ACTS

AND

PROCEEDINGS

OF THE

LEGISLATURE

OF

WEST-JERSEY,

Between the 25th of November, 1681, and the 21st of May, 1701.
Province of West New-Jersey, in America, the 25th of the ninth Month called November, 1681.

Forasmuch as it hath pleased God, to bring us into this Province of West New Jersey, and settle us here in safety, that we may be a people to the praise and honour of his name, who hath so dealt with us, and for the good and welfare of our posterity to come, we the Governor and Proprietors, freeholders and inhabitants of West New Jersey, by mutual consent and agreement, for the prevention of innovation and oppression, either upon us or our posterity, and for the preservation of the peace and tranquility of the same; and that all may be encouraged to go on cheerfully in their several places: We do make and constitute these our agreements to be as fundamentals to us and our posterity, to be held inviolable, and that no person or persons whatsoever, shall or may make void or disanul the same upon any pretence whatsoever.

I. That there shall be a General Free Assembly for the Province aforesaid, yearly and every year, at a day certain, chosen by the free people of the said Province, whereon all the representatives for the said Province, shall be summoned to appear, to consider of the affairs of the said Province, and to make and ordain such acts, and laws, as shall be requisite and necessary for the good government and prosperity of the free people of the said Province; and (if necessity shall require) the Governor for the time being, with the consent of his Council, may and shall issue out writs to convene the Assembly sooner, to consider and answer the necessities of the people of the said Province.

II. That the Governor of the Province aforesaid, his heirs or successors for the time being, shall not suspend or defer the signing, sealing and confirming of such acts and laws as the General Assembly (from time to time to be elected by the free people of the Province aforesaid) shall make or act for the securing of
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the liberties and properties of the said free people of the Province aforesaid.

III. That it shall not be lawful for the Governor of the said Province, his heirs or successors for the time being, and Council, or any of them, at any time or times hereafter, to make or raise war upon any accounts or pretence whatsoever, or to raise any military forces within the Province aforesaid, without the consent and act of the General Free Assembly for the time being.

IV. That it shall not be lawful for the Governor of the said Province, his heirs or successors for the time being, and Council, or any of them, at any time or times hereafter, to make or enact any law or laws for the said Province, without the consent, act and concurrence of the General Assembly; and if the Governor for the time being, his heirs or successors and Council, or any of them, shall attempt to make or enact any such law or laws of him or themselves without the consent, act and concurrence of the General Assembly; that from thenceforth, he, they, or so many of them as shall be guilty thereof, shall, upon legal conviction, be deemed and taken for enemies to the free people of the said Province; and such act so attempted to be made, to be of no force.

V. That the General Free Assembly from time to time to be chosen as aforesaid, as the representatives of the people, shall not be prorogued or dissolved (before the expirance of one whole year, to commence from the day of their election) without their own free consent.

VI. That it shall not be lawful for the Governor of the said Province, his heirs or successors for the time being, and Council, or any of them, to levy or raise any sum or sums of money, or any other tax whatsoever, without the act, consent and concurrence of the General Free Assembly.

VII. That all officers of State, or trust, relating to the said Province, shall be nominated and elected by the General Free Assembly for the time being, or by their appointment; which officer and officers shall be
accountable to the General Free Assembly, or to such as the said Assembly shall appoint.

VIII. That the Governor or the Province aforesaid, his heirs or successor for the time being, or any of them, shall not send ambassadors, or make treaties, or enter into an alliance upon the publick account of the said Province, without the consent of the said General Free Assembly.

IX. That no General Free Assembly hereafter to be chosen by the free people of the Province aforesaid, shall give to the Governor of the said Province for the time being, his heirs or successors, any tax, or custom for a longer time than for one whole year.

X. That liberty of conscience in matters of faith and worship towards God, shall be granted to all people within the Province aforesaid; who shall live peaceably and quietly therein; and that none of the free people of the said Province, shall be rendered incapable of office in respect of their faith and worship.

Upon the Governors acceptance and performance of the proposals herein before expressed, we the General Free Assembly Proprietors and freeholders of the Province of West New Jersey aforesaid, do accept and receive Samuel Jenings as Deputy Governor.

In testimony whereof I have hereunto put my hand and seal, the day and year above written.

SAMUEL JENINGS, Deputy Governor.

Thomas Ollive, Speaker, to the General Free Assembly per order and in the name of the whole Assembly.

The fundamentals aforesaid being signed and sealed by the Deputy Governor, were ordered and appointed by the said Deputy Governor, and General Free Assembly, to be recorded the day and year first aforesaid, by me Thomas Revell, clerk to the General Assembly.
Hé act and laws made by the General Free Assembly during their session, held at Burlington for the Province of West New Jersey, from the one and twentieth day of the ninth month called November, until the eight and twentieth day of the same month, Anno, 1681. And confirmed by the Governor of the said Province, published by authority aforesaid, as followeth, (viz.)

I. **Be it enacted** by the authority aforesaid, that the Governor and commissioners for the time being, are authorized and hereby impowered, to ascertain the rates and fees of the publick register, surveyor and other officer and officers for the Province aforesaid, as they shall judge meet and reasonable; how much and what every one shall pay for registering any conveyance, deed, lease, specialty, certificate, or other writing; as also how much, and what shall be paid by every Proprietor, and purchaser, for surveying, dividing, or laying out of any land in the said Province; which said register, surveyor, or other officer, or officers, are not to exact or demand any more or greater rate, or rates than as shall be established as aforesaid.

II. **Be it further enacted** by the authority aforesaid, that the Governor and commissioners for the time being, are to see that all courts established, or to be established by the laws and constitutions of the General Assembly of this Province, do or shall execute their several duties and offices respectively, according to the laws in force; and to displace or punish such as shall violate the said laws, or shall act contrary to their duty and trust, as the nature of the offence shall require; and where they see cause, after condemnation, or sentence passed upon any person or persons by any judge, justice, or court whatsoever. The Governor and commissioners for the time being, are hereby impowered to repreive and suspend the execution of the sentence, until the cause be presented, with a copy of the whole tryal, proceed-
ings and proofs to the next General Assembly, after such sentence passed as aforesaid; which General Assembly, with the Governor, may pardon, or accordingly command execution of the sentence upon the offender or offenders, who are to be kept (in the mean time) in safe custody until the sense of the General Assembly be known therein.

III. *Be it further enacted* by the authority aforesaid, that the Governor and commissioners for the time being are to take care that the lands, peaceably held, planted and possessed seven years, to commence from the time the same lands are, or shall be first duly surveyed by the surveyor or surveyors, or by his or their lawful deputy or deputies, who shall be appointed by the Governor and General Assembly, and registered in due manner, shall not after the said term lie subject to any review, resurvey or alteration of bounds upon any pretence or pretences, or by any person or persons whatsoever.

IV. *Be it further enacted* by the authority aforesaid, that no person or persons, whose cattle shall stray, range or graze, upon any land within the said Province, and not actually appropriated, or set out to particular person or persons, shall be lyable to pay any trespass for the same: provided that custom of commons be not thereby pretended to; nor any person or persons hindered from legally taking up and appropriating any land so grazed upon.

V. *Be it further enacted* by the authority aforesaid, that the commissioners, registers, surveyors, and all and every other publick officer and officers of trust whatsoever, within this Province, already deputed and chosen, or hereafter from time to time to be deputed and chosen, shall subscribe in a book or books appointed for that purpose, that they will truly and faithfully discharge their respective trusts, according to the law of the said Province, in their respective offices and duties, and do equal justice and right, to all men, according to their best skill and judgment, without
corruption, favour or affection. And whosoever shall subscribe and shall violate, brake, or any wise falsify his or their promise and engagement, after such subscription, shall be lyable to be punished or fined, and also to be made incapable of any publick office within the said Province.

That Freeholders shall not be condemned or hurt without a trial of 12 Men, and that in Criminal Cases, the Party arraigned may except against 35 and more upon valid reason.

VI. Be it further enacted by the authority aforesaid, that no Proprietor, freeholder or inhabitant of the Province aforesaid, shall be deprived or condemned of life, limbs, liberty, estate, property, or any ways hurt, in his or their privileges, freedoms, or franchises upon any account whatsoever, without a due tryal and judgment, passed by twelve good and lawful men of the neighbourhood first had, or according to the laws of England. And that in all causes to be tryed, and in all tryals criminal, the person or persons arraigned, may except against any of the said neighbourhood without any reason rendered, not exceeding thirty-five; and in case of any valid reason alledged, against every person nominated for that service.

That there be in every Court 3 Justices or Commissioners at least to assist the Jury in case of Law, which Justices are to pronounce the Judgment of the Jury, &c.

