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electred, and thereafter directors shall be elected annually and shall hold office for one year or longer, as shall be regulated by the by-laws.

101. Sec. 11. That no one shall be a director but a member of the association in good standing, and the officers of the directors may be different from the officers of the association.

102. Sec. 12. That an association organized under this act shall have a president, secretary, and treasurer, and such other officers as the by-laws shall prescribe.

103. Sec. 13. That the directors may advise with the association, but shall have no control over its action against the vote of the majority of the association, at any meeting properly called.

104. Sec. 14. That the common seal adopted by the association, to verify its acts, shall be in the custody of the secretary and be fixed by the direction of the association.

105. Sec. 15. That any association formed for the purpose of this act, now organized, may be organized under this law by complying with its provisions.

Qualifications of directors.

Officers.

Majority of association shall govern.

Secretary shall have custody of seal.

Other associations may be organized under this act.

Aliens.

1. May purchase land. May not hold office or vote.
2. Former purchases good.
3. May take by descent or devise.
4. Rights of alien mortgage.
5. Their representatives may sue.
6. When exempt from militia duty.
7. Tax on alien passengers.
8. Master to furnish list of.
11. Penalties, how recovered.
12. Vested powers saved.

An act to authorize aliens to purchase and hold real estate in this state.

Revision—Approved April 10, 1846.

R. S. 1.

May purchase land.

Not hold office or vote.

Take by descent or devise.

Former purchases good.


(b) An alien has no right to vote at an election held in a school district to alter the district. State v. Debringer, 1 Dec. 177.

(c) The children, born in this country, of an alien, who purchased while he was an alien enemy, before January 23d, 1817, and continued to hold after that period and after he became an alien friend, may inherit his estate. Doe v. Mercereau, 3 H. 337. But see Colgan v. McKeon, 4 Rob. 565.
AN ACT EMPOWERING CERTAIN CREDITORS TO SECURE THEIR DEBTS BY MORTGAGE, AND FOR OTHER PURPOSES THEREIN MENTIONED.

WHEREAS, It has been doubted whether an alien friend can secure debts due to himself, from subjects of the state of New Jersey, by deed of mortgage of lands and tenements within this state, given and executed, or to be given and executed by any of the citizens or subjects of this state to such alien friend; and as the removing such doubts, and providing security for foreigners, the better to enable them to recover their debts at the day assigned for payment, will greatly conduce to promote and encourage trade, and increase the credit of the citizens of this state; therefore,

4. SEC. 1. That the right, title and claim of any alien friend or friends, his or their heirs, executors, administrators or assigns, under any deed of mortgage of any lands, tenements or real estate, lying and being within the state of New Jersey, granted or made to such alien or aliens, at any time before or after publication thereof, shall not be defeated merely upon pretense of alienism in the grantee or mortgagee, grantees or mortgagees; but that such right, title and grant, by mortgage, shall be adjudged to be good in the mortgagee or mortgagees, his and their heirs, executors, administrators and assigns, the plea or pretense of alienism in such case notwithstanding.

5. SEC. 2. That all and every person or persons, his or their executors, administrators or assigns, being alien friend or friends, shall and may hereafter lawfully commence and prosecute any action or actions, suit or suits, in any court or courts of law or equity in this state, upon any deed or deeds of mortgage of any lands, tenements or real estate, lying and being within this state, as fully, freely and effectually, to all intents and purposes, as if such mortgagee or mortgagees, his or their executors, administrators or assigns, had been naturalized or natural-born subjects.

AN ACT RESPECTING ALIENS.

6. SEC. 1. That from and after the passing of this act, all aliens in this state, who have been in the United States for a less term than five years, be and they are hereby exempted from the performance of common militia duty. (a)

AN ACT RELATIVE TO ALIEN PASSengers ARRIVING IN THIS STATE.

7. SEC. 1. That from and after the first day of April next, the corporate authorities of any city or township in this state shall be, and are hereby authorized to impose and collect from the master, owner or owners, agents or consignee of any and every ship or vessel, arriving from any country out of the United States, at any such city or township, with alien passengers, a sum not less than one dollar, and not exceeding ten dollars, for each and every alien passenger, brought in said ship or vessel as aforesaid; provided, where the boundaries of any city are co-extensive with the boundaries of any township, that then and in that case the powers conferred by this act shall vest in and be exclusively exercised by the corporate authorities of such city; and provided also, where the boundaries of any city are included within, and not co-extensive with, the boundaries of any township, and any such ships or vessels should arrive at any such city, then, and in that case, the powers conferred by this act shall vest in and be exclusively exercised by the corporate authorities of such city.

8. SEC. 2. That it shall be the duty of the master or commander of every ship or vessel so arriving, within twenty-four hours thereafter, and before any passenger or passengers are permitted to land from on board said ship

(a) An alien having his domicile in this state, is not exempt from taxation for military purposes. State, Beckett v. Collector of Bordentown, 2 PA 152.
or vessel, to furnish to the president, mayor, or chief officer of any such city, or the clerk of any such township, or such person as the corporate authorities of any such city or township may respectively designate, a full and correct list of all the passengers arriving in his vessel, with the name, age, occupation, and place of birth of each and every passenger, under the penalty of five hundred dollars.

9. Sec. 3. That no passenger shall be permitted to land from on board any ship or vessel arriving as aforesaid, without permission from the corporate authority of any such city or township, under the penalty of fifty dollars for each and every passenger so landed.

10. Sec. 4. That in case any alien passenger arriving as aforesaid, and landed by authority and permission of the corporate authority of any such city or township, is or shall become sick, infirm, or otherwise incapable of providing for his or her own maintenance, then it shall be the duty of such city or township to provide for the maintenance and support of the said sick or infirm passenger, so long as he or she shall remain incapable of providing for his or her own maintenance. (a)

11. Sec. 5. That the aforesaid penalties shall and may be sued for and recovered, with full costs of suit, by action of debt, in any court having cognizance thereof, in the corporate name of any such city or township in this state, where the penalty or forfeiture may have accrued; and that the defendant or defendants, in every such suit, may be held to special bail; and that it shall and may be lawful for the corporate authority of any such city or township to compound for said penalties, or either of them, either before or after suing for the same, upon such terms as they may think proper.

12. Sec. 6. That nothing contained in this act shall be construed to impair, or in any wise counteract, the full force and execution of the powers already vested in the corporate authorities of any such city or township, by their charters or acts of incorporation, or any supplements thereto.

(a) The overseer of the poor, if he permits such passengers to land, is bound to provide for them, and may bind the township without a special order of a justice of the peace. Perh. Ambrose, et al. Smith, 4 Harr. 55.

Amendments.

1. Mistakes in process, &c., amended.
2. Judgments not reversed for reasons, &c.
4. And variance between record, &c.
5. Variances of others amendable.
6. No prejudice by ancient terms, &c.
7. Records not to be altered.
8. No reversal for mispleading, &c.
9. Nor for want of form.
10. Nor for certain variances.
11. Nor for want of pledges, &c.
13. Not extended to judgments confused.
15. No reversal for form of writ, &c.
17. Proceedings to be in English.
18. Construction of this act.
19. To what act not extended.

An act respecting amendments and jeofalls.

Passed November 21, 1794. Passed.

R. S. 186.

Mistakes in process and records may be amended, &c.

Judgments not to be reversed for reasons, &c.