aſſeſſment; and the ſaid Commiſſioners of Appeal, upon due Examination of Facts, ſhall and may give ſuch Relief as may be agreeable to Juſtice, whoſe Judgment ſhall be final to all Intents and Purpoſes; and the ſaid Commiſſioners are hereby directed and required to decide upon all Appeals made to them within three Days, after the Days reſpectively on which they are above directed to meet, and not afterwards; and each of the ſaid Commiſſioners ſhall receive from the Townſhip Collector, at the Rate of *Seven Shillings and Six-pence* per Day, for each Day he ſhall be ſo employed.

Appeal.

A Majority of the Aſſeſſors to ſettle the Proportion.

12. AND BE IT ENACTED *by the Authority aforeſaid*, That if the Aſſeſſor of any Townſhip, Precinct or Ward, in any County of this State, ſhall neglect to attend at the Times and Places before directed for the Meeting of the Aſſeſſors in the reſpective Counties, it ſhall and may be lawful for the Majority of the Aſſeſſors of the ſaid County met as aforeſaid, notwithſtanding the Abſence of ſuch Aſſeſſor, to proceed to ſettle the Proportion to be levied on ſuch Towſhip, Precinct or Ward, in the ſaid County; which Proportion ſo fixed ſhall be aſſeſſed and collected by the Aſſeſſor and Collector of ſuch Townſhip, Precinct or Ward.

Collectors, when to demand the Taxes, and Mode of recovering them.

13. AND BE IT FURTHER ENACTED, That the Collectors of the reſpective Townſhips, Precincts or Wards of this State, within twenty Days after the Receipt of each Duplicate and Aſſeſſment as aforeſaid, ſhall make Demand of the ſeveral and reſpective Sums aſſeſſed on each Perſon within their reſpective Townſhips, Precincts or Wards, in Perſon or by Notice left at his Place of Abode; and ſhall alſo give Notice of the Time and Place of holding the Courts of Appeals; and in caſe of Non-Payment of the Aſſeſſment of the ſaid Tax on the fifth Day of *September*, in each Year, the ſaid Collector ſhall make out a Liſt of the Names and Surnames of ſuch Delinquents, with the Sum due from each, and make Return thereof to any Juſtice of the Peace of the County where ſuch Delinquency ſhall happen, which Juſtice is hereby empowered and required to adminiſter an Oath or Affirmation to the ſaid Collector, that the Monies in the Liſt mentioned had been demanded, or Notice thereof given at each Delinquent's uſual Place of Abode, and thereupon immediately make out his Warrant, directed to any Conſtable of the County, requiring him to make Diſtreſs on the Goods and Chattels of each Delinquent, and make Sale thereof at publick Vendue, giving Notice of the Time and Place by Advertiſements in three of the moſt publick Places in the Townſhip, Precinct or Ward, at leaſt five Days before the Day of Sale, and to pay the Tax for which ſuch Diſtreſs is made to the ſaid Collector within twenty Days from the Date of the Warrant, and at the Time of making Payment to retain *Two-Pence* for each Name inſerted in the Warrant, to be paid to the Juſtice of the Peace who ſhall make out the ſame, and *Two Shillings and Six-pence*

as his own Compenſation for each Diſtreſs, and to return the Overplus, if any there be, to the Owner; and in caſe the Owner ſhall refuſe to accept thereof, then the ſaid Conſtable ſhall pay the ſame into the Hands of the Collector of the Townſhip, Precinct or Ward, to be credited to the Owner in his next Tax, or paid to his Succeſſor for that Purpoſe; and where Goods and Chattels cannot be found, the Conſtable is hereby empowered and required to take the Body or Bodies of ſuch Delinquent or Delinquents, if to be found in ſaid County, and to deliver him or them to the Sheriff of ſuch County, or his Gaoler, to be kept in ſafe Cuſtody until Payment ſhall be made, and all Charges accruing thereby are defrayed; and the Collectors of the reſpective Townſhips, Precincts or Wards, within this State for the Time being, ſhall deliver the Tax by them collected and received, together with the Duplicates and ſuch Forfeitures as they may have received for the Uſe of the State in Purſuance of this Act, to the Collector of the County in which ſuch Townſhip, Precinct or Ward, is ſituated, on or before the twenty-fourth Day of *September* in each Year; and in caſe any ſuch Collector ſhall refuſe to do any Duty enjoined on him by this Act, he ſhall forfeit and pay, for each Offence, the Sum of *Twelve Pounds*, to be recovered and applied in Manner herein after directed; and the reſpective Collectors aforeſaid ſhall and may retain in their Hands the Sum of *Three-pence* on the *Pound*, for all ſuch Monies as they may collect in and pay to the County Collector aforeſaid by Virtue of the Directions of this Act; and if any Conſtable ſhall neglect or refuſe to do any Duty or Service enjoined on him by this Act, he ſhall forfeit and pay the Sum of *Six Pounds*, to be recovered by the Townſhip, Precinct or Ward Collector, before any Juſtice of the Peace of the County, and applied one Half to the Uſe of the Proſecutor, and the other Half to the Uſe of the State, with Coſts of Suit.

Fees.

Forfeiture.

14. AND BE IT FURTHER ENACTED, That in caſe of the Removal, Death, Neglect or Refuſal, of any Aſſeſſor or Collector appointed to any of the Duties of this Act, and alſo where in any Townſhip, Precinct or Ward in this State, the Inhabitants may have neglected and ſhall neglect, after the Time given in this Act, to chooſe Town-Officers, in every ſuch Caſe it ſhall and may be lawful for any two Juſtices of the Peace of the County in which ſuch Townſhip, Precinct or Ward may be, to meet together and appoint ſuch other fit Perſon or Perſons within the ſaid County as they ſhall think proper, to aſſeſs and collect the Taxes of ſuch Townſhip, Precinct or Ward; and the Perſons ſo appointed ſhall be, and they are hereby declared to be veſted with the like Powers and Authority, and ſhall perform the like Duties within ſuch Townſhip, Precinct or Ward, receive the like Rewards, and be ſubject to the ſame Penalties for Neglect or Default with the Aſſeſſors and Collectors herein mentioned.

In caſe of the Removal, &c. of Aſſeſſors, and Collectors, Juſtices to appoint others.

15. AND BE IT ENACTED *by the Authority aforeſaid*, That the Collectors of the ſeveral Counties ſhall pay the Sums by them received as aforeſaid to the Treaſurer of the State, on or before the firſt Day of *October* in every Year, during the Continuance of this Act, taking Receipts for the ſame; which Receipts, after having been entered in the Auditor's Office, and endorſed agreeably to Law, ſhall be ſufficient Vouchers to diſcharge the ſaid Collectors ſeverally from the Monies or Bills ſo paid; and if any County Collector ſhall neglect or refuſe to pay

Collectors, when and to whom to pay the Sums they may receive.

pay to the Treaſurer the Monies or Bills by him received purſuant to the Directions of this Act, or any Part thereof, within the Times herein before limited, or ſhall refuſe or neglect to perform any of the Duties enjoined him by this Act, he ſhall, for every ſuch Offence, forfeit and pay the Sum of *Ten Pounds*, to be recovered with Coſts by the Treaſurer, and applied as aforeſaid; and the ſaid County Collectors reſpectively ſhall have and retain in their Hands the Sum of *One Penny* per *Pound*, for all the Taxes by them received and paid in Virtue of the Directions of this Act, and likewiſe *Six-pence* per Mile for each annual Payment for every Mile his Place of Abode may be diſtant from the Treaſury.

Juſtice of Peace neglecting his Duty, what to forfeit.

16. AND BE IT ENACTED, That if any Juſtice of the Peace of this State ſhall neglect or refuſe to do any Duty required of him by this Act, every ſuch Juſtice, ſo neglecting or refuſing, ſhall forfeit for each Offence the Sum of *Six Pounds*, to be recovered and applied as is herein after directed.

County Collector to proſecute for Fines.

17. AND BE IT FURTHER ENACTED, That the Collector of the County, on Behalf of and for the Uſe of the County, ſhall proſecute for all Fines and Forfeitures before-mentioned, which may become due by Virtue of this Act, excepting where it is otherwiſe directed.

Collectors neglecting their Duty, what to forfeit.

18. AND BE IT ENACTED, That if the Collector of any Townſhip, Precinct or Ward, ſhall make Default in not paying the Money or Bills by him collected, and every Part thereof, to the Collector of the County to which he belongs, at the Times herein before ſpecified, he ſhall, beſides the Forfeitures herein before-mentioned, be ſubject to an Action of Debt at the Suit of the County Collector for the Recovery of the whole Sum, or any Part thereof, with Intereſt and Coſts of Suit; and if any County Collector ſhall make Default in not paying to the Treaſurer the Money or Bills by him received, and herein before directed to be paid to the ſaid Treaſurer, or any Part thereof, at the Time in each Year ſpecified for that Purpoſe, he ſhall, beſides the Forfeitures before-mentioned, be ſubject to an Action of Debt at the Suit of the ſaid Treaſurer for the Recovery of the whole Sum unpaid, with Intereſt and Coſts of Suit.

County Collectors, to whom accountable.

19. AND BE IT ENACTED, That it ſhall and may be lawful for the Juſtices of the Peace of each County in this State, or any three of them, and a Majority of the Freeholders choſen for the ſaid County, to call the County-Collector to an Account reſpecting the Money or Bills he ſhall receive by Virtue of the Directions of this Act, at ſuch Time and Times, and as often as the ſaid Juſtices and Freeholders may deem convenient; and all Monies or Bills, remaining in the Hands of the ſaid County Collectors, after the Quotas of the County ſhall be paid in as aforeſaid, ſhall by the ſaid Juſtices and Freeholders be credited to the Townſhip, Precinct or Ward, wherein the ſaid Monies or Bills were raiſed, towards their next Year's Quota, and applied to that Purpoſe; and the County Collectors ſeverally are hereby required and commanded to lay Copies of the reſpective Aſſeſſments and Accounts of Deficiencies, and of all Fines and Forfeitures received purſuant to the Directions of this Act, before the Juſtices and Freeholders of the reſpective Counties annually at their ſtated Meetings, or oftener if by them required.

Certain Monies, how to be appropriated.

20. AND

Collectors embezzling Money, how to be reimburſed.

20. AND BE IT FURTHER ENACTED, That if any County, Precinct, Townſhip or Ward Collector, ſhall ſquander or embezzle the Money belonging to the State entruſted in his Hands, ſo that Recovery thereof cannot be had by the State, the ſaid County, Precinct, Townſhip or Ward, ſhall be liable to reimburſe the Sum ſo ſquandered or embezzled, to be added to the Quota of the next Year's Tax of ſuch County, Precinct, Townſhip or Ward; and all Deficiencies happening in any County or Townſhip in any one Year during the Continuance of this Act, ſhall be added to the Quota of ſuch County or Townſhip the ſucceeding Year, and aſſeſſed and collected accordingly.

Tenants to pay Taxes.

21. AND BE IT ENACTED, That the Goods and Chattels of all Tenants or Perſons reſiding on, or having the Care of any Lands or Tenements, ſhall, on Default of Payment of the Tax aſſeſſed thereon, be liable to be diſtrained for the ſame; and in caſe the Tenant or Perſon having the Care of any ſuch Lands or Tenements ſhall pay, or his or her Goods be diſtrained for the Tax, then, and in that Caſe, it ſhall and may be lawful to and for the ſaid Tenant to deduct the Sum ſo paid out of the Rent ſo agreed for, or to recover the ſame from the Owner by Action of Debt in any Court where the ſame ſhall be cognizable, together with Coſts of Suit. PROVIDED ALWAYS, That Nothing in this Act contained ſhall in anywiſe extend to alter any Contract made and ſubſiſting between any Landlord and Tenant.

Proviſo.

Mode of recovering Tax for untenanted Lands.

22. AND, for the Direction of the Collectors of the ſeveral Precincts, Townſhips or Wards, in each reſpective County in this State, in the Mode to be by them purſued for the Recovery of the Tax aſſeſſed on ſuch unimproved and untenanted Tracts of Land, the Owners whereof do not reſide within the County where ſuch Lands are ſituated, BE IT ENACTED, That the ſaid Collectors ſhall, on Default of Payment of the Tax aſſeſſed on ſuch Lands as aforeſaid, within the Times limited in this Act, return the Delinquencies to ſome Juſtice of the Peace of the County, who is hereby required thereupon to iſſue his Warrant to any Conſtable thereof, to levy Diſtreſs on ſo much of the Timber, Wood, Herbage, or whatever other ſaleable Property belonging to the ſaid Owner or Owners may be found on the Premiſes, as will pay the Tax and Coſts in like Manner as in this Act is before directed.

Sum to be printed.

23. AND WHEREAS, by Reaſon of the Scarcity of Gold and Silver in this State, it will be impracticable to raiſe the Whole, or any conſiderable Proportion of the aforeſaid Sum annually in that Kind of Money; and inaſmuch as the Revenue directed to be raiſed by this Act is deſigned by the Recommendation of Congreſs to be appropriated as a Fund for paying the annual Intereſt of Debts contracted on the Faith of the United States; and as the Revenue to be raiſed by Impoſts on imported Goods will, in all Probability, be more than ſufficient to diſcharge the Intereſt ariſing on foreign Loans, and other Debts due in *Europe* and elſewhere out of the United States, it will be highly proper and juſt that thoſe Citizens who contribute their Proportion of ſaid Revenue, and at the ſame Time are Creditors of the United States, ſhould receive out of ſuch Revenue the Advantages expreſsly intended thereby; in order therefore that the ſaid Taxes may be collected with the greater Eaſe and Facility, and be applied to the Uſe for which the ſaid Revenue is appropriated, BE IT ENACTED *by the Authority aforeſaid*,

That Bills for paying the Intereſt which is or may become due to Citizens of this State, be immediately printed, made and prepared, to the Amount of the aforeſaid Sum of *Thirty-one Thouſand Two Hundred and Fifty-nine Pounds Five Shillings*; and that their Numbers and Denominations be as follows, *to wit*,

Number and Denomination of Bills.

One Thouſand Two Hundred Bills of *Six Pounds* each.
Three Thouſand Bills of *Three Pounds* each.
Three Thouſand Nine Hundred and Seventy-ſix Bills of *One Pound Ten Shillings* each.
Three Thouſand Nine Hundred and Seventy-ſeven Bills of *Fifteen Shillings* each.
Three Thouſand Nine Hundred and Seventy-five Bills of *Twelve Shillings* each.
Three Thouſand Nine Hundred and Seventy-ſix Bills of *Seven Shillings and Six-pence* each.
Three Thouſand Nine Hundred and Seventy-ſix Bills of *Five Shillings* each.
Three Thouſand Nine Hundred and Seventy-ſix Bills of *Three Shillings and Nine-pence* each.
Three Thouſand Nine Hundred and Seventy-ſix Bills of *Two Shillings and Six-pence* each.

Form and Words of the Bills.

24. AND BE IT FURTHER ENACTED, That the whole Number of Bills aforeſaid ſhall be printed on good Paper, and impreſſed with the Arms of this State on the left Side near the Bottom thereof, and the Size of the ſaid Bills ſhall be ſimilar to thoſe laſt iſſued under the Authority of this State; and beſides the Arms ſhall be impreſſed with ſuch other Devices as the Treaſurer of this State for the Time being ſhall direct; and near the Top and Bottom thereof the Value of each Bill ſhall be expreſſed; and the ſaid Bills ſhall contain the following Words:

THIS Bill by Law ſhall be received equal to Gold and Silver for ____ *in the Payment of all Taxes levied purſuant to a Law of the State of* New-Jerſey *for raiſing a Revenue for twenty-five Years, paſſed the* ____ *Day of* December, 1783.

Treaſurer and Auditor to number and ſign the Bills.

25. AND BE IT FURTHER ENACTED, That the aforeſaid Bills when printed ſhall be numbered and ſigned by the Treaſurer and Auditor of this State for the Time being, who, or either of them, when they receive ſuch Bills from the Printer thereof, ſhall adminiſter to him, and he is hereby directed and required to take an Oath or Affirmation as follows:

Printer's Oath.

I A B *do declare, that from the Time the Letters were ſet and fit to be put into the Preſs for printing the Bills by me delivered to you, until the Bills were printed and the Letters unſet, I went at no Time out of the Room in which the ſaid Letters were without locking them up; and therefore, to the beſt of my Knowledge, no Copies were printed off but in my Preſence; and that all the Bills ſo printed I have delivered to you, except the Blotters, which I have carefully deſtroyed.*

Which ſaid Printer, at the Time of taking the aforeſaid Oath or Affirmation,

firmation, ſhall deliver to the Treaſurer the Stamps for the Indents and Arms uſed in printing ſaid Bills, to be by him kept and preſerved.

Printer, how to be paid.

26. AND BE IT FURTHER ENACTED, That there ſhall be paid to the Printer for printing the aforeſaid Bills ſuch a Sum as the ſaid Treaſurer and Auditor ſhall agree with him for, on a Warrant ſigned by the Governor in Council upon a Certificate of ſuch Agreement under the Hands of the Treaſurer and Auditor; and that there ſhall be allowed to the ſaid Signers the Sum of *Ten Pounds* each for ſigning and numbering ſaid Bills, and paid on Warrants ſigned by the Governor in Council as aforeſaid.

Signers Fees.

Money, how to be appropriated.

27. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That as ſoon as the ſaid Bills ſhall be printed and ſigned, the Treaſurer for the Time being is hereby authorized and directed to pay out of the ſame one Year's Intereſt due on the Certificates for Loans and other liquidated Debts for Supplies furniſhed the Army, or the Tranſportation thereof, and other contingent Charges due from the United States to the Inhabitants of this State, upon Oath or Affirmation being made before the Treaſurer, or by Depoſitions produced to him, that the Certificate for which the Intereſt is applied for was, on the firſt Day of *May*, One Thouſand Seven Hundred and Eighty-three, the Property of an Inhabitant of this State; and that ſuch Certificate, at no Time ſince that Period, hath been the Property of any Perſon who was an Inhabitant of any other State at the Time he or ſhe was poſſeſſed of the ſame. PROVIDED NOTWITHSTANDING, That Executors or Adminiſtrators ſhall be entitled to receive Intereſt on Certificates, upon taking an Oath or Affirmation that they became poſſeſſed of the Certificate produced, as the Property of the Deceaſed whoſe Eſtate they adminiſter, and who, at the Time of his or her Deceaſe, was an Inhabitant of this State; and was, as they verily believe, poſſeſſed of ſuch Certificate at or before the firſt Day of *May*, One Thouſand Seven Hundred and Eighty-three.

Proviſo.

Intereſt of liquidated Debts, how to be paid.

28. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Treaſurer of this State for the Time being is hereby authorized and directed, immediately upon Receipt of the Taxes directed to be raiſed by this Act in each and every of the ſaid twenty-five Years, (except the laſt-mentioned Tax in the Year Eighteen Hundred and Eight) to pay out of the ſame, either in the Bills iſſued by the Direction of this Act, or in any Species of Money made receivable by the ſame, one Year's Intereſt which may then be due on Certificates for Loans or other liquidated Debts due from the United States to the Inhabitants of this State, upon Oath or Affirmation being made by the Perſon applying, or by Depoſitions produced where Transfers have been or ſhall be made of ſuch Certificates, taken before a Magiſtrate in this State by the ſeveral Perſons by whom ſuch Transfers have been made, whereby it ſhall appear that the Certificate for which the Intereſt is demanded was, on the firſt Day of *May*, One Thouſand Seven Hundred and Eighty-three, the Property of an Inhabitant of this State; and that ſuch Certificate, at no Time ſince that Period, hath been the Property of any Perſon who was an Inhabitant of any other State at the Time he or ſhe was poſſeſſed of the ſame. PROVIDED ALWAYS, That Executors or Adminiſtrators ſhall, during ſaid Term, be entitled to receive

Proviſo.

Intereſt

Intereſt on all Certificates whereon the preceding Year's Intereſt may then appear to have been paid, upon taking an Oath or Affirmation that they became poſſeſſed of the Certificate produced, as the Property of the Deceaſed whoſe Eſtate they adminiſter; and who, at the Time of his or her Deceaſe, was an Inhabitant of this State; and that they verily believe the Deceaſed, if then living, would be entitled to receive ſuch Intereſt agreeable to the Direction of this Act; and all Transfers of Certificates by Executors or Adminiſtrators, after he or they ſhall have taken the Oath or Affirmation as aforeſaid, ſhall entitle the Poſſeſſor to receive Intereſt thereon agreeably to the true Intent and Meaning of this Act, upon Proof being made to the Treaſurer that ſuch Certificate hath, at no Time after ſuch Transfer, been the Property of any Perſon while reſiding out of this State; and the ſaid Treaſurer ſhall alſo, in each and every of the ſaid Years (except the Year Eighteen Hundred and Eight) out of the Production of ſaid Taxes pay one Year's Intereſt which may then be due on all Certificates which have been given ſince the firſt Day of *May*, Seventeen Hundred and Eighty-three, for Supplies furniſhed the Army, or Tranſportation thereof, or which may be given for the ſame upon the Liquidation of ſuch Debts due from the United States to Inhabitants of this State; and alſo upon all Certificates given to Officers, non-commiſſioned Officers or Soldiers of the *Jerſey* Line, late in the Service of the United States, for their monthly Pay and Subſiſtence due for the Time they were in Service until the reſpective Times of their Derangement, Diſcharge or Diſbandment.

Collectors and Treaſurer to exchange Gold and Silver for the Bills of Credit.

29. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for the ſeveral Collectors and Treaſurer of this State, and they hereby are required to exchange Gold and Silver which they may have received by Virtue of this Act, for any of the aforeſaid Bills herein before directed to be iſſued at their nominal Value, to any Perſon who may apply for the ſame.

Surpluſage, when to be paid.

30. AND BE IT FURTHER ENACTED, That the Treaſurer of this State for the Time being ſhall annually pay into the Treaſury of the United States in Specie, out of the Production of ſaid Taxes, all ſuch Surpluſage thereof as may remain after paying the Intereſt due to Citizens of this State in Manner aforeſaid, or exchanging the ſame as herein before directed.

Treaſurer to keep regular Accounts, &c.

31. AND BE IT FURTHER ENACTED, That the ſaid Treaſurer ſhall keep exact and regular Accounts of all Intereſt paid as aforeſaid, particularly ſtating the Dates and Numbers of the Certificates on which the ſame may be paid, and the Name of the Perſon to whom the ſame was granted, taking Receipts for all ſuch Payments of Intereſt, and endorſe the ſame on the Back of ſuch Certificates; and ſhall be and hereby is authorized and empowered to adminiſter all or any of the Oaths or Affirmations directed to be taken by this Act.

Bills, when and how to be cancelled.

32. AND BE IT FURTHER ENACTED, That, upon the Receipt of the laſt-mentioned Tax, the Money, of whatever Species received in Payment thereof, ſhall, by the Treaſurer, be exchanged for the Bills iſſued agreeably to the Directions of this Act, which may then be outſtanding; which Bills, when received by the Treaſurer, either in Payment of the ſaid laſt-mentioned Tax or by Exchange as aforeſaid, ſhall be

be cancelled and deſtroyed in the ſame Manner as Bills of Credit heretofore current in this State while a Province were uſually cancelled and deſtroyed.

CHAP. CCCXCIX. *An* Act *to veſt in* Peter Tallman, *Eſquire, his Heirs and Aſſigns, all the Real Eſtate which his Father* Benjamin Tallman, *deceaſed, died ſeized of.* Private.

Paſſed Dec. 22, 1783.

CHAP. CCCC.

An ACT *to raiſe the Sum of* Ten Thouſand Pounds *in the State of* New-Jerſey, *for the Support of Government, and the contingent Expences for the Year One Thouſand Seven Hundred and Eighty-four.*

Paſſed Dec. 22, 1783.

WHEREAS it is neceſſary that Proviſion be made for raiſing a Sum of Money for the Support of Government, and the contingent Expences thereof; Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That there ſhall be aſſeſſed, levied and raiſed, on the ſeveral Inhabitants of this State, their Goods and Chattels, and on the Lands and Tenements within the ſame, the Sum of *Ten Thouſand Pounds*, to be aſſeſſed, collected and paid into the Treaſury, on or before the firſt Day of *October* next; which Payment ſhall be made in Gold and Silver, and Notes iſſued by the Preſident, Directors and Company of the Bank of *North-America*, into the Treaſury of this State, in the Manner and Proportion as is herein after directed. Sum to be raiſed—when to be paid.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That in aſſeſſing the ſaid Sum of *Ten Thouſand Pounds*, the ſeveral Perſons and Articles made taxable by this Act ſhall be valued and rated at the Diſcretion of the Aſſeſſors as follows: Perſons, Articles, *&c.* made taxable.

All Houſeholders (under which Deſcription ſhall be included all married Men living with their Parents, and not ſupporting a ſeparate Table) the eſtimated Value of whoſe ratable Eſtate does not amount to *Twenty-five Pounds*, any Sum in Proportion to their Abilities, not exceeding *Twenty-five Shillings* over and above their Certainties and other Eſtate made ratable by this Act.

All Merchants, Shopkeepers and Traders, any Sum not exceeding *Five Pounds.*

All accuſtomed Fiſheries, the Property of private Perſons, where Fiſh are caught for Sale, any Sum not exceeding *Two Pounds.*

All Sawmills, that ſaw Timber for Sale or Hire, any Sum not exceeding *Two Pounds.*

All Griſtmills, for each Pair of Stones, any Sum not exceeding *Twenty-five Shillings.*

All Fullingmills, any Sum not exceeding *Twenty-five Shillings.*

All Furnaces, any Sum not exceeding *Three Pounds Five Shillings.*

All Forges that work Pig-Iron, and all Forges and Bloomaries that work Bar-Iron immediately from the Ore, any Sum not exceeding *Twenty Shillings* for each Fire.

All Rolling and Slittingmills, any Sum not exceeding *Six Pounds Five Shillings.*

All Stills, that diſtil ſpirituous Liquors for Sale or Hire, any Sum not exceeding *Thirty-five Shillings.*

All Breweries, that brew for Sale or Hire, any Sum not exceeding *Ten Shillings.*

All Tavernkeepers or Retailers of ſpirituous Liquors, any Sum not exceeding *Thirty-five Shillings.*

All Tanyards, that tan Leather for Sale or Hire, any Sum not exceeding *Thirty-five Shillings.*

Every Ferry and Toll-Bridge, any Sum not exceeding *Three Pounds Ten Shillings.*

Every coaſting Sloop, Schooner, Shallop, Flat, Paſſage-Boat, Pilot-Boat, Wood-Boat and Pettiauger, that carries Freight for Sale or Hire, in Proportion to their Burden and Buſineſs, any Sum not exceeding *Thirty Shillings.*

Every ſingle Man, whether he lives with his Parents or otherwiſe, who keeps a Horſe, Mare or Gelding, any Sum not exceeding *Ten Shillings.*

Every ſingle Man, whether he lives with his Parents or otherwiſe, who does not keep a Horſe, Mare or Gelding, any Sum not exceeding *Five Shillings.*

Every Male Slave, between the Ages of ſixteen and fifty-five Years, any Sum not exceeding *Five Shillings.* PROVIDED ALWAYS, That no Slave ſhall be taxed who is unable to work, or that may appear to the Aſſeſſor to be no Profit to his Maſter or Miſtreſs.

Proviſo.

Every Coach, Chariot, four-wheeled Chaiſe or Phæton, any Sum not exceeding *Ten Shillings.*

Every two Horſe Chaiſe or Curricle, any Sum not exceeding *Four Shillings.*

Every riding Chair, Kittereen or Sulky, any Sum not exceeding *One Shilling.*

Every light travelling Waggon with a Top or Covering, hanging on Springs, any Sum not exceeding *Four Shillings.*

All covering Horſes, of three Years old and upwards, that cover for Hire, any Sum not exceeding *Twenty-five Shillings.*

All other Horſes, Mares and Geldings, of two Years old and upwards, ſhall be valued at *Twenty-five Shillings* each Head.

All horned Cattle, of two Years old and upwards, ſhall be valued at *Twenty Shillings* each Head.

All Tracts of Land held or owned by Deed, Patent, Occupancy, Survey or otherwiſe, whether improved or unimproved, ſhall be valued at the Diſcretion of the Aſſeſſors in each reſpective County of this State, at any Sum not exceeding *Eighty Pounds* by the Hundred Acres. PROVIDED ALWAYS, That all Lands whereon any Improvement is made, the whole Tract ſhall be conſidered as improved Land. AND PROVIDED ALSO, That Houſes and Lots of Land ſituate, lying and being, in any County of this State, of ten Acres of Land and under, ſhall not be included in the above Valuation, but ſuch ſhall be valued by the reſpective Aſſeſſors at their Diſcretion, having Regard to their yearly Rent and Value, proportioning the ſame as nearly as may be to the Value of Land aforeſaid.

Proviſos.

3. AND

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Sum of *Ten Thouſand Pounds* ſhall be aſſeſſed, levied and raiſed, in the ſeveral Counties in this State, in the Proportion following: Proportion of each County.

By the County of *Bergen*, the Sum of *Five Hundred and Ninety Pounds Thirteen Shillings and Eight-pence Half-penny.*

By the County of *Eſſex*, the Sum of *Seven Hundred and Thirty-four Pounds Sixteen Shillings and Three Farthings.*

By the County of *Middleſex*, the Sum of *Eight Hundred and Fifteen Pounds Nineteen Shillings.*

By the County of *Monmouth*, the Sum of *One Thouſand and Twenty-three Pounds One Shilling and Four-pence Half-penny.*

By the County of *Somerſet*, the Sum of *Eight Hundred and Eighty-three Pounds One Shilling.*

By the County of *Burlington*, the Sum of *One Thouſand and Forty-nine Pounds Five Shillings and Five-pence Farthing.*

By the County of *Glouceſter*, the Sum of *Seven Hundred and Eighty-ſeven Pounds Nineteen Shillings and Seven-pence Farthing.*

By the County of *Salem*, the Sum of *Six Hundred and Seventy-nine Pounds Ten Shillings and Eleven-pence Half-penny.*

By the County of *Cape-May*, the Sum of *One Hundred and Eighty-ſeven Pounds Nine Shillings.*

By the County of *Hunterdon*, the Sum of *One Thouſand Three Hundred and Fifty-nine Pounds One Shilling and Eight-pence.*

By the County of *Morris*, the Sum of *Seven Hundred and Seventy-four Pounds Sixteen Shillings and Two-pence Three Farthings.*

By the County of *Cumberland*, the Sum of *Four Hundred and Seventeen Pounds Thirteen Shillings and Four-pence.*

By the County of *Suſſex*, the Sum of *Six Hundred and Ninety-ſix Pounds Twelve Shillings and Eight-pence.*

4. AND BE IT FURTHER ENACTED, That the aforeſaid Quota ſhall be aſſeſſed in Manner before directed, and be collected and paid into the Treaſury at or before the firſt Day of *October* next; and the ſeveral Aſſeſſors ſhall aſſeſs the ſame by the Time the firſt Aſſeſſment is directed to be made in and by an Act, intitled, * *An Act for raiſing a Revenue of* Thirty-one Thouſand Two Hundred and Fifty-nine Pounds Five Shillings *per Annum, for the Term of twenty-five Years, for the Purpoſe of paying the Intereſt and Principal of Debts due from the United States, agreeably to a Recommendation of Congreſs of the eighteenth Day of* April, *One Thouſand Seven Hundred and Eighty-three, and for appropriating the ſame*, and in all other Reſpects do and perform the like Duties, and at the reſpective Times mentioned and enjoined them by the ſaid recited Act, and be entitled to the like Rewards for Services, and be ſubject to the ſame Fines and Forfeitures for Neglect of Duty in each Particular as therein mentioned. And the Townſhip and County Collectors reſpectively, in collecting the Money directed to be raiſed by this Act, ſhall be and hereby are required to do and perform the like Duties ſeverally enjoined them by the before-recited Act, at the Time and Times therein particularly mentioned for collecting the firſt Payment, and be entitled to the like Rewards for Services, and be ſubject to the ſame Fines and Forfeitures for Neglect of Duty, as in the ſaid recited Act are particularly annexed to the ſeveral Duties enjoined on the reſpective

Quota, how to be aſſeſſed, &c.

Collectors, their Duty, &c.

* Chap. CCCXCVIII.

ſpective Collectors: And that all other Officers or Perſons who may be named or concerned in collecting or paying the Taxes directed by the before recited Law, ſhall, in raiſing or collecting the Taxes herein directed, perform the like Duties, be entitled to like Privileges, receive like Rewards, and be ſubject to the ſame Penalties for Neglect of Duties as mentioned and contained in the before recited Act.

Aſſeſſor and County Collector, neglecting their Duty, what to forfeit.

5. AND, in order that the Duplicates and Abſtracts of the Eſtates and Articles made ratable by this and the before-recited Act may be brought into the Treaſury by the firſt Day of *October* next, as directed by the before-recited Act, in order to enable the Legiſlature to ſettle the Quotas of the ſeveral Counties upon juſt and equitable Principles, BE IT ENACTED *by the Authority aforeſaid*, That each and every Aſſeſſor, who ſhall neglect to deliver Duplicates and Abſtracts as aforeſaid to the Collectors of the Counties to which they reſpectively belong, at or before the ſecond *Tueſday* in *Auguſt* next; and each and every County Collector who ſhall neglect to deliver to the Treaſurer the Duplicates and Abſtracts they may reſpectively receive from the Aſſeſſors as aforeſaid, at or before the firſt Day of *October* next, each and every Aſſeſſor and County Collector ſo neglecting, ſhall forfeit and pay for every ſuch Neglect of Duty, over and above the Forfeiture mentioned in the before recited Act, the Sum of *Twelve Pounds*, to be recovered in an Action of Debt by any Perſon who ſhall ſue for the ſame, with Coſts of Suit; and each and every Aſſeſſor and Collector, who ſhall neglect his Duty as aforeſaid, ſhall be and hereby is and are declared incapable of holding or exerciſing any Office of Truſt or Profit thereafter in this State.

Money, how to be applied.

6. AND BE IT ENACTED *by the Authority aforeſaid*, That the Treaſurer ſhall apply the ſaid Sum of *Ten Thouſand Pounds* to the Payment of the ſeveral Officers of Government, the Half-Pay Certificates of wounded Soldiers, and the Widows of thoſe who have been killed in the Service of their Country, and the incidental Expences of Government.

Private.

CHAP. CCCCI. *An* Act *for the Relief of* John Rucaſtle, Ephraim Whitlock *and* Joſeph Write, *who have loſt the Notes given for the Depreciation of their Pay.*

Paſſed Dec. 23, 1783.

Obſolete.

CHAP. CCCCII. * *An* Act *to amend an Act, intitled,* † *An* Act *to raiſe the Sum of* Ninety Thouſand Nine Hundred and Thirty Pounds, *in the State of* New-Jerſey, *for the Exigencies of the Year One Thouſand Seven Hundred and Eighty-three, and for other Purpoſes therein mentioned.*

Paſſed Dec. 23, 1783.

CHAP.

* This Act being deſigned only to repeal Part of Chap. CCCLIII, and to direct the Treaſurer to pay out a Sum of Money appropriated by that Act to the Diſcharge of one Year's Intereſt on Loan-Office Certificates, inſtead of delivering the ſame to the Continental Loan-Officer for that Purpoſe, its Inſertion was judged unneceſſary.

† Chap. CCCLIII.

CHAP. CCCCIII.

* *An* ACT *to appropriate a certain forfeited Eſtate lying in the County of* Bergen, *to the Uſe of Major-General* Baron Steuben, *during his Life.*

Paſſed Dec. 23, 1783.

WHEREAS the Legiſlature are informed that Major-General *Baron Steuben* is anxiouſly deſirous to become a Citizen of the State of *New-Jerſey*, and are alſo deeply impreſſed with a Senſe of the many and ſignal Services by him rendered to the United States of *America*, during the Continuance of the late War, and deſirous to teſtify to the World the grateful Senſe they entertain of the ſaid Services; Therefore, Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That that Part of the Real Eſtate formerly belonging to *John Zabriſkie*, and which has been forfeited to and veſted in this State, ſituate, lying and being, in the County of *Bergen*, Townſhip of *New-Barbados*, and at the *New-Bridge*, ſhall be and the ſame hereby is appropriated to and for the Uſe of Major-General *Baron Steuben* during his Life; and it ſhall and may be lawful for the ſaid Major-General *Baron Steuben* to hold, uſe and enjoy, the ſaid Eſtate, and all the Emoluments and Advantages that may thereunto appertain and belong, in as full and ample a Manner as if the Fee-Simple of the ſaid Eſtate was veſted in him. PROVIDED ALWAYS, *and it is the true Intent and Meaning of this Act*, That the ſaid Major-General *Baron Steuben* ſhall have, hold, occupy and enjoy, the ſaid Eſtate in Perſon and not by Tenant. *John Zabriſkie*'s Eſtate, veſted in the *Baron Steuben*. Proviſo.