VII. Be it further enacted by the authority aforesaid, that there shall be in every court, three justices or commissioners at the least, who shall sit with the twelve men of the neighbourhood, and with them to hear all causes, and to assist the said twelve men of the neighbourhood in case of law; and that the said justices or commissioners shall pronounce such judgment as they shall receive from and be directed by the said twelve men in whom only the judgment resides, and not otherwise: and in case of their neglect or refusal, that then one of the twelve by consent of the rest, shall pronounce their own judgment as the justices or commissioners, should have done. And if any judgment shall be passed in any cause, civil or criminal, by any other person or persons, or any other way then according to this agreement, and appointment, the same shall be held null and void; and such person or persons so presuming to give judgment, shall be severally fined; and upon complaint made to the General Assembly, by them be declared incapable of any office or trust within this Province.
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VIII. Be it further enacted by the authority aforesaid, that if any evidence or evidences, shall be given on the behalf of any person or persons indicted in a criminal cause, or on the behalf of any other person or persons in any other cause civil, and shall be found to borne false witness therein for fear, gain, malice, or favour, and thereby hinder, or endeavour to hinder or prevent the due execution of the law, or deprive the suffering person or persons of their due satisfaction; that then and in all such cases of false evidence, such person or persons, shall be first severally fined; and next that he or they shall forever after be disabled from being admitted an evidence or into any publick Office in the Province.

IX. Be it further enacted by the authority aforesaid, that all and every person and persons, whatsoever within this Province, who shall prosecute or prefer any indictment for information against any other person or persons, or any personal injuries or matters criminal, or for any other criminal cause or causes relating to him or themselves, treason, murder, and felony, only excepted, shall and may be master of his or their own process, and have full power to forgive and remit the penalty or punishment, inflicted or to be inflicted, upon the person or persons who have offended against him or themselves, as well before as after judgment and condemnation.

X. Be it also hereby enacted by the authority aforesaid that the tryal of all causes civil and criminal, shall be heard and decided by the verdict of twelve honest men of the neighbourhood, to be summoned and presented by the sherriff of that division or propriety where the fact, trespass or other cause of action is committed or done, and that no person or persons shall be compelled to see any attorney, or counseller, to plead his or their cause, but that all persons have free liberty to plead their own cause, if they please.

And for the securing the estates of persons that die, and taking care of orphans.
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For probate of Wills.

XI. Be it hereby enacted by the authority, aforesaid, that when any person or persons die, and have made a will and were in a capacity of so doing, the Governor, and commissioners, for the time being, are to take care that the will of the deceased be duly performed, and security given by him or them that prove the will; and that all wills and testaments, be registered in a publick register appointed for that purpose; and that the person or persons, who shall prove the same, shall bring in one true inventory, under the hands of two or more appraisers, of all the estate of the deceased, and shall have a warrant or licence, under the hand of three justices for the time being, under the publick seal of the Province, intimating and declaring, that he or they have brought in an inventory of the estate, and given security for the true performance of the will, then and not before, he or they may enter upon and dispose of the estate.

For persons dying intestate.

XII. Be it also hereby further enacted by the authority aforesaid, that when any person or persons dye intestate, leaving a wife, and child, or children, the Governor (and commissioners for the time being or any two of them) are to take security from the person or persons who shall administer upon the estate, to secure two parts thereof for the child or children, and the third part thereof for the wife; and if there be no children, then the one moiety or half of the estate to the next of the kindred, and the other half to the wife; always provided such estate, or estates, shall exceed one hundred pounds, otherwise the whole to go to the wife.

And further that if both the parents of the child or children die intestate, that then the Governor and commissioners for the time being, or any two of them, are to appoint two or more persons to take the charge of such child or children, and the estate and to bring in an inventory thereof to be registered; which persons to be appointed to take the charge aforesaid, are to make good to the child or children, what part of the estate shall come into their hands; and shall give
a true account of their receipts and disbursements of the
same estate to be approved of by the Governor and com-
misoneers.

And also that when parents dye leaving child or children,
and no estate, or not sufficient to maintain and bring up the
said child or children, in such case the Governor and com-
misoneers for the time being, are to appoint persons to take
care for such child or children, to bring them up in such
manner as the Governor and commissioners shall appoint,
and the charges thereof to be borne by the publick stock of
the Province; and if no stock be then established, then by
a tax, to be levied by twelve men of the neighbourhood,
with the consent of the Governor and commissioners for the
time being, or the greater part of them.

And in case any persons kill or destroy themselves, or be
killed by any accident.

XIII. Be it hereby enacted by the authority
aforesaid, that if any person shall wilfullly put
hand to and kill himself, or herself, the estate
of such person shall not be forfeit, or confiscate, but the kin-
dred or such other as of right the estate would have appert-
tained to if the person had dyed by an accident, shall and
may enjoy the same; or if any beast, ship, boat, or other
thing shall occasion the death of any person or persons, yet
nevertheless such beast, ship, boat, or other thing, shall not
become forfeit; but the owner thereof may enjoy the same.
Provided always, that the said beast did not wilfully kill
the person, or have been known to attempt, or addicted to
mischief, or hath been found to hurt or kill any person, then
the said beast is to be killed.

XIV. Be it hereby further enacted by the
authority aforesaid, that it shall be lawful for
any person or persons during the session of any
General Free Assembly in this Province, to ad-
dress, remonstrate, or declare any suffering, danger, or
grievance, or to propose, tender or request any priviledge,
proffit or advantage, they not exceeding the number of one
hundred persons.
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That the Commissioners of the Treasury bring in their Accounts.

XV. Be it hereby further enacted, by the authority aforesaid, that the commissioners of the treasury for the time being of this Province, shall bring in their accounts, at the end of their year, unto the General Free Assembly, there to be seen and adjusted; and that every respective member may carry a copy thereof unto that hundred or propriety he serves, for to be registered in the capital publick court of that propriety.

For the raising of two Hundred Pounds.

XVI. Be it also hereby further enacted by the authority aforesaid, that two hundred pounds current pay of this Province, in coin, or skins, or money, be levied in the said Province, at or before the eighth and twentieth day of the second month, in the year one thousand six hundred and eighty two, for defraying publick debts, and other publick charges of this Province; and Thomas Budd, and Thomas Gardner, are hereby appointed and authorized to be receivers general, and they have hereby power to constitute and appoint all inferior or sub-collectors, or otherwise, for the best and easiest way of raising the sum aforesaid, throughout the said Province of West New Jersey.

That persons affronting Authority's shall be punished and fined.

XVII. Be it also further hereby enacted by the authority aforesaid, that if any person or persons shall presume to offer affront to the publick authority of this Province, or any officiating in that capacity; he or they so offending shall be punished and fined according to the discretion of the court.

That Vessels bound for this Province, shall enter and clear at Burlington.

XVIII. Be it further enacted by the authority aforesaid, that all vessels bound for this Province, shall from and after the first day of the second month next ensuing the twenty sixth of the ninth month Anno 1681, be obliged to enter and clear at the port of Burlington in this Province.

Burlington to be the Head of the Province.

XIX. Be it further hereby enacted by authority aforesaid, that the town of Burlington aforesaid, is and shall be the chief town and head of this Province; in which said town from
time to time shall be held the Provincial courts, and the General Free Assembly.

XX. Be it also hereby enacted by authority aforesaid, that all weights and measures within this Province, shall be regulated according to the standard of England, and Thomas Budd, John Woolston, John Burton, John Pancrass, Robert Stacy, John Lambert, and William Riddle, are hereby impowered and authorized to command all persons within the said Province, to bring in their weights and measures, for the regulating thereof within fourteen days after the date hereof; and whosoever after the said fourteen days shall presume to buy or sell by any weights or measures not regulated as aforesaid, shall be fined for so doing.

XXI. Be it further hereby enacted by the authority aforesaid, that a general act of indemnity is given to all persons within this Province, for all crimes and misdemeanors against any person or persons, relating to the former government.

XXII. Be it hereby further enacted by authority aforesaid, that no person or persons from henceforth, shall presume to hunt and kill hogs or swine within this Province, without the consent of two of the neighbourhood; and that no swine, or hogs, shall be accounted wild, until they shall remain unmarked one whole year.

XXIII. Be it further hereby enacted by authority aforesaid, that no person or persons, from henceforth shall presume to fall and carry away timber from any land surveyed within this Province, without leave first had from the owner or owners thereof, upon pain of triple damage.

XXIV. Be it further hereby enacted by authority aforesaid, that from henceforth there shall be two fairs appointed and held at Burlington, in the market street, there for all sorts of cattle
and all manner of merchandize; the first fair to be held on or upon the first day of the third month, and the second fair to be held on or upon the first day of the ninth month; and so to continue yearly and for every year.

XXV. Be it further hereby enacted by authority aforesaid, that if any person or persons, shall steal, rob, or take away any goods or chattels, from or belonging to any person or persons whatsoever, and proofs thereof made, such fellow or fellows, shall make restitution, four fold out of his or their estate; and for want of such estate, to be made work for his theft, for so long time as the nature of the offence shall require, or until restitution be thereby made four fold, or as twelve men of the neighbourhood shall determine, not extending to life or limbs. And if any person or persons shall willfully beat, hurt, wound, assault, or otherwise abuse the person or persons of any man, woman or child, they shall be punished according to the nature of the offence, which is to be determined by twelve men of the neighbourhood.

XXVI. Be it further hereby enacted by authority aforesaid, that old England money shall advance in country pay, (viz.) an old England shilling, at eighteen pence, this Province pay, and so all coins of current money of old England proportionably; and a New England shilling to advance to fourteen-pence, of this Province pay; and so proportionably of all other current coins of New England money, which advance shall be hence forward accounted lawful pay of this Province.

XXVII. Be it further hereby enacted by authority aforesaid, that all persons to be committed to prison for criminal causes, shall be compelled to work for their bread, during the time of their commitment, in such work as they shall be able to perform.

XXVIII. Be it also further
enacted by authority aforesaid, that whosoever against selling strong liquors to the Indians.
shall presume within this Province, directly or indirectly, to sell any strong liquors to any Indian or Indians, shall for every such offence forfeit and pay the sum of three pounds.

XXIX. Be it further hereby enacted by authority aforesaid, that all persons, that serve and shall serve as Representatives within this Province, shall during their attendance upon the affairs of the said Province, receive two shillings for each and every day wherein they shall so serve, to be paid from the respective tribes by whom they are or shall be chosen.

XXX. Be it hereby further enacted by authority aforesaid, that the commissioners nominated and appointed for the surveying and regulating the bounds of the ten divisions, and other regulation of lands, shall be allowed five shillings for each and every day, for each and every commissioner whilst they shall attend on that affair, to be paid by each division respectively where the land shall be surveyed, and for whom the land shall be laid forth.

XXXI. Be it also further enacted by authority aforesaid, that there shall be a highway surveyed and set forth, between Burlington and Salem, the same to be begun at or before the first day of the second month next; and that twenty men in the whole shall be appointed for the said work, ten thereof from Burlington, and ten from Salem.

XXXII. Be it also hereby enacted by authority aforesaid, that the Governor shall have twenty pounds presented to him, out of the two hundred pounds to be raised in this Province.

XXXIII. Be it hereby further enacted by authority aforesaid, that the Spea-
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ker to this General Free Assembly, shall have five pounds as a gratuity for his service to the said Assembly, to be paid out of the said two hundred pounds, to be raised as aforesaid.

How the 20d. shall be disposed.

XXXIV. The General Assembly having taken into consideration the present necessity for the raising money for the discharging of several publick debts already made, and for divers other emergent causes and occasions relating to the publick. It is therefore hereby enacted and agreed by authority aforesaid, to assess and levy the aforesaid sum of two hundred pounds to be equally levied and proportioned upon the several tenths of this Province. (that is to say.)

Each Tenth 20d. For each and every tenth twenty pounds, to be raised in manner and form following, (viz.) that every man shall be assessed according to his estate, real or personal; that all handicrafts, merchants and others shall be assessed according to the discretion of the assessors:

And if any person or persons find himself aggrieved he may within ten days after demand, have liberty to make his appeal to the commissioners of that division.

This made void. XXXV. Be it further enacted by authority aforesaid, that all and every person and persons that after demand, shall refuse or neglect to bring in his or their respective sum or sums as shall be taxed or charged upon him, unto Thomas Budd, and Thomas Gardner, or any one of them, at or before the fifteenth day of the third month, shall be fined, at the judgment and discretion of the commissioners, not exceeding forty shillings.

XXXVI. Be it further enacted and hereby by authority aforesaid, that this General Assembly have adjourned until the first day of the second month called April, Anno, 1682.

The acts and laws aforesaid, were assented unto and ratified the 15th day of the eleven month called
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January, Anno 1681, by the Governor, and written out by the appointment of authority aforesaid, by Thomas Revel clerk to the General Assembly.

February 1681.

The Methods of the Commissioners for settling and regulation of Lands.

We whose names are hereunder written, commissioners nominated, elected and chosen by the General Free Assembly, Proprietors and freeholders of the Province of West New Jersey, and twenty-third day of November last past, for the settling and regulating of lands and other concerns within the said Province; do by and with the approbation and consent of the Governor of the said Province, and Council, in pursuance of the said trust in us reposed, hereby fully agree upon these rules and methods herein after following, (this is to say)

I. That the surveyor shall measure the front of the river Delaware, beginning at St. Pink Creek, and from thence down to Cape May, that the point of the compass may be found for the running the partition lines betwixt each tenth.

II. That each and every tenth, or ten proprieties, shall have their proportion of front to the river Delaware, and so far back into the woods, as will make or contain sixty four thousand acres, for their first settlement; and for the subdividing, the Yorkshire, and London, two tenths.

III. To allow three thousand, and two hundred acres, where the parties concerned please to chuse it within their own tenth, to be taken up according to the rules or methods following, (viz) one eighth part of a propriety, and so for smaller parts to have their full proportion of the said land in one place, (if they please) and greater purchasers, or shares not to exceed five hundred acres to one settlement.
IV. All lands so taken up and surveyed, shall be seated within six months after it is so taken up; and if the same shall not be seated within the said time, then such choice and survey shall be void, and the same lands shall be free for any other purchaser to take up; provided he or they so taking up the same, do or shall seat it within one month after it is so taking up.

V. That no person or persons shall take up lands on both sides of a creek, except the commissioners for the time being, shall see good cause for their so doing.

VI. That no person or persons shall have more than forty perches front to the river and navigable creek, for each and every one hundred acres, except it fall upon a point, so that it cannot otherwise be avoided; and in such cases it shall be left to the discretion of the commissioners then for the time being.

VII. That all lands be laid out on straight lines, that no vacancies be left between lands, but that they be joined one seat to another, except the commissioners then for the time being, shall for good causes, order it otherwise.

VIII. That all persons shall take their just proportions of meadow, which shall be laid forth at the discretion of the commissioners than for the time being.

IX. That all persons who are already seated shall have liberty to make his settlement his choice, (if he please) provided he or they observe and follow the rule or method herein prescribed.

That every Proprietor shall have four hundred acres to a propriety, and so proportionably to lesser quantity's for their town lot, over and above the aforesaid three thousand two hundred acres, which may be taken any where within their own tenth, either within or without the town bounds.
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XI. That no person or persons who have already taken up a town lot, shall have liberty to leave it, and take a lot elsewhere, but shall keep the same he hath taken up as his town, lot.

XII. That Thomas Wright shall keep his settlement containing 400 acres, and that the Commissioners for Yorkshire side, shall allow to the town bounds, three hundred acres, to be taken up adjoining to the town bounds on Lazey Point, in lieu thereof.

XIII. That no purchaser shall take up more land within the town bounds, then belongs to his town lots, by virtue of his purchase.

XIV. That no person or persons, (who are not purchasers to whom town lot or lots are given) shall dispose of, or sell his or their said lot, or lots of land from their house or houses, respectively; and that if any such person or persons as aforesaid, shall dispose of or sell such said lot or lots, apart from his or their said house or houses, then such said sale of lot or lots, shall be void and of no effect, and the same lot or lots, shall from thence become forfeit to the use of the town of Burlington, to be disposed of therein at the discretion of the commissioners then for the time being.

XV. That no person or persons from henceforward shall take up any land, without special order from two or more of the commissioners (for the time being) first had and obtained.

XVI. That all and every settlement and settlements already made, which are not consonant and agreeable to the rules and methods aforesaid, shall be lyable to regulation, according to the said rules and methods.

XVII. That the Proprietors who are yet remaining in England, shall have notice that we find it necessary for the speedy settlement of this Province, and for the interest of all concerned therein, to allow
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to every Propriety as aforesaid, three thousand two hundred acres for our first choice, and in case much people shall come (as may be reasonably expected, who have purchased no land in England, and desire to settle among us) that then we reserve liberty to take up so much land more as shall fall to every propriety, not exceeding five thousand and two hundred acres, which was allowed to us for our first settlement. Provided nevertheless that none shall take up any proportion of land, but as they shall settle it or cause it to be settled, which is to be done after the aforesaid three thousand two hundred acres, shall be justly taken up and settled.

For publick Highways. XVIII. That all publick highways shall be set forth at any time or times hereafter, at the discretion of the commissioners, for the time being, in or through any lands taken up, or to be taken up, allowing the owners of such lands, where such publick highways shall be laid forth, reasonable satisfaction at the discretion of the commissioners in lieu thereof.

The agreement before not to make void legal settlements made in the Yorkshire Tenth. XIX. Yet nevertheless it is hereby concluded and agreed by the authority aforesaid, that the rules and methods herein before agreed of, shall not make void or disanul all or any settlement or settlements heretofore made in the Yorkshire tenth, who have seated according to a former agreement, (viz.) not having taken up more than fifty perches, for each and every hundred acres on the river or navigable creek, and having kept their due breadth and bounds, from the river or creek.

Signed and sealed the 5th December, 1681, by SAMUEL JENINGS, Governor.

Thomas Olive, Thomas Budd, Robert Stacy,
Daniel Wills, Benjamin Scott, Mahlon Stacy,
Thomas Gardner, Thomas Lambert,
up to Benjamin Scott, Robert Stacy, Thomas Budd, and Thomas Gardner, on or upon the twelfth day of this instant January next ensuing the day of the date hereof.

XXI. That all person and persons hereafter to take up land within the said first and second tenth, shall first make application to the said Benjamin Scott, Robert Stacy, Thomas Budd, and Thomas Gardner, or any two of them, and shall also before the said commissioners solemnly declare and aver, upon the penalty of the law of perjury to pass against them, that the quantity or portion of land containing in their respective deeds, or other writings, do really and in good conscience belong and appertain to him or them so requiring a warrant or warrants, for laying forth his or their land, so as the said commissioners may be thereby satisfied with the justness of his or their title thereto; then and not before the said commissioners or any two of them, shall and may grant out a warrant to the surveyor, or his deputy, to lay out and survey the respective proportion of land to him or them due and appertaining as aforesaid; enjoining the surveyor, or his deputy, to make return of his said warrant and survey, at the next court after such warrant granted, to be held at Burlington, that the same be registered by order of the said court.