2. AND BE IT FURTHER ENACTED, That the Agent of forfeited Eſtates in the County of *Bergen* ſhall ſuſpend the Sale of the ſaid Eſtate for and during the Life of the ſaid Major-General *Baron Steuben*, or for and during the Time he ſhall chooſe to hold, occupy and enjoy, the ſaid Eſtate in Perſon, and ſhall give peaceable Poſſeſſion of the ſaid Eſtate to the ſaid Major-General *Baron Steuben*, as ſoon as the preſent Year's Leaſe for the ſame may expire. Agent to ſuſpend the Sale of ſaid Eſtate.

3. AND BE IT FURTHER ENACTED, That in caſe it ſhall ſo happen that the ſaid Major-General *Baron Steuben* ſhould not chooſe to poſſeſs or occupy the ſaid Eſtate, or at any Time after occupying the ſame ſhould chooſe to relinquiſh the ſaid Eſtate, or ſhould die in the Occupancy of the ſame, that then, and in every ſuch Caſe it ſhall and may be lawful for the ſaid Agent or his Succeſſor in Office to ſell the ſaid Eſtate for the Uſe of the State in the ſame Manner as other forfeited Eſtates are directed to be ſold. When to revert to this State.

4. AND BE IT FURTHER ENACTED, That the Secretary of this State ſhall be, and he is hereby directed to tranſmit a fair atteſted Copy of this Act to Major-General *Baron Steuben*, and to requeſt an Anſwer; and alſo to acquaint the Agent of forfeited Eſtates of the County of *Bergen* with ſuch Determination as the ſaid Major-General *Baron Steuben* may come to on the ſaid Occaſion.

* Though this be properly a private Act, yet as thereby a Part of the publick Property is appropriated to the Uſe of a publick Officer, it was judged beſt to inſert it at large.

CHAP. CCCCIV.

An ACT *to continue in Force the Act therein mentioned.*

Paſſed Dec. 23, 1783.

Preamble. WHEREAS the Act to revive and continue an Act, intitled, *An Act for the Relief of certain Perſons who have purchaſed Property for the Uſe of the Publick*, will expire before the next Meeting of the Legiſlature; Therefore,

Enacting Clauſe. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Act, intitled, * *An Act to revive and continue an Act, intitled,* † *An Act for the Relief of certain Perſons who have purchaſed Property for the Uſe of the Publick*, and every Matter, Clauſe and Thing, therein contained, ſhall be, and the ſame is hereby declared to be continued in Force until the firſt Day of *January*, One Thouſand Seven Hundred and Eighty-five.

CHAP. CCCCV.

An ACT *to enable the Owners of Meadow Ground to drain the ſame.*

Paſſed Dec. 23, 1783.

Preamble. WHEREAS many of the Citizens of this State ſuffer great Loſs and Inconveniency by Reaſon of their Meadows, Meadow-Ground and Swamps, being ſo ſituated as to render it impracticable to drain the ſame ſufficiently without cutting through Lands owned or poſſeſſed by other Perſons: AND WHEREAS many Diſputes have already ariſen, and may hereafter ariſe, reſpecting the making and clearing of Line-Ditches and Drains, and no adequate Proviſion having been made for the ſame; Therefore,

Surveyors and Freeholders, Application to be made to them. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the fifteenth Day of *March* next, it ſhall and may be lawful for any Perſon or Perſons who may have any Meadow or Land improved, or capable of being improved into Meadow, lying or being ſo ſituated as that it cannot be drained ſufficiently for the effectual Improvement of the ſame, without cutting into or through the Meadows or other Lands belonging to or in Poſſeſſion of ſuch Perſon or Perſons as will not permit a ſufficient Ditch or Drain to be cut and kept open into or through the ſame, to apply to the two Surveyors of the Highways, and the two choſen Freeholders of the Townſhip in which the Land doth lie, who are hereby directed and required, upon five Days Notice given for that Purpoſe, as well to the Perſon through whoſe Land or Poſſeſſion the ſaid Ditch is propoſed to be cut, as to the Surveyors and Freeholders, particularly ſpecifying the Time and Place of Meeting to view the Premiſes, when they, or a Majority of them, in caſe the Ditch or Drain applied for ſhall appear neceſſary and reaſonable, ſhall lay out ſuch Ditch, Drain or Watercourſe, as in their Judgment ſhall be ſufficient for the Purpoſe, and in ſuch Place or Places as will be

* Chap. CCCLXXVI. † Chap. CCCXX.

be moſt proper for draining the ſaid Meadow or Land, with as little Detriment however as may be to the Owner or Poſſeſſor of the Premiſes through which the ſaid Ditch or Drain may be laid, cauſing a proper Return of ſuch Ditch or Drain to be made, deſcribing the Beginning and ſeveral Courſes and Diſtances thereof from an actual Survey made by a Surveyor, to be procured by and at the Expence of the Party applying for ſuch Ditch or Watercourſe.

Thoſe Perſons intereſted, others to be applied to.

2. AND BE IT FURTHER ENACTED, That, in caſe any or either of the Surveyors or Freeholders aforeſaid ſhould be intereſted either for or againſt the Watercourſe applied for, Application ſhall be made to any other Surveyor or Freeholder of the ſame County, choſen as aforeſaid, being diſintereſted, and living neareſt to the Premiſes, who is and are hereby directed and required, upon Notice as aforeſaid, to attend in the Room and Stead of him or them ſo intereſted, and to do and perform the ſame Duties as if he reſided in the Townſhip where the Ditch or Drain ſhall be applied for.

Their Fees and Forfeitures.

3. AND BE IT FURTHER ENACTED, That there ſhall be allowed to the Surveyors and Freeholders, for the Time they may reſpectively be employed in performing the Duties enjoined them by this Act, the Sum of *Seven Shillings and Six-pence* per Day each, to be paid by the Perſon or Perſons requeſting ſuch Service; and in caſe either of the Surveyors or Freeholders, appointed for laying out the Ditches or Drains herein before-mentioned, ſhall neglect or refuſe to do and perform the Duties enjoined him by this Act, he or they ſo offending ſhall forfeit and pay, for every ſuch Neglect or Refuſal, the Sum of *Three Pounds* to the Uſe, and to be recovered in an Action of Debt at the Suit, of the Party applying for ſuch Ditch or Drain.

Damages ſuſtained by cutting Ditches, *&c.* by whom to be aſſeſſed and paid.

4. AND BE IT FURTHER ENACTED, That in all Caſes where Ditches or Drains ſhall be laid into or through the Land of any Perſon or Perſons not benefited by or requeſting ſuch Ditch or Drain, that the Surveyors and Freeholders laying out the ſame ſhall be, and they are hereby required to aſſeſs the Damage the Owner or Owners of Land damaged may ſuſtain thereby, and alſo the Quota ſuch Perſon ſhall bear who requeſted ſuch Drain, or who ſhall be benefited thereby; which Aſſeſſment or Quota ſhall become a legal Debt, and be immediately paid by each Perſon ſo aſſeſſed.

Allotment of the Ditches, how to be ſupported.

5. AND BE IT FURTHER ENACTED, That the ſaid Surveyors and Freeholders, who ſhall concur in laying out any Ditches or Drains as aforeſaid, ſhall at the ſame Time allot to each Perſon intereſted therein the Part or Parts thereof he or ſhe ſhall ſupport and keep open, who, or his or her Heirs or Aſſigns, ſhall be forever thereafter empowered to cut, open and clear out, ſuch Ditch or Drain from Time to Time, between the firſt Day of *October* and the firſt Day of *May* annually, whenever the ſame may be neceſſary; and if any Perſon or Perſons, Owners of Land and Meadow drained as aforeſaid, ſhall neglect to open and keep open his, her or their Proportion or Allotment of ſaid Ditch or Drain, that then, and in ſuch Caſe, any one or more of the Owner or Owners of ſuch Land or Meadow drained as aforeſaid, may open and clear out the ſaid Ditch or Drain from Time to Time, and recover the Expences thereof from the Perſon or Perſons neglecting to do the ſame.

6. AND

Water vented through Gates, the Expence how to be defrayed.

6. AND BE IT FURTHER ENACTED, That whenever Water, conveyed in Ditches or Drains as aforeſaid, ſhall be carried or vented through Gates, Dams or Sluices, or other Works, that then all Perſons intereſted in ſuch Ditches or Drains ſhall bear ſuch an annual Share or Proportion of the Expence of keeping ſuch Dams, Sluices or Works in Repair, as ſhall be fixed and determined by the Surveyors and Freeholders laying out ſuch Drains as aforeſaid, in all Caſes where the Surveyors and Freeholders ſhall judge a Proportion of ſuch Expences ought to be borne by the Owners of Land drained as aforeſaid.

Ditches, &c. where to be laid.

7. PROVIDED ALWAYS, AND BE IT FURTHER ENACTED, That in all Caſes where Ditches or Drains ſhall be laid out purſuant to the Directions of this Act, the ſame ſhall be laid on Lines between Proprietors of Land where the ſame can be done with Convenience to all Parties concerned.

Aſſeſſments laid on Land, held by the General Proprietors, how to be recovered.

8. AND WHEREAS there is large Tracts of unimproved Land and Lands held in common by the General Proprietors in this State, by Means whereof it will be difficult to recover the Aſſeſſments and Expences directed by this Act in caſe of Default, BE IT THEREFORE FURTHER ENACTED, That it ſhall and may be lawful for the Recovery of the ſaid Aſſeſſments and Expences for any Perſon or Perſons entitled to recover the ſame, upon his or their giving Notice by Advertiſement of the Sum aſſeſſed, or Expences adjudged, in three or more publick Places in the County where the Lands lie, and in one or more of the News-Papers of this State, for the Space of three Weeks, and the General Proprietors, refuſing or neglecting to diſcharge the ſame, to have Execution, and diſpoſe of ſo much of the ſaid Lands as near as may be as will be ſufficient to diſcharge the ſaid Aſſeſſments or Expences; and if upon ſuch Sale there ſhould be any Overplus, the ſaid Perſon or Perſons, ſo proſecuting, are hereby declared to be accountable for the ſame to the ſaid General Proprietors, their Agent or Attorney.

CHAP. CCCCVI.

An ACT *for aſcertaining the Value of Debts due from the forfeited Eſtates of certain Fugitives and Offenders, and for directing the Payment of the ſame.*

Paſſed Dec. 23, 1783.

Preamble.

WHEREAS the Perſonal and Real Eſtates of certain Fugitives and Offenders have, by ſeveral Acts of the Legiſlature, been forfeited to the Uſe of this State: AND WHEREAS the Debts and Demands due from ſuch Fugitives and Offenders have, from the fluctuating State of the Currency and other Circumſtances, been adjuſted in different Modes by the Judges of the ſeveral Courts of Common-Pleas before whom they may have been exhibited for Liquidation, on which Account it hath become neceſſary that Proviſion be made for re-adjuſting the ſame;

Mode of adjuſting the Demands.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That each and every Perſon, his Heirs, Executors or Adminiſtrators, having a Demand againſt any Eſtate forfeited as aforeſaid, either

either by Mortgage, Specialty, Note or otherwiſe, which hath been heretofore preſented and adjuſted agreeably to the Act, intitled, * *An Act for forfeiting to, and veſting in, the State of* New-Jerſey, *the Real Eſtates of certain Fugitives and Offenders, and for directing the Mode of determining and ſatisfying the lawful Debts and Demands which may be due from, or made againſt, ſuch Fugitives and Offenders, and for other Purpoſes therein mentioned*, paſſed the eleventh Day of *December*, Seventeen Hundred and Seventy-eight, and which ſtill remains unpaid, ſhall lay the ſame before two or more of the Judges of the Court of Common-Pleas of the County in which the Perſon againſt whoſe Eſtate the Demand may be reſided; or, if a Non-Reſident, before two or more of the Judges of the Court of Common-Pleas of any County in which a Part of the Eſtate of ſuch Perſon, forfeited as aforeſaid, may have been ſituated or ſold, together with the Vouchers in Support thereof; which Judges, having aſcertained the Sum or Balance due agreeably to Law, ſhall ſtate the Account and certify the ſame, and tranſmit a Copy of the Whole to the Auditor of Accounts for the Time being, on or before the firſt Day of *September* next enſuing; and ſhall alſo endorſe on the Mortgage, Specialty, Note, or other Document containing the Demand, the Amount of the Debt due or Balance aſcertained; for which the ſaid Judges ſhall be entitled to receive from each Applicant the Sum of *Two Shillings and Six-pence*, and no more.

Auditor to make Statement of the net Proceeds of each Eſtate.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That the Auditor of Accounts ſhall, as ſoon as may be after the paſſing of this Act, make an accurate Calculation and Statement of the net Proceeds of each Eſtate Perſonal or Real, forfeited as aforeſaid, calculating the Value thereof in Specie agreeably to Law, from the Day the Monies became payable into the Treaſury, on the ſeveral Sales from Time to Time made, and ſhall deduct therefrom the real Value of the Demands already paid, to be calculated in like Manner; and on Receipt of the Certificates above-mentioned ſhall, on or before the firſt Day of *December* next enſuing, lay an Account of the then net Amount of each Eſtate, and the Amount of each ſeveral Demand againſt the ſame, before the Treaſurer of the State for the Time being, who ſhall make Payment thereon as ſoon as the State of the Treaſury will admit. PROVIDED ALWAYS, That if the net Amount of any Eſtate ſhall be found inſufficient to diſcharge all the ſaid Demands, the Debts ſecured by Mortgage or Judgment ſhall be firſt paid according to their Priority, and a ratable Dividend ſhall be made of the Reſidue in Proportion to the adjuſted Demand of each Creditor.

Demands, when and how to be paid.

Treaſurer to iſſue Notes for Balances.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That when, and as often as the State of the Treaſury will not admit of Payment as aforeſaid, the Treaſurer ſhall iſſue Notes ſigned by him, and counterſigned by the Auditor of Accounts, for the Balance due to each Perſon, obſerving to aſcertain, in ſeparate Receipts to be by him taken, the Sums paid in Money, and thoſe for which Notes are given; and on the Payment of Monies or iſſuing of Notes, duplicate Receipts ſhall be ſigned on the Mortgages, Specialties, Notes or other Vouchers; and the ſame ſhall be filed in the Treaſury-Office, to be afterwards cancelled or deſtroyed, as the Legiſlature may direct; and the ſaid Notes, ſo to be iſſued by the Treaſurer, ſhall be payable at any Time after, from any

* Chap. CXXII.

unappropriated Monies in his Hands, to the Order of the reſpective Perſons in whoſe Names they may be given, their Executors or Adminiſtrators, and ſhall bear an Intereſt of Six per Centum per Annum from their Date.

Proof of Mortgage, &c. how to be made.

4. PROVIDED ALWAYS, AND IT IS HEREBY FURTHER ENACTED *by the Authority aforeſaid*, That no Certificate ſhall be ſigned by the Judges of the reſpective Courts of Common-Pleas as aforeſaid, or any of them, or Account ſtated, or Payment made, or Notes iſſued as aforeſaid, for any Debt due on Judgment, or due on Mortgage or ſecured thereby, unleſs ſufficient Proof be made before them by the Oath or Affirmation of the Commiſſioners, Agents or others who ſold, or who may ſell the Eſtate againſt which the Demand may be brought, or other legal Evidence, that ſuch Eſtate was not ſold ſubject to Encumbrances, and ſo declared or publiſhed at the Time of Sale.

Mortgage, &c. not produced for Re-adjuſtment, barred from being foreclоſed.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That each and every Perſon, having any Demand againſt any of the ſaid Eſtates forfeited as aforeſaid by Mortgage, Specialty, Note or otherwiſe, and who ſhall not produce the ſame to be re-adjuſted as herein before is directed, and within the Time herein before limited, ſhall forever after be barred from foreclоſing ſuch Mortgage, or commencing, proſecuting or maintaining, any Action or Suit thereon, or on any ſuch Specialty, Note or other Demand, or receiving Payment thereof from the State or Premiſes ſo mortgaged or encumbered.

Perſons not having produced their Demands in Time, barred from recovering the Debts.

6. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That each and every Perſon, having any Demand as aforeſaid againſt any of the ſaid Eſtates forfeited as aforeſaid, except as is herein after excepted, and who hath not produced the ſame for Settlement within the Time limited, and in the Mode preſcribed by the Act herein before mentioned, ſhall be forever barred from foreclоſing any ſuch Mortgage, or commencing, proſecuting or maintaining, any Action or Suit thereon, or on any ſuch Specialty, Note or other Demand, or receiving Payment thereof from the State or Premiſes ſo mortgaged or encumbered.

Perſons not having been able to produce their Accounts in the Time preſcribed by Law, to lay them before the Judges.

7. AND WHEREAS, by Reaſon of the Troubles of the late War, or by other Means, many Perſons having Demands againſt ſundry of the Eſtates forfeited as aforeſaid, may have been prevented and diſabled from producing the ſame in the Manner, and within the Time deſcribed and limited in the aforeſaid Act, BE IT ENACTED *by the Authority aforeſaid*, That each and every Perſon who is not an Offender in the Manner deſcribed in the aforeſaid Act, that ſhall make it appear to the Judges aforeſaid by ſatisfactory Proof, that he was beyond the Seas, or that he was a Priſoner of War, and involuntarily detained within the Lines of the Enemy, or that his Reſidence had been diſtant from this State, or that he was in ſuch other Situation and Circumſtance as rendered it impracticable to produce his Demand, of what Nature or Kind ſoever, either Mortgage, Specialty, Note or other Document, on which his Demand is founded, within the Periods limited in ſaid Act, ſhall be and hereby is permitted to lay the ſame before the Judges as aforeſaid for Settlement within the Time limited in this Act.

8. AND

8. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That any Perſon thinking himſelf aggrieved by the Determination of the ſaid Judges in the Liquidation of any Debt or Demand not ſettled in Term Time, may appeal to the next Court of Common-Pleas to be held in the County, who ſhall hear and decide the ſame, and certify accordingly; and any Perſon or Perſons may in like Manner appeal on Behalf of the State.

Perſon aggrieved may appeal.

9. AND BE IT ENACTED *by the Authority aforeſaid*, That the Agents of forfeited Eſtates in each reſpective County ſhall, as ſoon as may be after the Publication of this Act, by Advertiſements inſerted in either of the News-Papers printed in this State, and alſo by the like Advertiſements ſet up in three of the moſt publick Places of the County, give Notice to all Perſons having Demands as aforeſaid, to produce the ſame as in and by this Act is directed.

Agents how to give Notice to Perſons having Demands.

10. AND WHEREAS, under ſeveral Acts of Forfeiture from Time to Time paſſed in this State, divers Inquiſitions have been taken and found, and Judgment entered thereon; which Inquiſitions having, in many Inſtances, been drawn or filled up by Perſons leſs verſant in the Forms of Law, may be liable to be quaſhed, the Judgments entered thereon reverſed, and the ſubſequent Proceedings vacated on Writs of *Error* or *Certiorari*, by Reaſon of Informality, or other Cauſes not material to the Iſſue or Merits of the ſeveral Cauſes; BE IT ENACTED *by the Authority aforeſaid*, That no Inquiſition taken or found, or Judgment entered thereon, or Proceedings had in Conſequence thereof as aforeſaid, ſhall be liable to be quaſhed, reverſed or vacated, for or on Account of any Informality, or other Cauſe whatſoever not material to the Charge or Iſſue, or againſt the Right or Merits thereof, and which ſhall not go directly to the Proof that the Perſon charged was not an Offender within the Meaning of the ſaid Acts, or of any of them; neither ſhall any Sale of forfeited Eſtates made by any Commiſſioner or Agent, be liable to be vacated or ſet aſide, for or on Account of any Informality or Omiſſion of taking out regular Proceſs as directed in ſaid Acts.

Inquiſition, &c. not to be quaſhed on Account of Informality.

CHAP. CCCCVII.

An ACT *to procure an Eſtimate of the Number of Inhabitants in the State of* New-Jerſey.

Paſſed Dec. 24, 1783.

WHEREAS Congreſs have recommended to the ſeveral States in Union, to aſcertain and tranſmit to them the Number of Inhabitants belonging to each State, both white and black, in order that the Expences of the War may be more equitably quotaed upon the reſpective States; and it appearing neceſſary that the ſaid Recommendation ſhould be complied with, therefore,

Preamble.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Aſſeſſors of the reſpective Townſhips, Precincts or Wards, in this State, ſhall, at the Time of taking the firſt Liſt of the Perſons and Articles made

Mode of procuring the Eſtimate.

made ratable as is directed in and by the Act, intitled, * *An* Act *for raiſing a Revenue of* Thirty-one Thouſand Two Hundred and Fifty-nine Pounds Five Shillings *per Annum, for the Term of twenty-five Years, for the Purpoſe of paying the Intereſt and Principal of Debts due from the United States, agreeably to a Recommendation of Congreſs of the eighteenth Day of* April, *One Thouſand Seven Hundred and Eighty-three, and for appropriating the ſame*, take an exact Account of the Number of white and other free Inhabitants of all Ages, Sexes and Conditions, Indians excepted; and alſo a like Account of all Slaves within their reſpective Townſhips, Precincts and Wards, and ſhall enter the Account of the white and other free Inhabitants in a ſeparate Column in their reſpective Duplicates, and an Account of the Slaves in a ſeparate Column alſo; and ſhall, when met together, to ſettle the Quotas of the reſpective Townſhips, Precincts and Wards, enter in a ſeparate Column in the Abſtract to be by them made and ſigned, the Number of white and other free Inhabitants as aforeſaid taken; and alſo in a ſeparate Column in the ſaid Abſtract, the Number of Slaves taken as aforeſaid.

Aſſeſſor neglecting his Duty, what to forfeit.

2. AND BE IT ENACTED, That if any Aſſeſſor ſhall neglect or refuſe to perform the Duties required of him by this Act, he ſhall, for ſuch Neglect or Refuſal, be ſubject to the like Penalties as is inflicted in and by the before-recited Act for Neglect or Refuſal of Duty, which Penalty ſhall be recovered and applied in like Manner as therein directed.

Inhabitant refuſing to give exact Account, what to forfeit.

3. AND BE IT FURTHER ENACTED, That if any Inhabitant of this State ſhall refuſe to deliver to the Aſſeſſors as aforeſaid when demanded, an exact Account of the Number of Whites and Blacks that compoſe his or her Family, each and every Perſon ſo refuſing ſhall forfeit and pay the Sum of *Three Pounds*, to be ſued for and recovered with Coſts of Suit by the Aſſeſſor to whom ſuch Refuſal ſhall be made, to be paid by the Aſſeſſor who may recover the ſame to one of the Overſeers of the Poor of the Townſhip wherein ſuch Penalty may be recovered, to be applied to and for the Uſe of the Poor of ſuch Townſhip.

CHAP. CCCCVIII.

An ACT *for defraying ſundry Incidental Charges.*

Paſſed Dec 24, 1783.

Preamble.

WHEREAS contingent Expences ariſe from Time to Time, for which no Proviſion hath been made by Law; Therefore,

Enacting Clauſe.

BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for the Treaſurer of the State to pay to the ſeveral Perſons therein after-named, the following Sums, *videlicet*,

To *Job Moore*, in full of his Account, for going Expreſs to notify the preſent Treaſurer of his Appointment, and to require his immediate Attendance, *Two Pounds Five Shillings*.

To the Honourable *Ephraim Martin*, Eſquire, for attending in Privy-Council two Days, *One Pound*.

To

* Chap. CCCXCVIII.

To the Honourable *Joſiah Hornblower*, Eſquire, for attending two Days in Privy-Council, *One Pound.*

To the Honourable *John Beatty*, Eſquire, for attending in Privy-Council four Days, *Two Pounds.*

To *Bowes Reed*, Eſquire, for Caſh paid an Expreſs, for notifying two Members of Council to attend Council, and for Wood, and ſundry Stationary for the Uſe of Council, *Five Pounds Seven Shillings and Six-pence.*

To *Maſkell Ewing*, jun. for Expences in tranſporting the Furniture of the Aſſembly from *Burlington* to *Trenton*, Stationary for the Uſe of the Houſe of Aſſembly, Candles and Candle-Sticks, and Caſh paid Clerks for engroſſing Bills to forward the Buſineſs of the Houſe, *Ten Pounds Five Shillings and Six-pence.*

To *Eli Elmer*, Eſquire, in full of his Account, for collecting the Payrolls of the Militia of *Cape-May* and *Cumberland* Counties, *Two Pounds Five Shillings.*

To *Iſaac Collins*, for printing according to ſundry Orders of the Legiſlature, from *September* the thirtieth, One Thouſand Seven Hundred and Eighty-three, to *December* twenty-third ditto, *Four Pounds Five Shillings.*

To *Francis Witt*, for the Uſe of a Room and Firewood, for the Aſſembly this Sitting, *Twenty-one Pounds.*

To *John Dixon*, for a Room for the Uſe of Council this Sitting, *Eight Pounds.*

To the Honourable *Eliſha Lawrence*, for apprehending and ſending to *Trenton*, a Priſoner by Order of the Chief-Juſtice, *Three Pounds.*

To *Iſaiah Yard*, for the Uſe of a Room for the Aſſembly, *One Pound.*

To *Charles Axford*, jun. for copying Orders of His Excellency the Governor, *&c.* four Days, *Two Pounds.*

To the Honourable *John Carle*, Eſquire, for attending in Privy-Council four Days, *Two Pounds.*

APPENDIX.

NUMBER I.

An ACT *for completing the four Battalions of this State in the Continental Service.*

Paſſed May 28, 1777.

WHEREAS it is of the laſt Importance to the Honour of this State, and the Safety of the United States of *America*, to complete, as ſoon as poſſible, its Quota of the Continental Army; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall be lawful for any of the Officers of the eight Companies, belonging to any of the four Battalions directed to be raiſed in this State for the Continental Army, to enliſt any Servant or Apprentice (not under the Age of ſixteen Years) into his Company, until the eight Companies in each of the ſaid four Battalions, ordered to be raiſed by this State, ſhall be complete; and when any bought Servant ſhall be enliſted by Virtue of this Act, the enliſting Officer is hereby ordered and required to certify, under his Hand, to the Maſter or Miſtreſs of ſuch bought Servant, the Name of ſuch Servant, the Time when, for how long, and for what Company and Battalion he was enliſted; and any two of the choſen Freeholders, and one Juſtice of the County, where the Maſter or Miſtreſs of ſuch Servant doth reſide, ſhall, and they are hereby authorized and required, upon Application of the ſaid Maſter or Miſtreſs, producing the aforeſaid Certificate from the recruiting Officer, to meet and determine on the Sum to be paid for the Time of ſaid Servant; and their Determination, or that of any two of them, ſhall be concluſive; and the Treaſurer, on producing to him a certified Copy thereof, with the Certificate of the enliſting Officer, is hereby authorized and directed to pay to ſuch Maſter or Miſtreſs, or his or her Order, the Sum therein ſpecified, provided the Sum to be paid for any one bought Servant ſhall not exceed *Twenty Pounds;* and the Receipt of ſuch Maſter or Miſtreſs, or of the Perſon by him or her authorized to receive the ſame, ſhall be to the ſaid Treaſurer a ſufficient Diſcharge for the Payment thereof. Mode of enlifting Servants, &c.

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That any two of the Militia who ſhall enliſt, or cauſe to be enliſted, one able-bodied healthy Recruit, for any of the eight Companies of any of the four Battalions of this State in the Continental Army, ſhall be exempted from actual Service in the Militia during the Term of ſuch Enliſtment, provided ſuch Enliſtment be certified by a commiſſioned recruiting Officer, and the Juſtice before whom ſuch Recruit was ſworn; and provided, that their Freedom from actual Service ſhall not be conſtrued to extend to an Exemption from Trainings, according to the Militia Act, or from doing Duty in caſe of an Alarm or Invaſion within the ſeveral Counties in which they may reſpectively reſide. Any two Militia enlifting one Recruit, ſubject only to Trainings, except, &c.

Any two Exempts procuring one Recruit, discharged from paying the Tax.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any two Perſons, exempted from military Duty by the Militia-Law of this State, ſhall procure one able-bodied healthy Recruit for any of the four Battalions of this State as aforeſaid, they ſhall be diſcharged from the Payment of the Tax to which, by the aforeſaid Militia-Act, they are ſubject to on Account of their Exemption; and ſhall alſo, ſhould the Cauſe of their Exemption ceaſe, be freed from actual Service as aforeſaid, during the Term of the Enliſtment of ſuch Recruit, any Law to the Contrary notwithſtanding.

No Perſon enliſted to be impriſoned for a Debt under 50 *Dollars*.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That no Perſon who hath enliſted, or hereafter ſhall enliſt as a Soldier in the Continental Service, ſhall be impriſoned or otherwiſe reſtrained for any Debt under *Fifty Dollars*, any Law to the Contrary notwithſtanding.

Inhabitants enliſting Servants, *&c.* to pay the Value of their Times.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That when any two Inhabitants of this State ſhall, in Purſuance of this Act, enliſt, or procure to be enliſted, any bought Servant or Apprentice, the Value of ſaid Servant's or Apprentice's Time ſhall be aſcertained by the Juſtice and choſen Freeholders as aforeſaid, not exceeding *Twenty Pounds*, and the Sum in their Certificate ſpecified ſhall be paid to the Maſter or Miſtreſs of ſuch Servant or Apprentice, by the Perſon or Perſons procuring him as their Subſtitute.

Juſtices' and Freeholders' Fees; and Penalty for Neglect of Duty.

6. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Maſter or Miſtreſs of ſuch Servant or Apprentice, who ſhall enliſt in any of the Battalions as aforeſaid, ſhall pay to the Juſtice and Freeholders who ſhall aſcertain the Value of ſuch Servant or Apprentice, the Sum of *Five Shillings* each; and if any of the Juſtices or Freeholders aforeſaid neglect or refuſe to do any of the Duties enjoined on him by this Act, on reaſonable Notice given him by the ſaid Maſter or Miſtreſs, he ſhall, for every ſuch Offence, forfeit the Sum of [illegible] *Pounds*, one Half to the Maſter or Miſtreſs, and the other Half to the Uſe of the Poor of the Townſhip where ſuch Maſter or Miſtreſs reſides, to be recovered in any Court where the ſame is cognizable.

Recruiting-Officer ſelling any Recruit to forfeit £.50.

7. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any recruiting Officer, belonging to any of the four Battalions of this State, ſhall be convicted of ſelling or otherwiſe diſpoſing of any Recruit that has been enliſted by him, or any recruiting Party for his Company, ſaid Officer ſhall, for each Offence, forfeit the Sum of *Fifty Pounds*, to be recovered in any Court where the ſame ſhall be cognizable, one Half to the Uſe of the Proſecutor, and the other Half to be paid to the Treaſurer for the Uſe of the State.

Who to be exempted from military Duty.

8. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That any two Perſons belonging to the Militia of this State, or of thoſe who are exempted from military Duty by the Militia-Act, who have, ſince the * fourteenth Day of *April* laſt, and before the Publication of this Act, enliſted Subſtitutes in like Manner as is preſcribed by this Act, ſhall be entitled to a like Exemption from military Duty with thoſe who ſhall hereafter enliſt or procure the Enliſtment of Subſtitutes: And

Enliſtment to be deemed valid.

if any Officer of any of the aforeſaid four Battalions has enliſted any Servant

* The Meaſures adopted in the above Act for completing theſe Battalions, were recommended by a Reſolution of Congreſs of that Date.

Servant or Apprentice, ſince the ſaid fourteenth Day of *April*, and before the Publication of this Act, ſuch Enliſtment ſhall be deemed as valid, to all Intents and Purpoſes, as if the ſame had been made in Conſequence of this Act; and the Time of ſuch Servants and Apprentices ſhall be valued and paid for in ſuch Caſes, and in like Manner as herein before is directed, reſpecting Servants and Apprentices, which ſhall hereafter be enliſted.

9. AND BE IT ENACTED *by the Authority aforeſaid*, That every Subſtitute, who has already enliſted, or ſhall hereafter enliſt as ſuch, ſhall make Oath, or if one of the People called *Quakers*, Affirmation, that he was not enliſted in the Army of the United States, at the Time of ſuch his Enliſtment, as a Subſtitute. Subſtitute to qualify.

NUMBER II.

An ACT *to render certain Bills of Credit a Legal Tender within this State, and to prevent the counterfeiting of the ſame and other Bills of Credit.*

Paſſed Sept. 20, 1776.

WHEREAS ſundry diſaffected Perſons have refuſed to take in Payment the Bills of Credit emitted by the Continental Congreſs, and alſo the Bills of Credit emitted by the late Congreſs of Convention of this State: AND WHEREAS it is expedient that the ſaid Bills, and alſo the Bills of Credit lately iſſued on Loan in this State, ſhould be a Legal Tender; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of the State of* New-Jerſey, *and it is hereby Enacted by the Authority of the ſame*, That the Bills of Credit emitted and made current by the Continental Congreſs, the Bills of Credit emitted and made current by the Congreſs or Convention of this State, and the Bills of Credit iſſued on Loan by Virtue of an Act of the Legiſlature of *New-Jerſey*, made and paſſed in the Year of our Lord One Thouſand Seven Hundred and Seventy-four, intitled, * *An* Act *for ſtriking One Hundred Thouſand Pounds in Bills of Credit, and directing the Mode for ſinking the ſame*, ſhall be, and they and each of them are hereby declared to be a Legal Tender for the Payment of Money; and if any Perſon or Perſons, from and after the Publication hereof, ſhall refuſe to take any of the ſaid Bills of Credit, when the ſame ſhall be properly tendered in Payment of any Debt or Demand whatſoever (provided the Whole of ſuch Debt or Demand be ſo tendered) he, ſhe or they, ſo refuſing, ſhall be forever barred from ſuing for, or recovering the ſame in any Court in this State: And if any Suit or Suits ſhall be commenced for ſuch Debt or Demand, after Tender and Refuſal as aforeſaid, the Defendant may plead Payment, and give this Act and the ſpecial Matter in Evidence. Bills of Credit a Legal Tender. Penalty on Refuſal.

2. AND WHEREAS it is neceſſary that the counterfeiting of the Bills of Credit made current by publick Authority ſhould be prevented; BE

* *Allinſon*, Chap. DXCI.

BE IT ENACTED *by the Authority aforeſaid*, That all and every Perſon and Perſons, who, from and after the Publication hereof, ſhall counterfeit or alter any of the aforeſaid Bills of Credit by this Act made a Legal Tender, or any of the Bills of Credit emitted and made current by any of the Aſſemblies, Conventions or Congreſſes, of any of the United States of *North-America*, or utter any Bill or Bills ſo counterfeited or altered, knowing the ſame to be ſo counterfeited or altered as aforeſaid, and be duly convicted thereof, ſhall be adjudged guilty of Felony, and be puniſhed with Death in like Manner as Perſons convicted of counterfeiting or altering the former Bills of Credit of this State, and knowingly uttering the ſame, might or ſhould have been.

NUMBER III.

A Supplement to an ACT, *intitled,* * *An* Act *to render certain Bills of Credit a Legal Tender within this State, and to prevent the counterfeiting of the ſame and other Bills of Credit.*

Paſſed Oct. 5, 1779.

Preamble. WHEREAS Doubts have ariſen whether the Bills of Credit, emitted and made current by Congreſs ſince the paſſing of the Act, intitled, *An* Act *to render certain Bills of Credit a Legal Tender within this State, and to prevent the counterfeiting of the ſame and other Bills of Credit*, are a Legal Tender for the Payment of Money, or not; Therefore,

Bills declared a Legal Tender. *Sect.* 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That all Bills of Credit that heretofore have been ſince the paſſing of the above-recited Act, or hereafter ſhall be emitted and made current by the United States in Congreſs aſſembled, (except ſuch as have been called out of Circulation) ſhall be, and they and each of them are hereby declared to be a Legal Tender for the Payment of Money: And if any Perſon or Perſons, from and after the Publication hereof, ſhall refuſe to take any of the ſaid Bills of Credit, when the ſame ſhall be properly tendered in Payment of any Debt or Demand whatſoever, provided the Whole of ſuch Debt or Demand be ſo tendered, he, ſhe or they, ſo refuſing, ſhall be for ever barred from ſuing for, or recovering the ſame in any Court in this State; and if any Suit or Suits ſhall be commenced for ſuch Debt or Demand after Tender and Refuſal as aforeſaid, the Defendant may plead Payment, and give this Act and the ſpecial Matter in Evidence.

Perſons refuſing them, what to forfeit.

Mode of making a Legal Tender. 2. AND WHEREAS the making of a Legal Tender of Money, and perpetuating the Evidence thereof, is not clearly expreſſed and explained in any Law of this State now in Force; therefore, BE IT ENACTED *by the Authority aforeſaid*, That when any Perſon ſhall make a Tender of Money for the Payment of any Debt in this State, in the Preſence of any one or more creditable Witneſs or Witneſſes, the ſaid Witneſs

* Chap. III. Appendix, No. II.

Witneſs counting the ſame, ſhall be deemed and taken to be a legal Tender, provided that the Whole of ſuch Debt be ſo tendered: And it ſhall and may be lawful for the Perſon ſo tendering the Money as aforeſaid, to cauſe the Evidence or Evidences preſent at the Time of making ſuch Tender, to come before any one Juſtice of the Peace in the County, where ſuch Tender is made, or where ſuch Debtor may reſide, and make and ſubſcribe his or their Depoſition or Depoſitions on Oath or Affirmation in Writing, which Depoſition or Depoſitions ſhall be filed in the Clerk's Office of the County, where ſuch Debtor may reſide, and ſhall be deemed and taken as legal Evidence in any Court in this State, provided that ſuch Evidence or Evidences is or are dead at the Time his or their Teſtimony is required, or if ſuch Evidence or Evidences cannot, in the Judgment of the Court, reaſonably be obtained.