XXII. That all Proprietors and purchasers, within the said first and second tenths, shall and may have liberty to take up his and their full proportions of land, as before within is agreed upon, of the first and second choice in one place; provided he or they so doing take not up more than five hundred acres of land in one settlement. Witness our hands and seals, the 14th day of the eleventh month, 1681.

SAMUEL JENINGS, Governor.

Thomas Ollive, Daniel Wills, Robert Stacy,
Thomas Gardner, Thomas Budd, Benjamin Scott,

Written out by authority aforesaid, by Thomas Revell clerk.
April 1682.

The General Assembly according to their adjournment unto the first of the second month called April 1682, did then meet; and being not a full house, adjourned unto the 14th day of the same month, and then appeared a full house, and dissolved themselves.

THO. REVELL, Clerk.

The Acts and Laws of the General free Assembly during their Session held at Burlington,

For the Province of West New Jersey, from the second Day of May 1682, until the 6th Day of the same month, and confirm'd by the Governor of the said Province, published by Authority aforesaid.

The names of the Representatives, elected and chosen by the free people of the Province aforesaid, within their respective tenths; and returned by the sheriff, according to appointment, to sit at Burlington, as the General Free Assembly of the said Province, for the service of the House.

Thomas Ollive, Chosen Speaker to the House.

Mahlon Stacy,          Thomas Wright,
Joshua Wright,          Samuel Borden,
John Lambert,           Robert Stacy,
Thomas Lambert,         Thomas Budd,
William Emley,          Daniel Wills, senr.
Godfrey Hancock,        Thomas Gardner,
Daniel Leeds,
Laws passed in West Jersey. 443

John White,                Richard Guy,  
John Chaffen,               Marke Reeves,  
Bernard Devenish,          Richard Hancock, 
Isaac Merriott,            John Smith,    
William Peachee,           John Pledger,  
William Cooper,            Edward Wade,  
Mark Newbie,               George Deacon, 
Thomas Chackeray,          Samuel Hedge,  
Robert Zame,               Andrew Thompson, 
Samuel Nevill,             

I. THE General Assembly above, declare it as their judgments, and as the judgment, of their respective people by whom they are chosen, as their representatives, that the most regular way for the preserving liberty and property, by a lawful free Assembly is, that each ten proprieties, chuse their ten representatives where they are peopled; and that as the proprieties are or shall be peopled, they to have the liberty of chusing for each ten proprieties so peopled, ten representatives.

II. Resolved that twenty and four of the numbers aforesaid (the speaker being one) make the quorum 34 make a quorum, and may proceed in the business of the house.

The Council nominated and chosen.

Thomas Ollive,                John Chaffin,  
Roland Stacy,                 James Nevill,  
Mahlon Stacy,                 Daniel Wills,  
William Biddle,               Mark Newbie,  
Thomas Budd,                  Elias Farre,  

The justices of the said Province nominated and chosen for the jurisdiction of Burlington.

William Biddle,               Thomas Budd,  
Robert Stacy,                 Benjamin Scott, 
Elias Farre,                  John Cripps,  
Mahlon Stacy,                 Thomas Thackeray, 
John Chaffin,                 

For the jurisdiction of Salem.

James Nevill,                 George Deacon,  

Laws passed in West Jersey.

Richard Hancock, Edward Wade,
Commissioners for the dividing and regulating of lands.
Elias Farre, James Nevill,
William Biddle, Thomas Ollive,
Thomas Budd, Robert Stacy,
Thomas Gardner, Benjamin Scott,
Mark Newbie, William Cooper,

The Sheriffs for the jurisdiction of Burlington.
John White.

The Sheriff for the jurisdiction of Salem.
Thomas Woodrofe.

The Provincial Clerk and Recorder for the jurisdiction of Burlington.
Thomas Revell.

The Clerk and Recorder for the jurisdiction of Salem.
Samuel Hedge.
Daniel Leeds, Surveyor.

The constables for the first tenth called the Yorkshire tenth.
Robert Schaley, John Pancras

Constables for the second tenth, called the London tenth,
John Borton, William Brightwen.

And for the third tenth, Thomas Sharp,

III. For the raising of money for the necessary supplies of the publick concern of this Province, be it enacted by authority aforesaid, that each and every of the ten proprieties have liberty and are hereby impowered to sell or dispose to the number of five hundred acres of land within their respective tenths, or to take such other expedient, as they shall judge fit or necessary, for the defraying the publick charges expended or to be expended, for the said respective tenth, for which expedient Mahlon
Laws passed in West Jersey. 445

Stacy, and Thomas Lambert, are appointed within the first tenth, or the Yorkshire tenth Thomas Budd, and Thomas Gardner, for the second tenth, or London tenth. William Cooper, and Mark Newbie, for the third tenth, and Samuel Jenings, and Thomas Budd, within the remaining six tenths.

IV. And for the better preventing the selling of rum, or other strong liquors to the Indians. Be it enacted by authority aforesaid, that from and after the eighteenth day of this instant May, or third month, the three pounds formerly laid as a fine for every inhabitant within this Province, that sell rum or other strong liquors to the Indians, shall be distributed as followeth, (viz) the one moiety or half thereof to the informer, and the other moiety or half to the publick stock, where the fact shall be committed; and that every foreigner that shall so offend after the time aforesaid, within this Province, shall forfeit and pay five pounds, the one moiety or half thereof to the informer, and the other moiety or half to the publick stock, where the fact shall be committed.

V. Be it enacted by the authority aforesaid, that the former act, for the enhancing, or raising coines of money to greater rates, shall from and after the eighteenth day of this instant May, or third month, become null and void.

VI. And for the more convenient payment of small sums. Be it enacted by authority aforesaid; that Mark Newbie’s half-pence, called Patrick’s half-pence, shall from and after the said eighteenth instant, pass for half-pence current pay of this Province, provided he the said Mark, give sufficient security to the Speaker of this House, for the use of the General Assembly from time to time being, that he the said Mark, his executors and administrators, shall and will change the said half-pence for pay equivalent, upon demand; and provided also, that no person or persons be hereby obliged to take more than five shillings in one payment.

VII. For the better conveniency and encourage-
The Additional Act for the two Fairs.  

ment of all such as shall have occasion to the fairs to be held at Burlington.  

Be it hereby enacted by the authority aforesaid, that the former fair late appointed to be held at Burlington, on the first and second days of the third month called May, shall from henceforth be held on the tenth and eleventh days of the same month, and that all persons at the Fairs, to be held both in the spring and fall, shall be free without arrest for six days, that is to say, the two fair days, and two days before, and two days after the said fair days, for any debt contracted at any other time, then only at the said fair days.

For Vessels entering and clearing at Burlington.  

VIII. For the preventing the transporting prohibited goods and other frauds, Be it hereby enacted by authority aforesaid, that vessels that come into this river, and are bound for Salem, shall from and after the eighteenth day of the third month called May instant, have liberty to enter and clear there; paying one shilling for entering, and one shilling for clearing, for all vessels under one hundred tun, and two shillings for clearing, for vessels of one hundred tun and upwards.

And John White, is hereby appointed to take entries, and clearing of vessels at Burlington, and James Nevill for Salem.

For preventing clandestine and unlawful Marriages.  

IX. For the preventing of clandestine and unlawful marriages, Be it hereby enacted by authority aforesaid, that justices of the peace have power, and are hereby authorized, within their jurisdiction, to solemnize marriages; both parties so to be married having first published their intent of marriage, fourteen days in some publick place to be appointed for that purpose; and that the parents or the trustees manifest and show no lawful reason against it.  And if any justice shall presume to join a couple in matrimony, without the consent and knowledge of the parents or trustees of such persons so married (if such consent may be reasonably obtain) then such justice so offending shall be fined according to the discretion of the General Assembly.  After which mar-
riage the clerk or register is hereby appointed and authorized to enter the day and year whereon the same marriage was solemnized into the publick register: And also that the said clerk or register, shall enter and keep a publick register of the births of children, and the decease of all persons within his respective jurisdiction, whereof he shall be rightly informed, without any charge to the parties concerned, unless they please freely to give it.

X. For the prevention of differences betwixt masters and servants, *Be it hereby enacted* by authority aforesaid, that all servants within this Province who are to have reference to the custom of their country for their service at the expiration thereof, either by covenant, or to whom it shall become due, instead of other covenant shall be as follows, (viz.) ten bushels of corn, necessary apparel, two horses and one ax.

XI. And further that all servants above the age of one and twenty years, transported or to be transported into this Province without indentures or other agreements, shall serve four years, to commence from the time the ship shall be entered in the said Province: And that all other servants, under the age of one and twenty years, transported or to be transported into this Province without indentures, shall within three months next after his or her arrival, be brought to the court within that jurisdiction where he or she shall reside, which court shall appoint how long time such servant shall serve.

XII. And for the preventing of fraud, deceit and collusions, between debtor and creditor, and that creditors may not be hindered from the recovery of their just debts; *Be it hereby enacted* by authority aforesaid, that persons who are or shall be indebted, and have land within this Province, and no personal estate sufficient to pay their debt, in such case, the land of such person or persons, shall be liable to pay debts.
For an accommodation for a saw mill.

XIII. And for the better accommodation of this Province for sawn ware, it is hereby concluded and agreed by authority aforesaid, that one thousand acres of land certain in one place, is and shall be allowed by the commissioners to be sold to William Hampton, for a present accommodation for a saw mill; and the commissioners for that purpose are hereby authorized with the Governor, to lay out more land for that purpose, as they shall judge convenient.

For Commissioners and Governors inspecting Lands taken up and confirming the same.

XIV. For the better settling and confirmation of lands legally taken up, Be it hereby enacted by authority aforesaid; that six of the commissioners, with the Governor, shall or may (where there is occasion) make an inspection into lands taken up, or that shall be taken up, and that if they find such lands legally taken up, they may (after publick notice given in the court, and no just reason given to the contrary) than confirm the same at the next court following the said publication unto the person or persons, who have taken up the same.

For killing a Wolf, 10 shillings.

XV. Be it also hereby enacted by authority aforesaid, that from and after the eighteenth day of the third month instant, there shall be ten shillings allowed and paid for every wolf, to him who shall bring the head thereof to an officer to be appointed by the court, which said ten shillings, the court have liberty and power to levy as they shall think fit within their respective jurisdictions.

For four Courts of Sessions Yearly.

XVI. Be it hereby further enacted by authority aforesaid, that there shall be four courts of sessions held at Burlington, and at Salem, yearly, which said courts (at Burlington) shall be yearly held as follows (viz.,) the first court in the year to be held on the eighth day of the third month called May. The second court on the eighth day of the sixth month called August. The third court on the third day of the ninth called November, and the fourth and last court in the year on the twentieth day of the twelfth month called February, and for smaller courts oftener, (if need require) both
at Burlington, and at Salem, to be appointed by the justices, as they judge fit.

XVII. Be it hereby also enacted by authority aforesaid, that if there shall be necessary occasion for calling a special court, either at Burlington, or at Salem, the party that requires it, shall pay for every justice that shall sit at the said court three shillings a peice; and to the sheriffs, the clerk, and other officers, their ordinary fees, or more for extraordinary business.

XVIII. Be it hereby further enacted by authority aforesaid, that the twenty pounds formerly granted to the Governor, and the five pounds to the speaker, together also with five pounds to the clerk, shall be raised, (to wit) nine pounds six shillings and eight pence, whereof the Yorkshire tenth have agreed to raise; and nine pounds six shillings and eight pence, the London tenth; and nine pounds six shillings and eight pence, the Salem tenth, and forty shillings the third tenth, which amount to thirty pounds, which is to be delivered to Thomas Budd, and Thomas Gardner for the use aforesaid, on this side, or before the twenty ninth of September next, in skins, corn, or money, and the remainder of the two hundred pounds formerly appointed to be raised to remain as a debt due from the remaining properties.

XIX. Be it hereby further enacted and agreed by authority aforesaid, that the fine of forty shillings, formerly laid upon those, who bring not in their sum or sums that shall be taxed upon them, by virtue of the act of the last General Assembly, to Thomas Budd, and Thomas Gardner, at or before the fifteenth day of the third month, now instant, be null and void.

XX. And whereas by virtue of a power and authority by the chief Proprietors of the Province of West New Jersey; it was heretofore granted in England, unto certain others of the sub-Proprietors of the said Province, who were to transport themselves thi-
ther, to nominate, appoint and make such and so many cities, towns, and other places, as to the said sub-Proprietors should be thought fit, for the benefit and advantage of the said Province: In pursuance whereof the General Free Assembly of the said Province, with the consent and approbation of the Governor thereof, together with the said sub-Proprietors, freeholders and inhabitants of the said Province, have appointed and agreed that the Island of Burlington, within the said Province, shall from thenceforth be the chief city, or town therein. And whereas several merchants, tradesmen and others, have been and are desirous to settle upon the said island, which might conduce to the great advantage, not only of the said island, but also to the said Province, and to those who are or may be concerned therein; and finding that such persons as aforesaid, could not hitherto be accommodated with convenient lots of land in the said island whereupon to build, by reason whereof the said island, city or town of Burlington, hath been and would be rendered useless and unprofitable, either to the said Province, or others concerned therein: Now therefore for the better encouragement of such who are or shall be minded to settle and build upon the said island, and others who are, or may be concerned therein. Be it hereby enacted by authority aforesaid, that all such lot or lots of land within the said Island of Burlington, which shall remain unseated and unbuilt upon, six months next ensuing, shall be liable to sale by the commissioners, or any six of them, unto such person or persons, as will purchase the same, and build thereupon; and the commissioners, or any six of them, are hereby empowered to appoint in what time and what manner of building such person or persons shall build thereupon, according to the lot or quantity of land such person or persons shall purchase; and that such lot and lots so to be sold, shall be valued at the discretion of the commissioners, or six of them as aforesaid, and the money for such respective lot or lots, when sold, to be paid to the General Free Assembly for the time being, to and for the use of the owner and owners thereof.

XXI. Be it further enacted by authority aforesaid, that the agreements of the com-
missioners, for the settling and regulation of lands may be proceeded in, and stand in force, until it shall be ordered to the contrary by the General Assembly.

XXII. Resolved and enacted by authority aforesaid, that the next General Assembly, shall meet on the twelfth of the third month called May, and so yearly.

William Hampton (as security for the sloops men for selling rum to the Indians) his fine of three pounds by consent of the General Assembly and Governor, remitted to twenty shillings.

XXIII. The Assembly adjourn until the fourth day of the ninth month called November next, unless there be unnecessary occasion to meet sooner.

The acts and laws aforesaid were assented unto the eighth day of May, 1682, by the Governor, and written out by the appointment of the authority aforesaid, by Thomas Revell, clerk to the General Assembly.

THE eighth day of the third month called May, 1682, the commissioners, justices and officers chosen and elected by the General Assembly for the year ensuing, and commissioned by the Governor, did engage as followeth.

We whose names are hereunder written (being by the General Assembly chosen and elected to officiate in our respective commissions and offices for the year ensuing) do hereby solemnly promise, that we will truly and faithfully discharge our respective trusts according to the law of the said Province, in our respective offices and duties and do equal justice and right to all men according to our best skill and judgment, without corruption, favour or affection.

William Biddle,          Mark Newbie,
Ben. Scott,              William Cooper,
John Chaffin,            Ja. Nevil,
Thomas Ollive,           George Deacon,
Edward Wade,             Richard Hancock,
Laws passed in West Jersey.

Thomas Thackery, Thomas Budd,
Thomas Revell, Thomas Gardener,
Samuel Hodge, John Gripps,
John White, Elias Farr,
Thomas Woodroffe, Mahlon Stacy,
Daniel Leeds,

Constables.
William Brightwen, Robert Scholey,
John Pancost, John Borton.

The Acts and Laws of the General Free Assembly during their Session held at Burlington,

Convened to appear by the Governor, with the Advice of his Council, the Twenty sixth Day of September 1682, and ending the Twenty eighth Day of the same month, and confirmed by the Governor, and published by authority aforesaid.

The Members of the House then appearing.

THOMAS OLLIVE, Speaker.

William Emley, John Smith,
Robert Stacy, John Pledger,
Daniel Wills, senr. Edward Wade,
Thomas Gardner, George Deacon,
John Gripps, Samuel Hedge,
John White, Andrew Thompson,
Laws passed in West Jersey. 453

John Chaffin, Thomas Budd,
Bernard Devonish, Daniel Leeds,
William Cooper, Thomas Lambert,
Marke Newbie, Thomas Wright,
Thomas Thackery, Godfrey Hancock,
Robert Zane, Joshua Wright,
James Nevill, Samuel Borden,
Richard Guy, Isaac Merriot,

These members appeared not.

Mahlon Stacy, Mark Reeves,
John Lambert, Richard Hancock,
William Peachee,

I. WHEREAS there are considerable numbers of people already come, and yet daily expected to inhabit amongst us, who (at present) are not in a capacity to supply their families with necessary provisions, and for the better supplying of such with necessary provisions, It is hereby enacted by the General Free Assembly, with the consent, concurrence, and approbation of the Governor of the said Province, and Council, and the authority thereof, that markets shall be erected in necessary places, within this Province, for the accommodation of the inhabitants thereof.

II. And it's hereby enacted by the authority aforesaid, that a market shall be held at Burlington, and at Salem, for the present accommodation of the inhabitants of this Province; the first market day at Burlington, to begin and take place the 7th day of the eighth month now next ensuing, and at Salem, the seventeenth day of the same month.

III. And it is hereby further enacted by authority aforesaid; that the seventh day, commonly called Saturday, weekly and every week, shall be the market day at Burlington, to be held there in the place formerly set forth for the market place; and that the market for corn, shall begin at the 11th hour in the morning, and that what goods and provisions shall be there brought to be sold, shall be carried to the said market place before sale to be
made thereof, and that if any person or persons upon the market day, or other week days, shall presume to buy up any goods or provisions that shall be brought there to be sold as aforesaid; such buyer or buyers, shall forfeit such goods or commodities, he or they shall so buy out of the market place, one third part thereof to go to the informer, and the rest to the publick use.