Counterfeiters, &c. how to be puniſhed.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That all and every Perſon and Perſons, who, from and after the Publication hereof, ſhall counterfeit or alter any of the aforeſaid Bills of Credit by this Act made a Legal Tender, or utter or paſs any Bill or Bills ſo counterfeited or altered, knowing the ſame to be ſo counterfeited or altered as aforeſaid, and be duly convicted thereof, ſhall be adjudged guilty of Felony, and be puniſhed with Death in like Manner as Perſons convicted of counterfeiting or altering the former Bills of Credit of this State, and knowingly uttering the ſame might or ſhould have been.

NUMBER IV.

An ACT *of free and general Pardon, and for other Purpoſes therein mentioned.*

Paſſed June 5, 1777.

Preamble.

WHEREAS divers of the Subjects of this State have, by the Arts of ſubtile Emiſſaries from the Enemy, been ſeduced from their Allegiance, and prevailed upon by deluſive Promiſes to leave their Families and Friends and join the Army of the King of *Great-Britain*, and are ſince become ſenſible of their Error, and deſirous of returning to their Duty: AND WHEREAS many of the ſaid Fugitives, as well as divers others who have been guilty of treaſonable Practices againſt this State, ſecrete themſelves to eſcape the Puniſhment due to their reſpective Crimes: AND WHEREAS, in Compaſſion to their unhappy Situation, the Legiſlature of this State are deſirous that no Means ſhould be left uneſſayed to prevent the Effuſion of Blood, and to give thoſe an Opportunity of returning to their Allegiance who ſhall teſtify their Deſire to be reſtored to the ineſtimable Rights of Freemen, by complying with the Conditions herein after mentioned;

Offenders to qualify.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for any ſuch Offender, as above deſcribed, on or before the firſt Day of *Auguſt* now next enſuing, voluntarily to appear before a Juſtice of the Supreme Court, Judge of the Inferior Court of Common Pleas, or Juſtice of the Peace within this

State, and take and ſubſcribe the Oaths or Affirmations following, *that is to ſay*,

Oath of Abjuration.

I A B *do ſincerely profeſs and ſwear (or if one of the People called* Quakers, *affirm) that I do not hold myſelf bound to bear Allegiance to the King of* Great-Britain. *So help me God.*

Oath of Allegiance.

I A B *do ſincerely profeſs and ſwear (or if one of the People called* Quakers, *affirm) that I do and will bear true Faith and Allegiance to the Government eſtabliſhed in this State, under the Authority of the People. So help me God.*

Which Oaths and Affirmations the ſaid Officers reſpectively are hereby enjoined and directed to adminiſter to all ſuch of the ſaid Offenders as ſhall ſo apply, and claim the Benefit of this Act; and to give to ſuch Deponent or Affirmant a Certificate thereof, in the Words or to the Effect following, *videlicet*,

Form of the Certificate.

I C D *(one of the Juſtices,* &c. *as the Caſe may be) do hereby certify, that* A B, *being one of the Offenders deſcribed in an Act of the Legiſlature of* New-Jerſey, *made and paſſed the fifth Day of* June, *One Thouſand Seven Hundred and Seventy-ſeven, intitled,* An *Act* of free and general Pardon, and for other Purpoſes therein mentioned, *having voluntarily appeared before me and claimed the Benefit of the ſaid Act, hath this Day taken and ſubſcribed the Oaths (or Affirmations, as the Caſe may require) preſcribed in the ſaid Act. Given under my Hand and Seal the Day of* Anno Domini 1777.

C D (L. S.)

Which is to be recorded.

Which Certificate ſuch Offender ſhall preſent to the Clerk of the County wherein he reſides, or in which he ſhall have taken the ſaid Oaths, to be recorded; and ſuch Clerk is hereby required and enjoined to record the ſame in a Book to be kept for that Purpoſe, and to return it, with a Certificate of its being recorded thereon, endorſed to the Perſon who produced it, for which Service the ſaid Clerk ſhall be entitled to demand and receive the Sum of *Two Shillings*, and no more. And every ſuch Offender having ſo applied, taken the Oaths or Affirmations, and procured a Certificate as aforeſaid, ſhall be and is hereby declared to be fully, freely and abſolutely pardoned, releaſed and diſcharged, of and from all Treaſons and other Offences ſpecified in an Act of the Legiſlature of this State, made and paſſed at *Princeton* on the fourth Day of *October*, in the Year of our Lord One Thouſand Seven Hundred and Seventy-ſix, intitled, * *An* Act *to puniſh Traitors and Diſaffected Perſons*, by him heretofore done or committed; and ſhall be thereupon reſtored to all the Rights, Liberties and Privileges of other the good Subjects of this State: And the ſaid Clerks are reſpectively hereby enjoined and required to tranſmit to the Governor or Commander in Chief for the Time being, on or before the twentieth Day of *Auguſt* next, a Liſt of the Certificates ſo as aforeſaid by them reſpectively recorded, ſpecifying the Names of the Officers who granted the ſame, the Dates, and the Names of the Perſons mentioned in the ſaid Certificates.

2. AND

* Chap. V.

Perſons neglecting to return, to forfeit their Perſonal Eſtates.

2. AND WHEREAS ſome of the Offenders above deſcribed may, nevertheleſs, be ſo far loſt to every Senſe of Duty to their Country, their Families and Poſterity, as to decline accepting the Clemency hereby proffered, BE IT FURTHER ENACTED *by the Authority aforeſaid*, That all and ſingular the Perſonal Eſtate and Effects whatſoever of every the ſaid Offenders, who ſhall not, on or before the ſaid firſt Day of *Auguſt* next, voluntarily appear before ſome one of the Juſtices of the Supreme Court, Judges of the Inferior Court of Common Pleas, or Juſtices of the Peace in this State, and take the ſaid Oaths as herein before is directed, ſhall from thenceforth be and is hereby declared to be abſolutely forfeited to this State; and all Sales and Alienations thereof, and of all or any of the Real Eſtate of ſuch Offender, in the mean Time made by him, or any his Agents or Attornies, are hereby declared to be null and void to all Intents and Purpoſes whatſoever.

Commiſſioners to make Inventories, &c.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Commiſſioners for the reſpective Counties herein after appointed, or any or either of them, ſhall and may, with all convenient Speed, after the Publication of this Act, make a true and perfect Inventory of all the Perſonal Eſtate and Effects of every ſuch Offender, and diſpoſe of all the periſhable Part thereof; and in caſe they ſhall apprehend any Danger of ſuch Perſonal Eſtate or Effects falling into the Hands of the Enemy, then to ſell and diſpoſe of the Whole thereof, and keep in their Hands the Monies ariſing from ſuch Sale for the Uſe of the Owner, who ſhall, ſo as aforeſaid, appear and take the ſaid Oaths on or before the ſaid firſt Day of *Auguſt* next, and the ſame to him to pay, deducting therefrom for their Trouble over and above all reaſonable Charges and Expences, at the Rate of *Five per Cent.* and if ſuch Owner ſhall not appear and take the ſaid Oaths as aforeſaid, within the Time aforeſaid, then ſuch Commiſſioner or Commiſſioners ſhall pay the ſame, deducting as aforeſaid, to the Treaſurer, for the Uſe of the State, whoſe Receipt for the ſame ſhall be a ſufficient Diſcharge.

Perſonal Eſtate not in Danger, may be kept for the Owner in caſe, &c.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That, with Reſpect to ſuch Part of the Perſonal Eſtate and Effects ſo as aforeſaid inventoried, as is not in Danger of periſhing, and as the ſaid Commiſſioners ſhall not apprehend to be in Danger of falling into the Hands of the Enemy, the ſame ſhall, by the ſaid Commiſſioners reſpectively, be ſafely kept for the Uſe of the ſaid Owner, in caſe he ſhall appear and take the Benefit of the Pardon hereby offered; and ſuch Owner ſhall thereupon be reſtored to the Poſſeſſion of the ſame, he paying to ſuch Commiſſioner for his Trouble, over and above all reaſonable Charges and Expences, at the Rate of *Three per Cent.* but in caſe the ſaid Owner ſhall not appear and take the Benefit of the ſaid Pardon, then ſuch Perſonal Eſtate and Effects ſhall be, and are hereby declared to be forfeited to this State, and ſhall be diſpoſed of by ſome future Law of the Legiſlature, allowing to ſuch Commiſſioners who had the Care thereof, over and above his Charges and Expences, at the Rate of *Three per Cent.* and the ſaid Commiſſioners are hereby directed and enjoined, with all convenient Speed, after the making ſuch Inventory or Sale as is before directed, to deliver on Oath to the Treaſurer, a true Copy of ſuch Inventory or Account of Sales.

Names of the Commiſſioners

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

the Perſons herein after named ſhall be, and they are hereby, for the Counties in which they reſpectively reſide, appointed Commiſſioners for the Purpoſes aforeſaid, *to wit*,

For the County of *Bergen*, *James Board*, *Hendrick Cuyper* and *Peter Fell.*

For the County of *Eſſex*, *Robert Clark*, *John Clawſon*, *Thomas Canfield*, *Samuel Hayes* and *Iſaac Dod.*

For the County of *Middleſex*, *Matthias Baker*, *Thomſon Stelle*, *John Lloyd* and *William Scudder.*

For the County of *Suſſex*, *Iſaac Martin*, *Samuel Meeker*, *William Hankinſon*, *Thomas Anderſon*, *John Barber* and *George Warne.*

For the County of *Somerſet*, *Enos Kelſey*, *Frederick Frelinghuyſen*, *James Linn*, *Jacob Bergen* and *Hendrick Wilſon.*

For the County of *Hunterdon*, *Jared Sexton*, *Joakim Griggs* and *Nehemiah Dunham.*

For the County of *Burlington*, *Samuel Rogers*, *Nathaniel Lewis* and *John Butler.*

For the County of *Glouceſter*, *John Sparks*, *Elijah Clark* and *Joſeph Hugg.*

For the County of *Salem*, *Thomas Sinnickſon*, *Thomas Sayre* and *William Garriſon.*

For the County of *Cumberland*, *Enos Seeley*, *William Kelſey* and *Derick Peterſon.*

For the County of *Cape-May*, *Henry Hand* and *Jonathan Jenkins.*

For the County of *Monmouth*, Colonel *Samuel Forman*, *Joſeph Lawrence*, *Kenneth Hankinſon* and *Jacob Wikoff.*

For the County of *Morris*, *David Thomſon*, *Alexander Carmichael* and *Aaron Kitchel.*

Commiſſioners refuſing, *&c.* others to be appointed.

6. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if the ſaid Commiſſioners, or any of them, ſhall refuſe, or be diſabled from performing the Duties enjoined on them by this Act, then the Governor and Council of Safety of this State ſhall be, and they are hereby authorized and required to appoint other proper Perſons in the Room of ſuch Commiſſioner or Commiſſioners; and the Perſon or Perſons ſo appointed ſhall be, and hereby are veſted with the ſame Powers and Authorities, and ſhall receive the ſame Compenſation, and be ſubject to the ſame Duties which by this Act are veſted in, allowed to, and enjoined upon the ſaid Commiſſioners hereby appointed.

NUMBER V.

An ACT *to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines, without Permiſſions or Paſſports, and for other Purpoſes therein mentioned.*

Paſſed Oct. 8, 1778.

Preamble.

WHEREAS many diſaffected Subjects of this State do keep up an Intercourſe and Communication with the Subjects or Troops of the King of *Great-Britain*, highly dangerous to the Publick Safety;

Sect. 1.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That any Perſon, being a Member of, and owing Allegiance to this Government, as deſcribed in the Act, intitled, * *An Act to puniſh Traitors and diſaffected Perſons*, paſſed the fourth Day of *October*, One Thouſand Seven Hundred and Seventy-ſix, who ſhall, from and after the paſſing of this Act, be apprehended on his or her Way to the Lines or Encampments, or to any Place in the Poſſeſſion of the Subjects or Troops of the King of *Great-Britain*, with Intent to go into the ſame without a Licenſe, Permiſſion or Paſſport for that Purpoſe previouſly obtained from the Governor or Commander in Chief of this State for the Time being, or from the General or Commander in Chief of the Armies of the United States for the Time being, or from ſome † General Officer of the regular Forces of the United States, or of the Militia of this State commanding at a ſeparate and detached Poſt, or from a Colonel of the ſaid regular Forces or Militia, being the commanding Officer on ſome fixed or accuſtomed Station, and thereof be legally convicted, ſhall for ſuch Offence be fined, to and for the Uſe of the State, in any Sum not leſs than *Fifty*, nor more than *One Thouſand Pounds*, or be impriſoned for any Term not leſs than three, nor more than twelve Months, at the Diſcretion of the Court before which ſuch Offender ſhall be convicted, or ſhall ſuffer ſuch corporal Puniſhment as the ſaid Court ſhall think proper, not extending to Life or Member.

Penalty on Perſons attempting to go into the Enemy's Lines without a Paſs.

2. AND IT IS HEREBY FURTHER ENACTED, That any Perſon, being a Member of, and owing Allegiance to this Government as aforeſaid, who ſhall from and after the paſſing of this Act, voluntarily go into the Lines or Encampments, or to any Place in the Poſſeſſion of the Subjects or Troops of the King of *Great-Britain*, without a Licenſe, Permiſſion or Paſſport obtained as aforeſaid, and thereof be legally convicted, ſhall for the firſt Offence be fined, to and for the Uſe of the State, in any Sum not leſs than *One Hundred*, nor more than *Two Thouſand Pounds*, or be impriſoned for any Term not exceeding eighteen Months, at the Diſcretion of the Court before which ſuch Conviction ſhall be had, or ſhall ſuffer ſuch corporal Puniſhment as the ſaid Court ſhall adjudge, not extending to Life or Member: PROVIDED that no Inquiſition hath been found and proſecuted to Effect againſt ſuch Perſon, purſuant to an Act of the Legiſlature of this State, intitled, ‡ *An Act for taking Charge of and leaſing the Real Eſtates, and for forfeiting the Perſonal Eſtates of certain Fugitives and Offenders, and for enlarging and continuing the Powers of Commiſſioners appointed to ſeize and diſpoſe of ſuch Perſonal Eſtates, and for aſcertaining and diſcharging the lawful Debts and Claims thereon*, paſſed the eighteenth Day of *April* laſt; and for the ſecond Offence is hereby declared to be guilty of Felony; and being thereof legally convicted, ſhall ſuffer Death without Benefit of Clergy.

Perſons convicted of going into the Enemy's Lines without a Paſs, what to forfeit.

Proviſo.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That any Perſon, having a Paſſport or Permiſſion to go into the Lines or Encampments of the Enemy, or into any Place in the Poſſeſſion of the Subjects or Troops of the King of *Great-Britain*, ‖ the Commiſſary-

Perſons having Paſſports, and found guilty of Mal-Practices, how puniſhed.

* Chap. V.

† By Chap. CCXXXIV no Perſon was permitted to give Paſſports for the Purpoſe of this Act but the Governor of the State, or Commander in Chief of the Army, which is agreeable to the Law alſo as it now ſtands.

‡ Chap. LXXXVII.

‖ The Exception here made in Favour of the Commiſſary-General of Proviſios, *&c.* was repealed by Chap. CXXIII. Appendix, No. 6.

General of Proviſions, or Perſons in his Employ excepted, who ſhall take with him or her Proviſions or other Neceſſaries of any Kind, over and above what may be deemed neceſſary and allowed for his or her * Suſtenance, and thereof be legally convicted, ſhall, for the firſt Offence, be fined, to and for the Uſe of the State, in any Sum not exceeding *One Thouſand Pounds*, or be impriſoned for any Term not exceeding twelve Months, at the Diſcretion of the Court before which ſuch Conviction ſhall be had, or ſhall ſuffer ſuch corporal Puniſhment as the ſaid Court ſhall adjudge, not extending to Life or Member; and for the ſecond Offence, is hereby declared to be guilty of Felony, and being thereof legally convicted, ſhall ſuffer Death without Benefit of Clergy.

Perſons granting Paſſports, *&c.* without Authority, what to forfeit.

4. AND IT IS HEREBY FURTHER ENACTED, That any military Officer, or other Perſon, not authorized as aforeſaid to grant Permiſſions or Paſſports, who ſhall grant any ſuch Permiſſion or Paſſport, or being ſo authorized, ſhall grant a Permiſſion or Paſſport to take Proviſions or other Neceſſaries of any Kind within the Lines or Encampments, or to any Place in the Poſſeſſion of the Subjects or Troops of the King of *Great-Britain*, otherwiſe than as before is declared, his Excellency the Governor, or the Commander in Chief of this State for the Time being, or the General or Commander in Chief of the Armies of the United States for the Time being, excepted, ſhall, for every ſuch Offence, forfeit the Sum of *Five Hundred Pounds*, to be recovered, with Coſts of Suit, by any Perſon who will ſue for the ſame; one Half to the Proſecutor, and the other Half to be paid to the Treaſurer, to and for the Uſe of the State.

Forfeiture on Perſons conveying Proviſions, *&c.* without Leave, into the Enemy's Lines.

5. AND BE IT ENACTED *by the Authority aforeſaid*, That any Perſon who ſhall ſend or convey, or be in any Manner aiding or aſſiſting in ſending or conveying Proviſions or other Neceſſaries of any Kind into the Lines or Encampments, or into any Place in the Poſſeſſion of the Subjects or Troops of the King of *Great-Britain*, without being duly authorized as aforeſaid, by Permiſſion or Licenſe for that Purpoſe, ſhall, for the firſt Offence, forfeit and pay the Sum of *Five Hundred Pounds*, to be recovered, with Coſts of Suit, by any Perſon who will ſue for the ſame, one Half to the Proſecutor, and the other Half to be paid to the Treaſurer, to and for the Uſe of the State; and for the ſecond Offence is hereby declared to be guilty of Felony, and being thereof legally convicted, ſhall ſuffer Death without Benefit of Clergy.

Proviſions, *&c.* to be ſeized.