IV. And be it hereby further enacted by authority aforesaid, that the third day called Tuesday, weekly and every week, shall be the market at Salem, to be held before the town landing, formerly appointed there for the market place; and that the market for corn, shall begin at the 11th hour in the morning; and that what goods and provisions shall be there brought to be sold, shall be carried to the said market place before sale be made thereof; and that if any person or persons upon the market day, or other week days, shall presume to buy up any goods or provisions that shall be brought there to be sold, as aforesaid, such buyer or buyers shall forfeit such goods or commodities, he or they shall so buy out of the market place, one third part thereof to go to the informer, and the rest to the publick use.

V. And it is hereby ordered and appointed by authority aforesaid, that the Governor shall have twenty pounds paid to him, towards the answering his necessary expences in his office, which is hereby ordered to be paid to him, within three months, by those commissioners who are appointed for the sale of land, out of the money's to be raised thereby.

VI. And for the better regulation and ordering of fairs, within the town of Burlington; Be it hereby enacted by authority aforesaid, that the town of Burlington, have liberty, and are hereby impowered, to chuse amongst themselves, some persons who have power to regulate the affairs of the town, in such matters as relate to fences, cattle, highways, and all such things, as usually fall within the compass of ourselves, in corporations in England.
Laws passed in West Jersey. 455

VII. And for the regulating of fences what is a lawful fence, Be it hereby enacted by authority aforesaid, that a lawful fence shall consist of, and be a substantial fence, containing five feet in heighth, within this Province.

VIII. And for the encouraging learning, for the better education of youth; Be it hereby enacted and agreed by authority aforesaid, that the island called Matininuck Island, late in the possession of Robert Stacy, with all and every the appurtenances, is hereby given, and shall from henceforth forever hereafter, be and remain to and for the use of the town of Burlington, and to others concerned therein, within the first and second tenths, the rents, issues and profits thereout and therefrom yearly arising to be (by the overseers appointed or to be appointed in Burlington) employed for the maintaining of a school for the education of youth within the said town, and in the first and second tenths.

IX. And for the preventing of needless and frivolous suits, Be it hereby enacted by authority aforesaid, that all accounts of debt, accounts of slander, and accounts of the case concerning debts, and accounts, and all accounts whatsoever not exceeding twenty shillings, between neighbours, arbitration of two indifferent persons of the neighbourhood, shall be tendered by some one justice of the peace, who shall have power to summon the parties before him, before it be brought to a court; and if either, or both parties shall refuse (upon any pretence) to stand to arbitration, then the justice may give forth his warrant as the occasion shall require, for the determination of the case, at the next court then following; and that the sheriffs shall have twelve-pence for every summons within the town of Burlington, and Salem, and for every mile they shall go out of the said town to summons, they shall have three-pence per mile added.

X. Be it also hereby enacted and appointed by authority aforesaid, that on the 14th day of the second month next, and so yearly, When the Freeholders are to choose their representatives.
Laws passed in West Jersey.

The freeholders within this Province, shall meet together at such place or places as shall be most convenient for each tenth, to nominate, elect and chuse their respective members, or representatives, who are to appear at Burlington, on the second day of the third month following, to officiate in their respective trusts in the concerns of the said Province.

The Assembly adjourned until the first day of the third month next.

The acts and laws aforesaid, were assented unto and confirmed the 28th day of September 1682, by the Governor, and written out by the appointment of the authority aforesaid, by Thomas Revell, clerk to the General Assembly.

The Acts and Laws of the General Assembly at their Session at Burlington,

For the Province aforesaid, from the second Day of the third Month, to the 15th of the same Month Anno Domini, 1683, confirmed by the Governor thereof.

The members of the Assembly.

Of the first tenth.

William Emley,  Elias Farre,
Mahlon Stacy,  Joshua Wright,
Thomas Lambert,  Thomas Wright,
Pierciful Fowle,  John Woolston,
William Biddle,  John Hooton,
Of the second tenth.

Thomas Ollive, William Peachee,
Thomas Budd, John Skeeare,
John Gosling, John Chaffin,
Daniel Wills, John Barton,
Thomas Gardner, Isaac Merriott,

Of the third tenth.

William Cooper, Samuel Cole,
Mark Newbie, Thomas Howell,
Henry Stacy, Williams Bates,
Francis Collins,

Of Salem tenth.

John Fenwicke, Edward Wade,
Richard Guy, Edward Bradway,
James Nevill, Michael Berroone,
John Thompson, George Deacon,
John Maddocks, Andrew Thompson,

Thomas Ollive, Chosen Speaker to the General Assembly.

Resolved that twenty and four of the mem-
ers of the General Assembly, (the Speaker be-
ing one) make a court, and may proceed in the business of
the House.

The Council chosen, who are also justices ex officio.

Jonn Skeen, Thomas Gardner,
Henry Stacy, Thomas Budd,
James Nevill, Elias Farre,
William Biddle, Mark Newbie,
Mahlon Stacy, John Gosling,

Justices chosen.

Thomas Oliver, Andrew Thompson,
Richard Guy, William Emley,
Edward Wade,

Commissioners for dividing and regulating lands.

The first tenth.

Thomas Lambert, William Emley,
The second tenth.

Thomas Budd,           Thomas Gardner,

The third tenth.

Francis Collins,       Mark Newbie,

The other tenth,

William Biddle,        John Skeyen,
John Gosling,

Salem tenth.

James Nevill,

A commissioners for buying lands of the Indians, A and selling for paying publick debts.

Mahlon Stacy,          Thomas Budd,
William Emley,          Thomas Olive,

Treasurers for the Province.

Thomas Budd,           Thomas Gardner,

The Province Clerk and Recorder.

Thomas Revell,

The High Sheriff for the jurisdiction of Burlington Court.

Benjamin Wheat,

The Surveyor, Daniel Leeds,

The Recorder for Salem jurisdiction.

Samuel Hedge,

The High Sheriff for the jurisdiction of Salem Court.

Thomas Woodroff,

Constables for the first tenth.

James Pharoe,           Thomas Bartin,

For the second tenth.

James Wills,            Barnard Devanish,
Seth Smith,             For the third tenth.
                         William Bates.
I. **Resolved** that the proposal of Daniel Leeds, be referred to the hearing and determination of the commissioners, for regulating of land.

II. William Brightwen, constable, for his neglect in the performance of his trust and engagement in the said office, by the Assembly fined fifty shillings, and for that clause in the law, see page 427, suspended.

III. For the better regulation and reparations of highways, *Be it hereby enacted* by the authority aforesaid, that all highways laid forth and to be laid forth within this Province, by virtue of the appointment of the commissioners, according to a power to them given by the General Assembly, shall be maintained by the respective tenth's, wherein the same lye, and that the courts shall and may appoint such and so many overseers within their respective liberties, to repair and amend, and maintain the said highways, as they shall judge needful.

IV. And for a more due regulation of fences; *Be it hereby further enacted* by authority aforesaid, that a fence substantially made, consisting of four foot and half a foot in height, shall be and is a lawful fence within this Province.

V. And for the regulating the size and making of bricks, *Be it hereby further enacted* by authority aforesaid, that from and after the 22d day of the third month called May instant, the size of bricks to be moulded within this Province, shall be made according to the size following, (that is to say) the same to be moulded in a mould shod with iron, the same moulds to contain no less than two inches and three quarters of an inch in thickness; four inches, and half an inch in breadth, and nine, inches and half an inch in length, and that the same shall be well and merchantably burned, which shall be viewed and approved of by two persons to be authorized for that purpose by the court; and where they shall find bricks faulty, they shall break the same, and return the names of the parties (who shall make such default) to the court to be there fined.
VI. And for preventing the abuses in the tannage of leather, *Be it also hereby enacted* by the authority aforesaid, that all and every person or persons, who shall sell leather not well tanned within this Province, shall forfeit the same; to be disposed of for the use of this Province, to be delivered into the hands of those persons who are and shall be appointed to receive the publick concerns of the Province. And that officers for the searching after leather, and sealing such as they find to be well tanned, and also for regulating weights and measures, shall be appointed by the court, the sealer of the leather to receive eighteen pence by the dicker of these hydes he’s shall seal, and for neglect or breach of his trust to be fined ten shillings. Provided such sealer of leather shall not be obliged to seal under half a dicker at a time, unless the tanner pay him nine pence for what is under half a dicker.

VII. *And be it further enacted* by authority aforesaid, that all and every magistrate and magistrates, and other officer and officers within this Province, from henceforward take special care for the suppressing of drunkenness, swearing and whoredom, and other profaneness; and that such person and persons who from and after the two and twentieth day of the third month called May instant, shall be guilty of swearing either in the presence or hearing of a magistrate, or other officer of this Province, or shall be convict thereof before a Magistrate, by the testimony of one witness or more, shall pay for every such offence, two shillings, or be set in the stocks, not exceeding three hour. And that every person and persons, who after the said two and twentieth day of the said third month called May instant, shall be found drunken in the sight or knowledge of a magistrate within this Province, or shall be convict thereof before such magistrate, by the testimony of one witness or more, shall pay for every such offence, three shillings and four pence, or sit in the stocks, not exceeding five hours. And also that such who shall be found guilty of whoredom, by the testimony of one witness or more, shall be punished according to the nature of the offence by the court.
VIII. And for the preventing of differences about the settling of lands; Be it enacted by authority aforesaid, that if any person or persons shall take up land, within the nine tenths of this Province, and inhabit thereon by himself, or any other in his right, such may and shall be taken and accounted for a lawful settlement, for the first taking up.

And that if any person or persons shall take up a second settlement within the liberties aforesaid, and shall improve the same, and keep and maintain two able persons to inhabit and labour thereon, such shall be taken and held for a lawful settlement.

And that in case land shall not be settled in the time limited by the law in that case provided, before a second person shall take up the same, which hath formerly been surveyed, then such person shall first acquaint two commissioners of the tenth where such land lyeth, who shall issue a summons to the person or his attorney or agent who formerly had taken it up, if in the Province, to give sufficient security, that he or they will settle the same land, according to the time limited, or within two months after, of which he or they failing, then notice thereof shall be posted in writing fourteen days on the market house, and at the expiration thereof the same former choice of land shall be forfeited.

And that if any land within the liberties aforesaid, shall be forfeited in manner aforesaid, such person as shall after such forfeiture take up the same, shall take the whole entire parcel of land, paying the improvements made thereon, if any be; and if parties concerned cannot agree in the value of such improvements, the same shall and may be appraised or valued by two freeholders to be appointed by two commissioners of the same tenth wherein the same land lyeth.

IX. And be it hereby further enacted by the authority aforesaid, that the lands and marsh, or meadow, formerly laid out for
Salem town bounds, by agreement of John Fencoick, and the people of Salem liberty, shall stand and be forever, to and for the only use, behoof and benefit of the freeholders and inhabitants of the said town of Salem.

The Governor, not to command any of the Assembly to any Place, &c.

X. And further be it hereby enacted by the authority aforesaid, that the Governor for the time being, or his successors, shall not have a power to command or require the Assembly, or any of the members thereof, (when sitting) to any place, without the consent of the House.

Burlington Town Bound to stand, as laid out by William Emley.

XI. And be it also hereby enacted by the authority aforesaid, that the limits or bounds of the town of Burlington, as the same were laid out by William Emley, by the appointment of the commissioners for the time then being, shall stand and remain to and for the use of the freeholders and inhabitants of the said town of Burlington.

XII. AND WHEREAS Thomas Wright, wants one hundred acres of land, for the making up his proportion for his first settlement, which hath been appointed by the commissioners and confirmed by act of Assembly; and hath made his address to this General Assembly for the same. Be it therefore hereby enacted by the authority aforesaid, that the said Thomas Wright, shall or may take up one hundred acres of land on less a point side, for the making up the four hundred acres (so confirmed to him as aforesaid) his just share being five hundred acres, for his first settlement. Provided that the commissiners who are authorized and appointed by this Assembly, when they shall inspect the same, shall understand, that the said one hundred acres to be taken up as aforesaid, be not before surveyed or appropriated to any other, and that it will not be injurious in the spoiling any other settlement.

Thomas Revell to have 48 foot front to the River.

XIII. And be it hereby further enacted by authority aforesaid, that Thomas Revell, (in consideration of his service on the
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publick accounts) shall have and enjoy to him, his heirs and assigns for ever, one peice or parcel or land (being a water lot, lying and being at Burlington, whereupon his dwelling house standeth, and next adjoining thereunto the whole containing forty and eight foot front to the river Delaware, and backwards so far as the water lots there reach, or extend) which parcel of land two or more of the commissioners shall view, and lay forth; and the said commissioners, or two of them, are hereby impowred to set a reasonable value thereupon, and to make him a legal conveyance thereof, which value price, or consideration for the said land, so to be set out as aforesaid, is hereby appointed to be paid out of the publick stock.

XIV. AND WHEREAS by the general consent of all the freeholders of the first and second tenths, assembled the third day of August in the year 1680, it was then openly declared and freely consented to, that Thomas Ollive, for the consideration of five pounds paid before hand for the publick use, and for divers other good services done, should have and forever possess one hundred acres of land, lying before the island of Burlington, and within the town bounds between the lands of him the said Thonmas Ollive, east, and the land late of John Cripps west; Be it therefore hereby enacted by the authority aforesaid, that the aforesaid consent and agreement of the freeholders aforesaid, shall stand, and that the said land shall be by the commissioners convey'd and confirmed to the said Thomas Ollive, his heirs and assigns forever.

XV. AND WHEREAS the General Assembly have taken notice of the negligence of the generality of those who are concerned in the lots of land within the island of Burlington, in their building upon the same, according to the first design and end of laying forth the same, and being very sensible of the great hindrance the same hath been, and yet would be likely to be, in the promoting and increasing the town of Burlington, to the great detriment of the country, and those interested therein if not speedily remedied, for the
Laws passed in West Jersey.

preventing whereof; Be it hereby enacted by the authority aforesaid, that all persons who have river lot or lots of land in Burlington, and have not built, nor are building thereon, shall give sufficient obligation to two commissioners within one month after publication hereof, that they will begin to build a house on each lot, within eight months next after, and carry on the same building without fraud; which if not perform’d, then such said lot and lots of land so neglected, shall be free for any other person or persons to chuse and build on, who were to have the same quantity of land any where in the river or front lots, by former survey, or have or shall purchase the same of any who were to have the same quantity in the river lots aforesaid. Provided that he or they who shall so chuse shall build on two thirds of their front, a house or houses of two stories high, and their lots may go backward to the next street.

For building on the other parts of the town. XVI. And further that all persons who have any lot or lots of land in the high street of Burlington, aforesaid, shall within one month next after publication hereof, give obligation to two commissioners, that he or they will begin to build a house on each lot of two stories high within eight months; after which (if not perform’d) then such lot or lots so neglected shall be free for any who have a lot or lots by former survey, in the said street, who may chuse and build on the same; provided he or they build houses of two stories high, and that all lots in the high street, shall go but half way to the next street; and that all persons who have had lot or lots formerly in the remainder of the town laid out into streets and lanes, shall give in sufficient obligation to the commissioners within one month, to begin to build within eight months after, and to carry on the same without fraud, which (if not perform’d) then all such lot or lots shall be free for any that shall have a right in the town to chuse and build thereon. Allways provided, that all persons that shall have power by the act aforesaid, to chuse any lot or lots of land in the said town of Burlington, shall give in sufficient security to two commissioners, that they will within two months begin to build, and carry on the same
without fraud or delay, and that any who shall chuse as aforesaid, shall pay for the improvements on the land he shall so chuse to the improver, it being to be valued by two freeholders of the neighbourhood.

XVII. And for the making a further purchase from the Indians for the better answering the necessities of, and providing for those who may yet be expected into this Province, and also for the better answering the immergences of this Province, **Be it therefore hereby enacted** by authority aforesaid, that a convenient tract of land shall (with what speed may) be purchased of the Indians in such place or places as the commissioners, or the major part of them, shall judge most convenient, that the same may be clear, and such part and parts thereof may be sold (not exceeding five thousand acres) for the paying the debts, and publick charges, and expences of the Province.

XVIII. **Be it further hereby enacted** by authority aforesaid, that no high sheriff within this Province, shall at any time or times hereafter, be chosen or elected to be of the General Assembly within the time of his sheriffwick.

XIX. **Be it further hereby enacted** by the authority aforesaid, that all writs, attachments, warrants, executions and precepts relating to the courts (excepting only such warrants as there is a power formerly given to the justices to make out) shall proceed and be derived from the Governor of the said Province for the time being; and that every account that shall be brought to be prosecuted against any person or persons, shall be first entered in the records of the said court, saving only in cases of immerseny, where there shall be necessary occasion for the expediting of an arrest, and in every such case the sheriff shall enter such action with what expedition may be.

XX. **And it is concluded and hereby enacted** by authority aforesaid, that Mahlon Stacy, William Emley, Thomas Budd, and Thomas Ollive, shall be and are hereby fully autho-
rz'd and empowered to make a new purchase of lands from the Indians, and also have full power and lawful authority, to sell, alyen and confirm such parcel or parcels of the same lands for discharge of publick debts, as they or the major part of them shall think fit, not exceeding five thousand acres; and for such price and prices, as to the best of their judgements they may or can. Provided always, and it is hereby granted and reserved, that the said Mahlon Stacy, William Emley, Thomas Budd, and Thomas Ollive, shall each and every of them have five shillings by the day allowed to be paid and discounted out of such money's by them the said Malon Stacy, William Emley, Thomas Budd, and Thomas Ollive, to be received in such bargains, and sales, before such money's be returned out of their own hands.

XXI. And for the better regulation of the affairs of this Province, in reference to the particulars hereafter following, it is resolved and hereby enacted by authority aforesaid, (viz.)

1. That the Governor, and Council (for ease and dispatch of the people) shall and may have the preparing of bills for laws, which shall be by them promulgated twenty days in the most noted place of the Province, before the meeting of the General Assembly.