6. AND BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful to and for any Detachment or Guard of the regular Forces of the United States, or of the Militia of this State, and to and for any Perſon or Perſons whomſoever, to ſeize and ſecure any Proviſions, Goods, Wares or Merchandize, attempted to be carried or conveyed into, or brought from within the Lines or Encampments, or any Place in the Poſſeſſion of the Subjects or Troops of the King of *Great-Britain*, otherwiſe than is herein before allowed, together with the Boats, Carriages, Teams or Horſes ſo carrying or conveying the ſame, and alſo the Perſon or Perſons in whoſe Poſſeſſion they may be, and him, her or them to take before any Juſtice of the Peace of the County wherein he, ſhe or they may be apprehended; which Juſtice is hereby directed and required to hear the Allegations and Defences of the Parties, with the Evidence produced

* By Chap. CXXIII this Allowance is particularly defined, and Proviſions were permitted to be carried for three Days.

produced in Support thereof, and to give Judgment accordingly; and if Judgment ſhall go againſt the Defendant or Defendants, the Goods or Effects ſo as aforeſaid found in his, her or their Poſſeſſion, ſhall be forfeited to and for the Uſe of the Perſon or Perſons who ſeized the ſame; but if Judgment ſhall go againſt the Plaintiff, the ſaid Goods or Effects ſhall be reſtored to the Owner, or Perſon from whom they were taken, and the Coſts ſhall be paid by the Plaintiff. PROVIDED ALWAYS, That it ſhall and may be lawful for either of the Parties to the Trial to demand a Jury; and upon ſuch Demand the ſaid Juſtice is hereby required to grant the ſame, and to proceed in all other Reſpects as in the like Caſe in the Act, intitled, * *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*, paſſed the eleventh Day of *February*, One Thouſand Seven Hundred and Seventy-five, is directed; and on the Verdict of the Jury being taken, ſhall give Judgment agreeably thereto. Proviſo.

7. † AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That all Goods and Effects ſo ſeized and forfeited as aforeſaid, ſhall be diſpoſed of at publick Sale, and after deducting the Coſts in every Inſtance, the Reſidue ſhall be divided among the Perſons ſo ſeizing the ſame, in Proportion to their Pay, if on military Duty, and if not, then to each an equal Share. Mode of dividing forfeited Goods.

NUMBER VI.

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

Paſſed Dec. 11, 1778.

WHEREAS in and by the third Section of the Act, intitled, *An Act to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines, without Permiſſions or Paſſports, and for other Purpoſes therein mentioned*, it is Declared and Enacted, "That "any Perſon, having a Paſſport or Permiſſion to go into the Lines or "Encampments of the Enemy, or into any Place in the Poſſeſſion of the "Subjects or Troops of the King of *Great-Britain*, the Commiſſary-"General of Proviſions, or Perſons in his Employ, excepted, who ſhall "take with him or her Proviſions or other Neceſſaries of any Kind, over "and above what may be deemed neceſſary and allowed for his or her "Suſtenance, and thereof be legally convicted," ſhall be puniſhed as is therein limited and ſet forth: AND WHEREAS the Exception therein made in Favour of the Commiſſary-General of Proviſions, and Perſons in his Employ, is found unneceſſary, by Reaſon of the Mode eſtabliſhed by Congreſs for the Supply of thoſe who are Priſoners in the Hands of the Enemy: Therefore, Preamble.

Sect. 1.

* *Allinſon*, Chap. DCXXIII.

† The preſent Law directs, that one Half of Goods brought from the Lines of the Enemy ſhall be forfeited to the Uſe of the State.

Former Permiſſion made void.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That all Licenſe and Permiſſion whatſoever, given or intended by the ſaid third Section of the ſaid recited Act, to the Commiſſary-General of Proviſions, or Perſons in his Employ, henceforth be, and hereby is made void and done away.

Perſons obtaining Paſſports may take three Days Proviſions.

2. AND WHEREAS Perſons obtaining Permiſſions or Paſſports, as ſet forth in the firſt Section of the ſaid Act, may, by the above-recited third Section of the ſame, be allowed to carry with them Proviſions neceſſary for their Suſtenance; and no Time is, in that Caſe, mentioned or limited; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That no Perſon whatſoever ſhall in any Caſe be allowed or entitled to take with him or her Proviſions for his or her Suſtenance, over and above what may be neceſſary for three Days, on any Account or Pretence whatſoever.

Commiſſary to ſend Proviſions agreeable to the Reſolutions of Congreſs.

3. PROVIDED ALWAYS, AND IT IS HEREBY FURTHER ENACTED, That it ſhall and may be lawful to and for the Commiſſary-General of Priſoners, or his Deputy in this State, to ſend within the Enemy's Lines ſuch Proviſions and other neceſſaries as by the Reſolutions of the United States in Congreſs aſſembled are particularly allowed to be ſent for the Supply of Priſoners in the Hands of the Enemy.

4. AND WHEREAS in and by the ſixth Section of the above-recited Act, it is, among other Things Enacted and Declared, "That "it ſhall and may be lawful to and for any Detachment or Guard of "the regular Forces of the United States, or of the Militia of this "State, and to and for any Perſon or Perſons whomſoever, to ſeize and "ſecure any Proviſions, Goods, Wares or Merchandize attempted to "be carried or conveyed into, or brought from within the Lines or En-"campments, or any Place in the Poſſeſſion of the Subjects or Troops "of the King of *Great-Britain*, otherwiſe than is therein before allowed, "together with the Boats, Carriages, Teams or Horſes ſo carrying or "conveying the ſame, and alſo the Perſon or Perſons in whoſe Poſſeſſion "they may be," and to proceed as is further in and by the ſaid Section provided and enacted: AND WHEREAS ſome have doubted whether Seizure can be made of any Thing attempted to be conveyed into, or brought from within the Lines or Encampments, or Places in the Poſſeſſion of the Subjects or Troops of the King of *Great-Britain*, in any Caſe where thoſe who attempted to carry in or bring out the ſame, have Permiſſions or Paſſports from Officers by the above-recited Act empowered to grant the ſame; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That no Permiſſion or Paſſport granted to any Perſon whomſoever, in the Manner authorized in and by the ſaid before-recited Act, ſhall entitle the Bearer thereof, or Perſon having ſuch Permiſſion or Paſſport, to carry into or bring from within the Lines or Encampments, or into or from any Place in the Poſſeſſion of the Subjects or Troops of the King of *Great-Britain*, any Article or Thing mentioned or intended in the ſixth Section of the ſaid above-recited Act, except in Caſes where the ſame may be granted by the Governor or Commander in Chief of this State, or the General or Commander in Chief of the Armies of the United States, as ſet forth in the fourth Section of the ſaid above-recited Act, or as is allowed in and by the third

Perſons having Paſſports not to carry to or bring from the Enemy any Articles, except, &c.

third Section of this Act; but that the ſame, and every Part thereof, ſhall and may be ſeized and diſpoſed of as in and by the ſaid above-recited Act is declared and provided.

5. * AND BE IT ENACTED *by the Authority aforeſaid*, That each and every Perſon in whoſe Poſſeſſion any Proviſions, Goods, Wares or Merchandize, may be ſeized as aforeſaid, ſhall, beſides ſuch Proviſions, Goods, Wares and Merchandize, forfeit to the Amount of the Value thereof, to be recovered in an Action of Debt by any Perſon who will ſue for the ſame in any Court where ſuch Suit may be cognizable, one Half to the Uſe of the Proſecutor, and the other to the Uſe of the State. Offenders, what to forfeit.

6. AND IT IS HEREBY FURTHER ENACTED, That it ſhall and may be lawful to and for any Juſtice of the Peace of this State, by Warrant under his Hand, to order ſearched and examined any Craft, Baggage, Proviſions, or Goods whatſoever, paſſing or re-paſſing to or from the Enemy, under Permiſſion or Paſſport, except ſuch Permiſſion or Paſſport be given by the Governor or Commander in Chief of this State, or the General or Commander in Chief of the Armies of the United States, under their reſpective Hands; and if any Perſon or Perſons whatſoever ſhall preſume to obſtruct or prevent any ſuch Search or Examination, he or they ſhall be apprehended and proceeded againſt by Indictment, and puniſhed as the Court before whom the Indictment ſhall be tried ſhall in their Diſcretion determine, not exceeding a Fine of *Five Hundred Pounds*, or an Impriſonment of ſix Months. Baggage, &c. to be ſearched.

NUMBER VII.

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

Paſſed Dec. 25, 1779.

WHEREAS the Act, intitled, *An* Act *to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines without Permiſſions or Paſſports, and for other Purpoſes therein mentioned*; and the Act, intitled, *An* Act *to explain and amend an Act, intitled, An* Act *to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines without Permiſſions or Paſſports, and for other Purpoſes therein mentioned*, are found inadequate, and are ſuppoſed to be evaded by Perſons ſeizing Goods, Wares or Merchandize, brought out of the Enemy's Lines by their Procurement, and obtaining Condemnation of ſuch Goods and Effects to their own Benefit, without making it appear by whom or by what Means ſuch Goods, Wares or Merchandize, were brought out of the Enemy's Lines into this State, or in whoſe Poſſeſſion ſuch Goods, Wares and Merchandize, were taken: AND Preamble.

* The Mode of proceeding for the Recovery of the Forfeiture in this Section, was particularly pointed out in Number VII, by which the latter Part of this fifth Section ſeems to have been ſuperſeded.
† Chap. CXXIII of this Collection, and Number VI of the Appendix.
‡ Chap. CV of Ditto; Appendix, Number V.

WHEREAS Cauſes of conſiderable Value may, by Virtue of this or the before recited Acts, be proſecuted before a Juſtice of the Peace, wherein it may be prudent to have the Judgment of a greater Number than ſix Jurors;

Jury to conſiſt of twelve Men.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame,* That in all Cauſes hereafter to be proſecuted before any Juſtice of the Peace, by Virtue of this or either of the ſaid recited Acts, it ſhall and may be lawful for either of the Parties in ſuch Suit to demand a Jury of twelve Men, which Jury ſuch Juſtice is hereby empowered to grant, and to iſſue a *Venire* accordingly.

Goods, *&c.* declared forfeited;

2. AND BE IT FURTHER ENACTED *by the Authority aforeſaid,* That all Goods, Wares and Merchandize, with Boats, Teams, Carriages and Horſes conveying the ſame, that may be ſeized by Virtue of this or either of the before mentioned Acts, coming into or diſcovered within this State, brought from within the Enemy's Lines, which, upon Trial for Condemnation thereof, ſhall appear to have been ſeized without apprehending and ſecuring the Perſon or Perſons in whoſe Poſſeſſion the ſame were found, where it ſhall not be proved to the Satisfaction of the Jury that ſuch Goods, Wares or Merchandize, or other Effects, were actually, at the Time of the Seizure, the Property of ſome Perſon or Perſons other than the Captors, and no Colluſion had between the Owners and Captors thereof, ſuch Goods, Wares and Merchandize, or other Effects, upon Condemnation thereof, ſhall be, and hereby are declared to be forfeited, Two-Thirds thereof to the Uſe of the State, and the other Third thereof to the Captor or Captors, and ſhall be ſo adjudged by the Juſtice and Jury; and ſhall thereupon be delivered to the Collector of ſuch Townſhip or Precinct, and by him be ſold agreeably to the Direction of the ſaid firſt recited Act; and the Monies ariſing from ſuch Sale the ſaid Townſhip or Precinct Collector ſhall, after deducting reaſonable Coſts to be taxed by the ſaid Juſtice, pay Two-Thirds thereof to the Collector of the County, to be by him paid to the Treaſurer, and the other Third to the Captor or Captors.

to be ſold by the Town-Collector, *&c.*

Goods, *&c.* ſeized by Virtue of former Acts, not to be forfeited.

3. * PROVIDED ALWAYS, AND IT IS HEREBY FURTHER ENACTED, That no Goods, Wares or Merchandize, ſeized by Virtue of the before recited Acts, ſhall be adjudged to be forfeited where the Perſon, in whoſe Poſſeſſion ſuch Goods or Effects may be found and ſeized, ſhall prove that the ſame Goods were purchaſed of a Perſon keeping an open Shop or Store within this State or any of the United States, not being within the Enemy's Lines, or otherwiſe publickly dealing in Articles of the Kind.

Mode of proceeding againſt Perſons in whoſe Cuſtody Goods are found, and condemned.

4. AND BE IT FURTHER ENACTED *by the Authority aforeſaid,* That on the Condemnation of any Goods or Effects by Virtue of this or the before recited Acts, where the Perſon, in whoſe Cuſtody ſuch Goods were found, ſhall be ſeized and delivered to the Magiſtrate applied to for Condemnation, the ſaid Magiſtrate ſhall commit ſuch Perſon to the Sheriff of the County, to be kept in ſafe and ſecure Cuſtody, until Proceſs is iſſued againſt ſuch Perſon at the Suit of the State for the Penalty mentioned in the fifth Section of the laſt recited Act, unleſs ſuch Perſon ſhall

* See Chap. CCLXXXIII by which this Section was altered.

ſhall give Bond with ſufficient Security to the Juſtice that he will enter his Appearance to an Action to be commenced againſt him at the Suit of the State for ſuch Penalty, and ſatisfy the Judgment of the Court on the Determination of ſuch Suit; and the Perſon to whom ſuch Condemnation ſhall be made ſhall, within three Days after the Sale of the Goods ſo condemned, return to the Juſtice, before whom ſuch Condemnation was had, a true Account of the Amount of the Sales thereof, and make Oath to the ſame before ſuch Juſtice; and the Juſtice ſhall, within three Days after the Receipt of ſuch Account of Sales, if above *Fifty Pounds*, tranſmit a Copy thereof, and a Return of the Name of the Perſon in whoſe Cuſtody the ſame was taken, to the Clerk of the County, who is hereby authorized and required, on Receipt of ſuch Return from the Juſtice, to iſſue a Proceſs in Debt at the Suit of the State againſt the Perſon, in whoſe Cuſtody the Goods were ſeized, for the Penalty mentioned in the fifth Section of the laſt mentioned Act; and ſuch Return of the Amount of Sales, ſworn to as aforeſaid, is hereby declared to be Evidence on the Trial: And the Attorney-General, or Perſon proſecuting the Pleas of the State, is hereby authorized and directed to carry on the Proſecution of every ſuch Action; and, upon the Receipt of the Sum recovered thereby, to pay the ſame to the Collector of the County where recovered for the Uſe of the State, and alſo tranſmit an Account of the Money, ſo recovered and paid, to the Treaſurer of this State. PROVIDED ALWAYS, That if the Amount of ſuch Sales ſhall not exceed the Sum of *Fifty Pounds*, that then the Juſtice, to whom the ſame ſhall be returned, ſhall proſecute for, recover and pay the ſame, when ſo recovered, to the Collector of the County as aforeſaid. Proviſo.

5. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That in every Caſe where any Goods, Wares or Merchandize, or other Articles, ſhall be ſeized by Virtue of the before recited Acts or this Act, coming from within the Enemy's Lines into this State, or being within the Borders of the State adjoining the Enemy's Lines, and paſſing from thence into or through the State, and proſecuted for Condemnation, the Burden of the Proof on the Trial ſhall lie upon the Defendant; any Law, Uſage or Cuſtom, to the Contrary notwithſtanding. Goods proſecuted for Condemnation, the Proof to lie on the Defendant.

6. AND WHEREAS ſeveral Negro Slaves, belonging to Perſons reſiding within Places under the Power of the Enemy, which have abſconded from their Owners and come into this State, have been kidnapped and forcibly carried out of the ſame and ſecreted, and others have been ſeized and ſold within this State by Perſons not having any Claim to ſuch Negroes, and without any lawful Authority; in order therefore to prevent the like cruel and iniquitous Practices in future, BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Perſon or Perſons whatſoever, other than the Owner or Owners, ſhall, after the Publication of this Act, preſume to kidnap or carry away by Force, ſecrete, detain, ſell, or otherwiſe convert to his, her or their own Uſe, any ſuch Negro Slave or Slaves, the Perſon or Perſons, ſo offending, ſhall, for every ſuch Offence, forfeit and pay the Sum of *Five Thouſand Pounds*, over and above the Value of the Negro Slave or Slaves by him or them ſo kidnapped, forcibly carried away, ſecreted, detained, ſold, or otherwiſe converted to his, her or their own Uſe; to be recovered by Action of Debt, by any Perſon that will ſue for the ſame, in any Perſons kidnapping and ſelling Negroes, what to forfeit.

any Court of Record where the ſame may be cognizable, with Coſts of Suit, and applied one Half to the Proſecutor, and the other Half to and for the Uſe of the State.

Such Sales declared void.

7. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That all Sales of any ſuch Negro Slave or Slaves not legally condemned, made or hereafter to be made by any Perſon or Perſons whatſoever, ſhall be, and the ſame are hereby declared to be, null and void to all Intents and Purpoſes; and the ſaid Negro Slave or Slaves, not legally condemned, ſo ſold, ſhall be ſet at Liberty; and it ſhall and may be lawful for the Purchaſer or Purchaſers of any ſuch Negro or Negroes to ſue for and recover the Sum or Sums by him or them paid for any ſuch Negro or Negroes, in an Action of Debt in any Court where the ſame may be cognizable, with Coſts of Suit.

Negroes to be removed to remote Parts of the State.

8. AND WHEREAS it may be dangerous to the Community to permit ſuch Negroes to reſide near the Enemy's Lines; BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for any one Juſtice of the Peace in any of the Counties of this State, upon due Proof of ſuch Danger, to order any ſuch Negro or Negroes to be removed to ſome more remote or interior Part of the State; and if any ſuch Negro or Negroes ſhall preſume to return to any Part of the State adjoining the Enemy's Lines after ſuch Removal, and without Leave of the Juſtice who granted the Order for his Removal firſt obtained, he or they ſhall, on being thereof legally convicted, be liable to ſuch corporal Puniſhment as ſhall be adjudged by the Court before which ſuch Conviction is had, not exceeding thirty Laſhes.

NUMBER VIII.

An ACT *more effectually to prevent the Inhabitants of this State from trading with the Enemy, or going within their Lines, and for other Purpoſes therein mentioned.*

Paſſed Dec. 22, 1780.

Preamble.

WHEREAS the Laws now in Force are found inſufficient to prevent the Inhabitants of this State from ſending Proviſions within the Lines of the Enemy, and carrying on a commercial Intercourſe with them, to ſecure for Trial thoſe who go into or come out of the ſame without Paſſports, and to diſpoſe of condemned Priſoners in ſuch Manner as the Safety and Peace of the State require.

The firſt nine Sections, and the fifteenth, eighteenth and nineteenth, are repealed by Chap. CCLXXI, and are in Force for no Purpoſe whatſoever.

Water-Craft to be collected and ſecured, by Order of a military Officer.

10. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Commanding Officer of every Poſt where any Detachment of the Militia or other Troops of this State, may or ſhall hereafter be ſtationed along the Shore, ſhall forthwith order all Boats, Canoes, Skiffs, Flats, and all Water-Craft of whatever Conſtruction, that may be found along

along the Shores of the State, or the Lines of the Enemy, to be collected and ſecured in ſome Place or Places moſt convenient and ſafe: All of which Boats or Water-Craft ſo collected, ſhall be and remain under the immediate Command and Direction (as far as is conducive to the publick Weal) of ſuch Officer for the Time being; and if the Owner or Owners of any Boat or Craft which may be ſecured by Virtue of this Law, or any other Perſon whatever, ſhall preſume to take his or her Boat or Craft, or the Boat or Craft of any other Perſon, from ſuch Place of Security as aforeſaid, without Permiſſion firſt had in Writing, from the Officer under whoſe Command ſuch Boat or Craft may be taken in Charge, ſpecifying the Service in which ſuch Boat or Craft may be uſed, without Injury to the Publick, and the Time when it ſhall be again returned to the Place of Safety from whence it is ſuffered to be taken, or ſhall detain any Boat or Craft for a longer Time than is allowed for ſuch Permiſſion, he or ſhe ſhall forfeit and pay for every ſuch Offence the Sum of *Six Pounds* lawful Money, to any Perſon who will ſue for the ſame in an Action of Debt, and give this Law in Evidence, before any Court of Juſtice where the ſame is cognizable, who ſhall give Judgment therefor, together with Coſts of Suit.

Who to give the Orders where no military Officer.

II. AND BE IT FURTHER ENACTED, That where there is no Officer ſpecially appointed to command on the Coaſt near the Lines of the Enemy, the Colonel or other Officer firſt in Rank in the Regiment of Militia bordering along the ſaid Coaſts, ſhall be deemed and held to be the Officer commanding ſo far as the Regiment extends, for the Purpoſe of taking and ſecuring Boats and Water-Craft agreeably to this Act; and in caſe no military Officer as aforeſaid ſhall ſecure the Boats and Water-Craft along or near the Shore agreeably to this Act, that in ſuch Caſe it ſhall and may be lawful for any Juſtice of the Peace to iſſue a Warrant under his Hand and Seal, to one of the Conſtables of the County, to ſeize and convey to any Place or Places of Safety, as in ſuch Warrant ſhall be directed, all Boats and Water-Craft that can be found within the ſaid County, and make Return of all ſuch Boats ſo ſeized, to the Juſtice iſſuing the Warrant; which Crafts when collected ſhall remain under the immediate Care and Direction of the ſaid Juſtice of the Peace, as they would have been under the Care of the military Officer, agreeably to the preceding Section; and every Perſon who ſhall remove any of the ſaid Water-Craft without ſuch Permiſſion from the ſaid Juſtice, as is provided in the preceding Section of this Act, he or ſhe ſhall incur the ſame Penalty as is therein directed.

Military Officers and Commiſſaries of Priſoners to take an Oath.

12. AND BE IT FURTHER ENACTED, That every commiſſioned Officer having Command of Militia or other Troops within this State, near the Lines of the Enemy, and every Commiſſary or Deputy Commiſſary of Priſoners, who may have the Superintendency of Flags between any Poſts of this State and the Enemy, ſhall take and ſubſcribe the following Oath, *videlicet*,

I A B *do ſolemnly ſwear that I will not directly or indirectly allow any Trade or Intercourſe with the Enemy, contrary to the Act, intitled,* An *Act* more effectually to prevent the Inhabitants of this State from trading with the Enemy, or going within their Lines, and for other Purpoſes therein mentioned. *So help me God.*

And the ſeveral Juſtices near the Lines are hereby authorized and required to call upon the Officers and Commiſſary, or Deputy Commiſſary of Priſoners ſtationed as aforeſaid, to take the above Oath; and the Juſtice who ſhall adminiſter ſuch Oath ſhall preſerve a Copy thereof, ſigned with the Name and expreſſing the Rank of the Officer or Title of the Commiſſary of Priſoners, and ſhall give a Certificate of the Qualification as aforeſaid to the ſaid Officer or Commiſſary ſo qualified; and if any ſuch Officer or Commiſſary, or Deputy Commiſſary of Priſoners as aforeſaid, ſhall neglect to take and ſubſcribe the ſaid Oath when called thereto, or to require a Certificate thereof from the Juſtice by whom the ſaid Oath ſhall be adminiſtered, ſuch Officer or Commiſſary of Priſoners ſo neglecting ſhall be liable, and is hereby ſubjected to an Action of Debt to the Amount of *Six Pounds* lawful Money, to be recovered from ſuch delinquent Officer or Commiſſary by any Perſon who will ſue for the ſame, and give this Law in Evidence, before any Court where the ſame may be cognizable.

Penalty for Neglect.

Who to ſeize Proviſion, Goods, &c. on the Way to or from the Enemy.

13. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful for any Detachment or Guard of regular Forces of the United States, of the Militia or Troops of this State, and for any Perſon or Perſons whomſoever, to ſeize and ſecure any Proviſion, Goods, Wares or Merchandize attempted to be carried or conveyed into or brought from within the Lines or Encampments, or any Place in the Poſſeſſion of the Subjects or Troops of the King of *Great-Britain*, after the paſſing of this Act, without Permiſſion firſt obtained as aforeſaid, together with the Boats, Carriages, Teams or Horſes ſo carrying or conveying the ſame, and alſo the Perſon or Perſons in whoſe Poſſeſſion they may be, and him, her or them to take before any Juſtice of the Peace of the County wherein he, ſhe or they may be apprehended; which Juſtice is hereby directed and required to hear the Allegations and Defences of the Parties, with the Evidence produced in Support thereof, and to give Judgment accordingly; and if Judgment ſhall go againſt the Defendant or Defendants, the Goods or Effects ſo as aforeſaid found in his, her or their Poſſeſſion, ſhall be forfeited to and for the Uſe of the Perſon or Perſons who ſeized the ſame; but if Judgment ſhall go againſt the Plaintiff, the ſaid Goods or Effects ſhall be reſtored to the Owner or Perſon from whom they were taken, and the Coſts ſhall be paid by the Plaintiff: PROVIDED ALWAYS, That it ſhall and may be lawful for either of the Parties to the Trial to demand a Jury of twelve Men, and upon ſuch Demand the ſaid Juſtice is hereby required to grant the ſame, and to proceed in all other Reſpects as in the like Caſe in the Act, intitled, *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*, paſſed the eleventh Day of *February*, One Thouſand Seven Hundred and Seventy-five, is directed; and on the Verdict of the Jury being taken, ſhall give Judgment agreeably thereto.

Mode of Trial.

Articles, how to be diſpoſed of.

14. AND BE IT FURTHER ENACTED, That all Goods and Effects ſo ſeized and forfeited as aforeſaid, ſhall be diſpoſed of at publick Sale, and after deducting the Coſts, in every Inſtance to be taxed by the Juſtice, the Reſidue ſhall be divided among the Perſons ſo ſeizing the ſame, in Proportion to their Pay, if on Military Duty, and if not, then to each an equal Share.

16. AND

16. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That in every Caſe where any Goods, Wares or Merchandize, or other Article ſhall be ſeized by Virtue of this Act, coming from within the Enemy's Lines into this State, or being within the Borders of the State adjoining the Enemy's Lines, and paſſing from thence into or through the State, and proſecuted for Condemnation, the Burden of the Proof on the Trial ſhall be upon the Defendant, any Law, Uſage or Cuſtom, to the Contrary notwithſtanding. Burden of Proof on the Defendant.

17. AND BE IT FURTHER ENACTED, That when any Perſon ſhall be apprehended with Goods, Wares or Merchandize, ſuppoſed to be contraband, and the ſaid Goods, Wares or Merchandize, ſhall be ſeized by Virtue of this Act, and conveyed by the Captor or Captors before ſome Juſtice of the Peace, for the Purpoſe of Trial, it ſhall and may be lawful for the Juſtice of the Peace before whom ſuch Goods, Wares or Merchandize may be brought for Trial as aforeſaid, on Requeſt of the Defendant in the Cauſe to ſuch Juſtice of the Peace made on his or her appearing before the ſaid Juſtice, to adjourn the Trial for twenty Days, unleſs the Defendant ſhall agree to a ſhorter Time, to the Intent that ſuch Defendant may have Time to procure ſuch Witneſſes in the Cauſe as may enable him or her (if an honeſt Trader) to proceed with Safety to the Trial of the Goods: PROVIDED ALWAYS, That when any Defendant as aforeſaid ſhall requeſt an Adjournment of the Trial, ſuch Defendant ſhall enter into Recognizance to the State, with ſufficient Surety before the Juſtice of the Peace with whom ſuch Goods, Wares or Merchandize ſo ſeized ſhall be depoſited, in any Sum which the ſaid Juſtice in his Diſcretion may think reaſonable, conditioned that the Defendant appear before the ſaid Juſtice of the Peace on the certain Day therein ſet forth, to which the Trial of the Goods may be adjourned as aforeſaid, and then before the ſaid Juſtice put in a Plea to the Suit, and proſecute the ſame to Effect; and in caſe of Default made by ſuch Recognizor, the Juſtice of the Peace ſhall record the ſame, and acquaint the Attorney-General of the ſaid Recognizance and Default within ſixty Days thereafter. And any Perſon having ſeized Goods, Wares or Merchandize in Virtue of this Act, who ſhall aſk or receive, or offer to receive any Sum, Fee or Reward from the Owner or Poſſeſſor of the Goods ſeized, and therefor ſhall releaſe or diſcharge ſaid Goods, or the Poſſeſſor or Owner of them, or ſhall offer to releaſe or diſcharge either the Goods or the Owner or Poſſeſſor, and thereof ſhall be duly convicted on Indictment, ſhall forfeit and pay any Sum not exceeding *Five Hundred Pounds*, and ſhall moreover be liable to an Action of Debt at the Suit of the Perſon aggrieved, for the Recovery of the Money paid as aforeſaid, with Coſts. Trial may be adjourned. Proviſo. Penalty on receiving a Reward for releaſing Goods, &c.

NUMBER

NUMBER IX.

An ACT *to amend an Act, intitled,* * *An* Act *more effectually to prevent the Inhabitants of this State from trading with the Enemy, or going within their Lines, and for other Purpoſes therein mentioned.*

Paſſed June 28, 1781.

Preamble.

WHEREAS the Laws heretofore paſſed for the Prevention of the Trade and Intercourſe carried on and maintained with the Enemies of this and of the United States, have been evaded, and in many Reſpects found ineffectual to anſwer the Good Purpoſes thereby intended; Therefore,

Licenſes declared null and void.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That, from and after the paſſing of this Act, all Licenſes heretofore granted to Store or Shopkeepers by Virtue of the Act, intitled, *An* Act *more effectually to prevent the Inhabitants of this State from trading with the Enemy, or going within their Lines, and for other Purpoſes therein mentioned*, paſſed the twenty-ſecond Day of *December*, One Thouſand Seven Hundred and Eighty, are hereby declared to be null and void to all Intents and Purpoſes, any Law to the Contrary notwithſtanding.

When Captors do not apprehend the Perſon with the Goods, Forfeiture to the State.

2. AND IT IS HEREBY ENACTED, That all Goods, Wares and Merchandize, with Boats, Teams, Carriages and Horſes conveying the ſame, ſeized by Virtue of this or of any other Law of this State, coming into, or diſcovered within this State, brought from within the Enemy's Lines, which upon Trial for Condemnation thereof ſhall appear to have been ſeized without apprehending and ſecuring the Perſon or Perſons in whoſe Poſſeſſion the ſame were found, and the Captor or Captors cannot make it appear to the Satisfaction of the Juſtice or Jury trying the ſame, that the ſaid Property, at the Time of the Seizure, did *bona fide*, and altogether belong to ſome Perſon or Perſons other than the ſaid Captor or Captors, and that there was no Colluſion reſpecting the ſaid Property, between the ſaid Captors and any other Perſon or Perſons whatſoever; then, and in every ſuch Caſe, all ſuch Effects, upon Condemnation thereof, ſhall be, and they hereby are declared to be forfeited only to the Uſe of the State, and ſhall be ſo adjudged by the Juſtice and Jury, and ſhall thereupon be delivered to the Collector of ſuch Townſhip, Precinct or Ward, and by him be ſold agreeably to Law, and the full Amount of the Sales of the ſame ſhall, after deducting reaſonable Coſts to be taxed by the ſaid Juſtice, be by the Townſhip, Precinct or Ward Collector, paid to the Collector of the County, and by him paid to the Treaſurer of the State for the Uſe of the ſame. PROVIDED NEVERTHELESS, That where the Juſtice or Jury ſhall be fully ſatisfied of the Integrity and Honeſty of ſuch Captor or Captors, and that no Colluſion was had or intended in the Seizure of the Property under Trial as aforeſaid, one Half of the Monies ſo as aforeſaid ariſing from the lawful Sales of the ſame, ſhall be adjudged to the Uſe of, and paid to, and diſtributed amongſt the Captors agreeably to Law, and the other Half paid forward by the ſaid

Goods to be delivered to the Town Collector.

Proviſo.

Half the Value of the Goods to go to the Captors in certain Caſes.

* Chap. CCXXXII. Appendix, No. VIII.

ſaid Collector in Manner aforeſaid, and applied to the Uſe of the State, any Law to the Contrary notwithſtanding.

Judges of the Common Pleas may grant Search-Warrants for Goods.

3. AND BE IT FURTHER ENACTED, That it ſhall and may be lawful for any Judge of the Court of Common Pleas in any County of this State, and he is hereby authorized and required upon Application to him made, and due Cauſe of Suſpicion ſhewn, as in Caſe of ſtolen Goods, that any Goods, Wares or Merchandize liable to Seizure by Virtue of any Law of this State, are concealed or depoſited in any Dwelling-Houſe, Out-Houſe, Shop, or any other Place whatſoever within ſuch County, to grant a Warrant directed to the Sheriff of ſuch County, or to any of the Coroners of the ſame, who are hereby reſpectively required to pay Obedience to ſuch Warrant, to make Search for, and to ſeize and ſecure ſuch Goods, Wares or Merchandize; and in caſe of Refuſal to permit ſuch Search, or of Oppoſition made thereto, to break open Doors and Locks for the Purpoſe aforeſaid: PROVIDED ALWAYS, That no ſuch Search ſhall be made before Sunriſing nor after Sunſetting; AND PROVIDED ALSO, That no Perſon ſhall hereby be authorized to enter any Houſe or other Places as aforeſaid, other than the Sheriff or Coroner, and two reputable Freeholders, not being the Informers, unleſs Oppoſition be made by an armed Force.

Proviſos.

Mode of dividing the Value of the Goods ſo ſeized.

4. AND BE IT FURTHER ENACTED, That all Goods, Wares or Merchandize as aforeſaid, which may be diſcovered and ſecured by ſuch Sheriff or Coroner, and which ſhall upon Trial be condemned as having been brought from within the Enemy's Lines, ſhall be diſpoſed of at publick Vendue, in Manner directed by Law; and the Produce of the Sales applied one Half to the Uſe of the Informer, and the other Half to be paid into the Hands of the Collector of the Townſhip, Precinct or Ward, and applied to the Uſe of the State, and the Burden of the Proof ſhall on the Trial reſt on the Defendant.

Goods to be ſeizable unleſs proved not to come from within the Enemy's Lines.

5. AND BE IT FURTHER ENACTED, That all Goods, Wares and Merchandize, which may be found in any Store, Shop, Dwelling-Houſe or Out-Houſe, ſhall be liable to Seizure and Condemnation, in Virtue of this Act, unleſs the Perſon in whoſe Poſſeſſion they are, or who may claim the ſame, ſhall prove in the Court where the Title of the ſaid Goods, Wares or Merchandize is upon Trial, that they were in his Poſſeſſion at the Time of the paſſing of this Act, or that they were legally imported, and did not come from within the Enemy's Lines.

Collectors to ſell captured and condemned Goods in all Caſes.

6. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That in all Caſes of Seizure and Condemnation of any ſuch Goods or other Effects as aforeſaid, in what Manner ſoever the ſame may have been legally ſeized, the ſame ſhall, by the Juſtice before whom they ſhall be condemned, be delivered to the Collector of the Townſhip, Precinct or Ward within which ſuch Condemnation ſhall be had; which ſaid Collector ſhall ſell the ſame at publick Vendue, under the Inſpection of the ſaid Juſtice, having previouſly advertiſed the Time and Place of ſuch Sale for at leaſt five Days in three publick Places within the ſaid Townſhip, Precinct or Ward; and a fair Account of the full Amount of the Sales of the ſame ſhall be made out by the ſaid Collector, within three Days after ſuch Sale, and by him be delivered to the ſaid Juſtice,

who ſhall diſpoſe of the Monies ariſing thereon according to Law; and if any Captor or other Perſon ſhall ſecrete, appropriate, privately vend, or in any other Way diſpoſe of any ſuch Property ſo ſeized as aforeſaid, contrary to the true Intent and Meaning of the Laws of this State, ſuch Captor or other Perſon ſo ſecreting, appropriating or vending ſuch Goods as aforeſaid, ſhall be fined at the Diſcretion of the Court where the ſame is proſecuted to Effect, in any Sum not exceeding the Value of the ſaid Property, one Half to be paid to the Proſecutor, and the other Half to the County Collector, to and for the Uſe of the State.

Penalty for ſecreting any of the Goods.

7. AND BE IT FURTHER ENACTED, That Nothing in this Act contained ſhall be deemed, conſtrued, or taken to affect any Action or Suit already commenced in Virtue of any Law of this State heretofore paſſed.

Not to affect Actions already commenced.

8. AND BE IT FURTHER ENACTED, That the firſt, ſecond, third, fourth, fifth, ſixth, ſeventh, eighth, ninth, fifteenth, eighteenth and nineteenth Sections of an Act, intitled, *An Act more effectually to prevent the Inhabitants of this State from trading with the Enemy, or going within their Lines, and for other Purpoſes therein mentioned*, paſſed the twenty-ſecond Day of *December*, One Thouſand Seven Hundred and Eighty, be, and the ſame are hereby ſeverally repealed.

Certain Clauſes of former Act repealed.

NUMBER X.

An ACT *to repeal Part of a certain Act therein mentioned.*

Paſſed Oct. 6, 1781.

WHEREAS the third Section of the Act, intitled, * *A Supplement to the Act, intitled,* † *An Act to explain and amend an Act, intitled,* ‡ *An Act to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines, without Permiſſions or Paſſports, and for other Purpoſes therein mentioned*, paſſed the twenty-fifth Day of *December*, One Thouſand Seven Hundred and Seventy-nine, is found incompatible with the Purpoſes of the ſaid Act, and of other Acts paſſed for ſimilar Purpoſes;

Preamble.

BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the ſaid third Section of the Supplement to the Act, intitled, *An Act to explain and amend an Act, intitled, An Act to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines, without Permiſſions or Paſſports, and for other Purpoſes therein mentioned*, paſſed the twenty-fifth Day of *December*, One Thouſand Seven Hundred and Seventy-nine, and every Clauſe, Matter and Thing therein contained, ſhall be, and the ſame is hereby repealed: PROVIDED NEVERTHELESS, That Goods, Wares or Merchandize, purchaſed by any Perſon out of an open Shop or Store for his own neceſſary Conſumption, or that of his Family, ſhall not be liable to Seizure or Condemnation, if the Real Value thereof does not exceed the Amount of *Five Pounds*.

Enacting Clauſe.

NUMBER

* Chap. CLXXXIV—Appendix, No. VII.
† Chap. CXXIII—Appendix, No. VI.
‡ Chap. CV—Appendix, No. V.

NUMBER XI.

The ARTICLES of Confederation and Perpetual Union between the States of New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland *and* Providence Plantations, Connecticut, New-York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina *and* Georgia, *agreed to in the General Congreſs*, November 15, 1777, *and completed by the Subſcription and Ratification of the Delegates of* Maryland, March 1, 1781.

ARTICLE I.

THE Style of this Confederacy ſhall be "The United States of *America*." Style of the Confederacy.

ART. II. Each State retains its Sovereignty, Freedom and Independence, and every Power, Juriſdiction and Right, which is not by this Confederation expreſsly delegated to the United States in Congreſs aſſembled. Sovereignty and Independence of the reſpective States.

ART. III. The ſaid States hereby ſeverally enter into a firm League of Friendſhip with each other, for their common Defence, the Security of their Liberties, and their mutual and general Welfare, binding themſelves to aſſiſt each other, againſt all Force offered to, or Attacks made upon them, or any of them, on Account of Religion, Sovereignty, Trade, or any other Pretence whatever. Deſign of the Confederation, as it regards commonSecurity

ART. IV. The better to ſecure and perpetuate mutual Friendſhip and Intercourſe among the People of the different States in this Union, the free Inhabitants of each of theſe States, Paupers, Vagabonds and Fugitives from Juſtice, excepted, ſhall be entitled to all Privileges and Immunities of free Citizens in the ſeveral States; and the People of each State ſhall have free Ingreſs and Regreſs to and from any other State, and ſhall enjoy therein all the Privileges of Trade and Commerce, ſubject to the ſame Duties, Impoſitions and Reſtrictions as the Inhabitants thereof reſpectively, provided that ſuch Reſtriction ſhall not extend ſo far as to prevent the Removal of Property imported into any State, to any other State of which the Owner is an Inhabitant: PROVIDED ALSO, That no Impoſition, Duties or Reſtriction, ſhall be laid by any State, on the Property of the United States, or either of them. Social and mutual Intercourſe among the States.

If any Perſon guilty of, or charged with Treaſon, Felony, or other high Miſdemeanour in any State, ſhall flee from Juſtice, and be found in any of the United States, he ſhall, upon Demand of the Governor, or Executive Power of the State from which he fled, be delivered up and removed to the State having Juriſdiction of his Offence.

Full Faith and Credit ſhall be given in each of theſe States to the Records, Acts, and judicial Proceedings of the Courts and Magiſtrates of every other State.

ART. V. For the more convenient Management of the general Intereſts

Manner of conſtituting the Congreſs of the States, with the Qualifications and Privileges of the Delegates.

tereſts of the United States, Delegates ſhall be annually appointed in ſuch Manner as the Legiſlature of each State ſhall direct, to meet in Congreſs on the firſt *Monday* in *November*, in every Year, with a Power reſerved to each State, to recal its Delegates or any of them, at any Time within the Year, and to ſend others in their Stead, for the Remainder of the Year.

No State ſhall be repreſented in Congreſs by leſs than two, nor by more than ſeven Members; and no Perſon ſhall be capable of being a Delegate for more than three Years, in any Term of ſix Years; nor ſhall any Perſon, being a Delegate, be capable of holding any Office under the United States, for which he, or another for his Benefit, receives any Salary, Fees, or Emolument of any Kind.

Each State ſhall maintain its own Delegates in a Meeting of the States, and while they act as Members of the Committee of the States.

In determining Queſtions in the United States in Congreſs aſſembled, each State ſhall have one Vote.

Freedom of Speech and Debate in Congreſs ſhall not be impeached or queſtioned in any Court or Place out of Congreſs, and the Members of Congreſs ſhall be protected in their Perſons from Arreſts and Impriſonments during the Time of their going to and from, and Attendance on Congreſs, except for Treaſon, Felony, or Breach of the Peace.

Reſtraints upon the ſeparate States.

ART. VI. No State without the Conſent of the United States in Congreſs aſſembled, ſhall ſend any Embaſſy to, or receive any Embaſſy from, or enter into any Conference, Agreement, Alliance or Treaty with any King, Prince or State; nor ſhall any Perſon holding any Office of Profit or Truſt under the United States, or any of them, accept of any Preſent, Emolument, Office or Title, of any Kind whatever, from any King, Prince or foreign State; nor ſhall the United States in Congreſs aſſembled, or any of them, grant any Title of Nobility.

No two or more States ſhall enter into any Treaty, Confederation or Alliance whatever between them, without the Conſent of the United States in Congreſs aſſembled, ſpecifying accurately the Purpoſes for which the ſame is to be entered into, and how long it ſhall continue.

No State ſhall lay any Impoſts or Duties, which may interfere with any Stipulations in Treaties entered into by the United States in Congreſs aſſembled, with any King, Prince or State, in Purſuance of any Treaties already propoſed by Congreſs, to the Courts of *France* and *Spain*.

No Veſſels of War ſhall be kept up in Time of Peace by any State, except ſuch Number only, as ſhall be deemed neceſſary by the United States in Congreſs aſſembled, for the Defence of ſuch State or its Trade; nor ſhall any Body of Forces be kept up by any State, in Time of Peace, except ſuch Number only, as in the Judgment of the United States in Congreſs aſſembled, ſhall be deemed requiſite to garriſon the Forts neceſſary for the Defence of ſuch State; but every State ſhall always keep up a well regulated and diſciplined Militia, ſufficiently armed and accoutered, and ſhall provide and conſtantly have ready for Uſe, in publick Stores, a due Number of Field Pieces and Tents, and a proper Quantity of Arms, Ammunition and Camp Equipage.

No State ſhall engage in any War without the Conſent of the United States in Congreſs aſſembled, unleſs ſuch State be actually invaded by Enemies, or ſhall have received certain Advice of a Reſolution being formed by ſome Nation of Indians to invade ſuch State, and the Danger is ſo imminent as not to admit of a Delay, till the United States in Con-

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greſs aſſembled can be conſulted; nor ſhall any State grant Commiſſions to any Ships or Veſſels of War, nor Letters of Marque or Repriſal, except it be after a Declaration of War by the United States in Congreſs aſſembled, and then only againſt the Kingdom or State and the Subjects thereof, againſt which War has been ſo declared, and under ſuch Regulations as ſhall be eſtabliſhed by the United States in Congreſs aſſembled; unleſs ſuch State be infeſted by Pirates, in which Caſe Veſſels of War may be fitted out for that Occaſion, and kept ſo long as the Danger ſhall continue, or until the United States in Congreſs aſſembled ſhall determine otherwiſe.

Mixt Rights of Congreſs and the ſeparate States.

ART. VII. When Land Forces are raiſed by any State for the common Defence, all Officers of or under the Rank of Colonel, ſhall be appointed by the Legiſlature of each State reſpectively, by whom ſuch Forces ſhall be raiſed, or in ſuch Manner as ſuch State ſhall direct, and all Vacancies ſhall be filled up by the State which firſt made the Appointment.

Manner of defraying publick Expences.

ART. VIII. All Charges of War, and all other Expences that ſhall be incurred for the common Defence or general Welfare, and allowed by the United States in Congreſs aſſembled, ſhall be defrayed out of a common Treaſury, which ſhall be ſupplied by the ſeveral States, in Proportion to the Value of all Land within each State, granted to or ſurveyed for any Perſon, as ſuch Land and the Buildings and Improvements thereon ſhall be eſtimated according to ſuch Mode as the United States in Congreſs aſſembled ſhall from Time to Time direct and appoint. The Taxes for paying that Proportion ſhall be laid and levied by the Authority and Direction of the Legiſlatures of the ſeveral States within the Time agreed upon by the United States in Congreſs aſſembled.

Powers of Congreſs.

ART. IX. The United States in Congreſs aſſembled, ſhall have the ſole and excluſive Right and Power of determining on Peace and War, except in the Caſes mentioned in the ſixth Article—of ſending and receiving Ambaſſadors—entering into Treaties and Alliances, provided that no Treaty of Commerce ſhall be made whereby the Legiſlative Power of the reſpective States ſhall be reſtrained from impoſing ſuch Impoſts and Duties on Foreigners, as their own People are ſubjected to, or from prohibiting the Exportation or Importation of any Species of Goods or Commodities whatſoever—of eſtabliſhing Rules for deciding in all Caſes what Captures on Land or Water ſhall be legal, and in what Manner Prizes taken by Land or Naval Forces in the Service of the United States ſhall be divided or appropriated—of granting Letters of Marque and Repriſal in Times of Peace—appointing Courts for the Trial of Piracies and Felonies committed on the High Seas, and eſtabliſhing Courts for receiving and determining finally Appeals in all Caſes of Captures, provided that no Member of Congreſs ſhall be appointed a Judge of any of the ſaid Courts.

The United States in Congreſs aſſembled ſhall alſo be the laſt Reſort on Appeal in all Diſputes and Differences now ſubſiſting, or that hereafter may ariſe between two or more States concerning Boundary, Juriſdiction, or any other Cauſe whatever; which Authority ſhall always be exerciſed in the Manner following: Whenever the Legiſlative or Executive Authority or lawful Agent of any State in Controverſy with another ſhall preſent a Petition to Congreſs, ſtating the Matter in Que-

ſtion and praying for a Hearing, Notice thereof ſhall be given by Order of Congreſs to the Legiſlative or Executive Authority of the other State in Controverſy, and a Day aſſigned for the Appearance of the Parties by their lawful Agents, who ſhall then be directed to appoint by joint Conſent, Commiſſioners or Judges to conſtitute a Court for hearing and determining the Matter in Queſtion: But if they cannot agree, Congreſs ſhall name three Perſons out of each of the United States, and from the Liſt of ſuch Perſons each Party ſhall alternately ſtrike out one, the Petitioners beginning, until the Number ſhall be reduced to thirteen; and from that Number not leſs than ſeven, nor more than nine Names, as Congreſs ſhall direct, ſhall in the Preſence of Congreſs be drawn out by Lot, and the Perſons whoſe Names ſhall be ſo drawn, or any five of them, ſhall be Commiſſioners or Judges, to hear and finally determine the Controverſy, ſo always as a major Part of the Judges who ſhall hear the Cauſe ſhall agree in the Determination: And if either Party ſhall neglect to attend at the Day appointed, without ſhewing Reaſons, which Congreſs ſhall judge ſufficient, or being preſent ſhall refuſe to ſtrike, the Congreſs ſhall proceed to nominate three Perſons out of each State, and the Secretary of Congreſs ſhall ſtrike in Behalf of ſuch Party abſent or refuſing; and the Judgment and Sentence of the Court, to be appointed in the Manner before preſcribed, ſhall be final and concluſive; and if any of the Parties ſhall refuſe to ſubmit to the Authority of ſuch Court, or to appear or defend their Claim or Cauſe, the Court ſhall nevertheleſs proceed to pronounce Sentence or Judgment, which ſhall in like Manner be final and deciſive; the Judgment or Sentence and other Proceedings being in either Caſe tranſmitted to Congreſs, and lodged among the Acts of Congreſs for the Security of the Parties concerned: Provided that every Commiſſioner, before he ſits in Judgment, ſhall take an Oath to be adminiſtered by one of the Judges of the Supreme or Superior Court of the State, where the Cauſe ſhall be tried, "Well and truly to hear and determine the "Matter in Queſtion, according to the beſt of his Judgment, without "Favour, Affection, or Hope of Reward:" PROVIDED ALSO, That no State ſhall be deprived of Territory for the Benefit of the United States.

All Controverſies concerning the private Right of Soil claimed under different Grants of two or more States, whoſe Juriſdictions as they may reſpect ſuch Lands, and the States which paſſed ſuch Grants are adjuſted, the ſaid Grants or either of them being at the ſame Time claimed to have originated antecedent to ſuch Settlement of Juriſdiction, ſhall, on the Petition of either Party to the Congreſs of the United States, be finally determined as near as may be in the ſame Manner as is before preſcribed for deciding Diſputes reſpecting territorial Juriſdiction between different States.

The United States in Congreſs aſſembled ſhall alſo have the ſole and excluſive Right and Power of regulating the Alloy and Value of Coin ſtruck by their own Authority, or by that of the reſpective States—fixing the Standard of Weights and Meaſures throughout the United States—regulating the Trade and managing all Affairs with the Indians, not Members of any of the States, provided that the Legiſlative Right of any State within its own Limits be not infringed or violated—eſtabliſhing and regulating Poſt-Offices from one State to another, throughout all the United States, and exacting ſuch Poſtage on the Papers paſſing through the ſame as may be requiſite to defray the Expences of the ſaid Office—appointing all Officers of the Land Forces in the Service of

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the United States, excepting Regimental-Officers—appointing all the Officers of the Naval Forces, and commiſſioning all Officers whatever in the Service of the United States—making Rules for the Government and Regulation of the ſaid Land and Naval Forces, and directing their Operations.

The United States in Congreſs aſſembled, ſhall have authority to appoint a Committee, to ſit in the Receſs of Congreſs, to be denominated "*A Committee of the States*," and to conſiſt of one Delegate from each State; and to appoint ſuch other Committees and civil Officers as may be neceſſary for managing the general Affairs of the United States under their Direction—to appoint one of their Number to preſide; provided that no Perſon be allowed to ſerve in the Office of Preſident more than one Year in any Term of three Years—to aſcertain the neceſſary Sums of Money to be raiſed for the Service of the United States, and to appropriate and apply the ſame for defraying the publick Expences—to borrow Money, or emit Bills on the Credit of the United States, tranſmitting every half Year to the reſpective States an Account of the Sums of Money ſo borrowed or emitted—to build and equip a Navy—to agree upon the Number of Land Forces, and to make Requiſitions from each State for its Quota, in Proportion to the Number of white Inhabitants in ſuch State; which Requiſition ſhall be binding, and thereupon the Legiſlature of each State ſhall appoint the Regimental-Officers, raiſe the Men, and clothe, arm and equip them in a Soldier-like Manner, at the Expence of the United States; and the Officers and Men, ſo clothed, armed and equipped, ſhall march to the Place appointed, and within the Time agreed on by the United States in Congreſs aſſembled: But if the United States in Congreſs aſſembled ſhall, on Conſideration of Circumſtances, judge proper that any State ſhould not raiſe Men, or ſhould raiſe a ſmaller Number than its Quota, and that any other State ſhould raiſe a greater Number of Men than the Quota thereof, ſuch extra Number ſhall be raiſed, officered, clothed, armed and equipped in the ſame Manner as the Quota of ſuch State, unleſs the Legiſlature of ſuch State ſhall judge that ſuch extra Number cannot be ſafely ſpared out of the ſame, in which Caſe they ſhall raiſe, officer, clothe, arm and equip, as many of ſuch extra Number as they judge can be ſafely ſpared. And the Officers and Men ſo clothed, armed and equipped, ſhall march to the Place appointed, and within the Time agreed on by the United States in Congreſs aſſembled.

The United States in Congreſs aſſembled ſhall never engage in a War, nor grant Letters of Marque and Repriſal, in Time of Peace, nor enter into any Treaties or Alliances, nor coin Money, nor regulate the Value thereof, nor aſcertain the Sums and Expences neceſſary for the Defence and Welfare of the United States, or any of them, nor emit Bills, nor borrow Money on the Credit of the United States, nor appropriate Money, nor agree upon the Number of Veſſels of War to be built or purchaſed, or the Number of Land or Sea Forces to be raiſed, nor appoint a Commander in Chief of the Army or Navy, unleſs nine States aſſent to the ſame; nor ſhall a Queſtion, on any other Point, except for adjourning from Day to Day, be determined, unleſs by the Votes of a Majority of the United States in Congreſs aſſembled.

The Congreſs of the United States ſhall have Power to adjourn to any Time within the Year, and to any Place within the United States, ſo that no Period of Adjournment be for a longer Duration than the Space of ſix Months, and ſhall publiſh the Journal of their Proceedings monthly,

ly, except ſuch Parts thereof relating to Treaties, Alliances, or military Operations, as in their Judgment require Secrecy; and the Yeas and Nays of the Delegates of each State on any Queſtion ſhall be entered on the Journal, when it is deſired by any Delegate; and the Delegates of a State or any of them, at his or their Requeſt, ſhall be furniſhed with a Tranſcript of the ſaid Journal, except ſuch Parts as are above excepted, to lay before the Legiſlatures of the ſeveral States.

Committee of the States and its Powers.

ART. X. The Committee of the States, or any nine of them, ſhall be authorized to execute, in the Receſs of Congreſs, ſuch of the Powers of Congreſs as the United States in Congreſs aſſembled, by the Conſent of nine States, ſhall from Time to Time think expedient to veſt them with; provided that no Power be delegated to the ſaid Committee, for the exerciſe of which, by the Articles of Confederation, the Voice of nine States in the Congreſs of the United States aſſembled is requiſite.

Admiſſion of *Canada*, and other States to the Union.

ART. XI. *Canada* acceding to this Confederation, and joining in the Meaſures of the United States, ſhall be admitted into, and entitled to all the Advantages of this Union; but no other Colony ſhall be admitted into the ſame, unleſs ſuch Admiſſion be agreed to by nine States.

Publick Faith pledged for paſt Engagements of Congreſs.

ART. XII. All Bills of Credit emitted, Monies borrowed, and Debts contracted by, or under the Authority of Congreſs, before the aſſembling of the United States, in Purſuance of the preſent Confederation, ſhall be deemed and conſidered as a Charge againſt the United States, for Payment and Satisfaction whereof the ſaid United States and the publick Faith are hereby ſolemnly pledged.

Obligation of the States to abide by the Determination of Congreſs, and the inviolable Obſervance of theſe Articles.

ART. XIII. Every State ſhall abide by the Determinations of the United States in Congreſs aſſembled, on all Queſtions which by this Confederation are ſubmitted to them. And the Articles of this Confederation ſhall be inviolably obſerved by every State, and the Union ſhall be perpetual; nor ſhall any Alteration at any Time hereafter be made in any of them, unleſs ſuch Alteration be agreed to in a Congreſs of the United States, and be afterwards confirmed by the Legiſlature of every State.

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☞ The Articles marked with the Notes of a Quotation have either become obſolete, have expired, or have been repealed ſince printing of the firſt Part.

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