2. That the Governor, Council and Assembly (freely and duly elected) met together, shall make the General Assembly.

3. And that the General Assembly shall have the affirmation and negative to all bills so prepared and proposed.

4. That the General Assembly shall meet together at the time prefixed in the common hall (for that purpose to be provided) where the aforesaid bills shall be openly read by the clerk of the General Assembly, and the intent thereof opened by the Governor, and to be decided by the yeas, or nays, to be given by the Assembly.
5. And that in case of the exceptions and amendments, the Governor, Council and Assembly shall settle them according to plurality of votes, in which the Governor shall have a double voice.

6. And that the bills so prepared, proposed and assented unto, shall be the laws of this Province.

7. And that the first day of session, all officers shall be chosen according to the Concessions.

8. And that the Assembly shall impeach, and the Governor and Council shall judge.

9. That the court of the Council (consisting of ten) shall be five, and the Governor and the Council of the General Assembly two thirds, of which two thirds shall determine.

10. And that during the intervals of the General Assembly, the Governor and Council, shall have the government of the State, according to the laws thereof, all which resolves passed the House, with a *Nemine Contradicente*.

XXII. Upon the verbel request of George Porter, to this General Assembly, that guardians may be chosen to take care of his estate, least he should waste, imbezzle; or make away the same, the Assembly nominate and appoint Mahlon Stacy, William Emley, and Percifall Towle, for that purpose (who upon the said George Porters chusing them) declaring their assent and consent thereunto, whereupon they are by the Assembly admitted guardians, overseers, or feofees for the said George Porter, without whom, or two of them, he is not to sell or dispose of any of his land, or other personal estate.

XXIII. *And be it hereby enacted* by the authority aforesaid, that Thomas Budd, and Francis Collins, shall have each and either of them, one thousand acres of land, (parts of the land to be purchased of the Indians above the falls) in consideration and for the discharge of them for the building a market-house, and court house at Burlington.
XXIV. And it is hereby resolved, enacted and ordered by the authority aforesaid, that the several complaints and requests of Richard Guy, and William Biddle, are hereby referred to the hearing and determination of the Governor and Council.

Concerning the Clerk of the Assembly.

XXV. And it is hereby enacted by authority aforesaid, that the clerk of the Assembly shall have ten shillings by the day, for each and every day during the session of the Assembly; and further that the clerk shall write out copies of the acts and laws of the General Assembly for each particular tenth, for which he shall be paid six-pence the side or page; and also that the clerk shall be paid for the commissions he shall write, which is to be charged on the public account.

The resolves of the freeholders of this Province in Free Assembly met the 14th day of the third month, 1683, at an open and free conference in reference to the several queries following, (viz.)

1. Querie. Whether the purchase at first made, was of land and government together or not?

Resolve. To which querie, It is the resolve of Assembly, (together with the Governor) with a (Nemine Contradicente) that the land and government of West New Jersey, were purchased together.

2. Querie. Whether there is not a clause or covenant in the original deeds, in the purchase aforesaid, that the seller shall (within seven years after the date thereof) make further sufficient assurance of the aforesaid premises sold to the purchasers or not?

Resolve. To which query, all and every the members of the General Assembly, who have original deeds, or have seen, or heard the same read, (being the major part of the Assembly) do testify and declare it to be their judgment, that the seller is bound to give further assurance of the premises within the time aforesaid, by contract and covenant.
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3. Querie. Whether Edward Byllynge, and his trustees are still obliged in the judgment of the General Assembly, to make good the former contract and covenant of the land and government to the purchasers, or not?

Resolve. The General Assembly resolve and agree wholly, (with a nemine contradicente) that they are still obliged to the making good their contract and covenant in the said premises.

4. Querie. Whether the Concessions agreed upon by the Proprietors and people, and subscribed in London, and West Jersey, were agreed upon to be the fundamentals and ground of the government of West New Jersey or not?

Resolve. The Assembly pass it general as their resolve in the affirmative, (with a nemine contradicente) only John Fenwick, excepted his tenth, which he said then at that time was not under the same circumstances, but now freely consenteth thereunto.

5. Querie. Whether the General Assembly of this Province, freely chosen, will stand to and by those Concessions (so far as they are not contradicting or repugnant to the fundamental laws of England) and the powers of the patent, reserving to the General Assembly of the said Province, liberty and privilidge to make such variations as from time to time, to them shall seem meet for the publick good or not?

Resolve. The Assembly passed it in general as their resolve in the affirmative, with a nemine contradicente.

6. Querie. Whether an instrument shall be drawn up, and sent by order of this Assembly, to some trusty friends in London, for Edward Billingse, to sign and seal, whereby to confirm his first bargain and sale he made to the freeholders of this Province, of land and government together, with a letter of instruction to those friends to transact the said affair or not?

Resolve. The Assembly pass it in general as their resolve in the affirmative (with nemine contradicente.)
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Whereupon these persons following are nominated and elected to write a letter to friends in London in order to the last resolve, viz.

Thomas Ollive,  Daniel Wills,
William Emley,   Thomas Budd,
John Gosling,    Richard Guy,
James Nevil,     Francis Collins,
Mahlon Stacy,    Thomas Lambert,
William Biddle,  Mark Newbie,
Henry Stacy,     William Peachee,

And the friends nominated and agreed upon, to whom the said letters should be written and sent (viz.)

George Whitehead, William Crouch,
Alexander Parker, George Fox,
Stephen Crisp,    William Shein,
Williams Gibson,  Charles Bathurst,

7. Querie. Whether the Assembly, upon Edward Byllings confirmation of the land and government, according to his first bargain and deed of sale, are willing to testify and manifest, their gratifications for the same, according as their present capacity and ability will permit. And if the said Edward Byllinge, shall come into West Jersey himself, whether the freeholders of the said Province are willing to testify their free and unanimous acceptance and acknowledgements, of his care and diligence in the premisses?

Resolve, To which the Assembly gave their free and general assent and resolve (with a *nemine contradicente*) that they are and shall be willing to testify and acknowledge the same.

8. Querie. Whether this expedient proposed by Governor Penn, be satisfactory, to wit, that if the people chuse Samuel Jennings, Governor, and if he promise to execute the place with fidelity and diligence according to the laws, Concessions, and constitutions of this Province to the best of his skill, it be security sufficient to the people or not?
Laws passed in West Jersey.

Resolve. To which query the Assembly pass’d their resolve in the affirmative (with a nemine contradicente) save only one member was dubious therein.

XXVI. And forasmuch as the end of all government is the good of the governed; and that in the constitutions of this colony of West New Jersey, there are some expressions and passages too strict, and which by experience are found not so practicable nor profitable; we the freeholders therein in Free Assembly met, do hereby grant and declare, that the General Assembly freely chosen by us may from time to time make such alterations of any the said constitutions for the publick good, as to them shall seem meet, so as the same alterations be made by six parts of seven of the said Assembly, (the law of liberty of conscience, the law of property, the law of yearly Assembly, the law of juries, and the law of evidence, excepted) and to the end that no advantage may be taken by any person of such judicial proceeding and allowances, as have not been exactly agreeably to the said Concessions for the reasons aforesaid, we do fully and freely confirm and ratify the same to all intents and purposes.

Samuel Jennings, is by the free election and vote of the Assembly chosen Governor of this Province.

XXVII. And in consideration of the great trouble and necessary charges the Governor hath been (and yet is likely to be) put to in the said capacity; the resolve of the Assembly is, and (with a nemine contradicente) they hereby give to the said Samuel Jenings, Governor, and to his heirs and assigns forever, six hundred acres of land, to be had and taken up above the falls (after the purchase thereof shall be made from the Indians) where he shall be minded to take up the same; and that three years next after the time that he shall take up the same, is also hereby granted for the settling the same.

The engagement and promise of Samuel Jenings to the General Assembly, &c. upon his election as Governor of this Province, as followeth, (viz.)
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I Samuel Jennings, being elected Governor of the Province of West Jersey, by the General Free Assembly thereof sitting at Burlington, the 11th day of the third month, in the year 1683, do freely and faithfully promise, (according to the best of my ability) to act in that capacity, according to the laws, concessions and constitutions, as they are now established in the said Province.

Samuel Jennings, Governor.

The engagement and promise of the Council elected and chosen by the General Free Assembly, as followeth (viz.)

We underwritten being elected and chosen by the General Free Assembly, members of Council, to advise and assist the Governor in the managing the affairs of the government, do solemnly promise every one for himself, that we will give our diligent attendance from time to time, and him advise and assist, to the best of our skill and knowledge, according to the laws, concessions, and constitutions of this Province: And do further promise, not to reveal or disclose any secret of Council, or any business therein transacted, to the prejudice of the publick. Witness our hands 15th day of the 3d month, Anno 1683.

Thomas Budd, Thomas Gardner,
John Skeen, Henry Stacy,
John Gosling, James Nevill,
Mark Newbie, Elias Farre,
William Biddle,

Thomas Ollive, instead of Mark Newbie, dead.

Francis Collins, instead of John Skeen, divested of his office.

The engagement and promise of the commissioners justices, and other the officers of this Province, elected by the General Free Assembly, for the year ensuing, (viz.)

We whose names are hereunder written, being by the General Free Assembly chosen and elected to officiate in our several and respective trusts, commis-
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sions, and offices for the year ensuing, do hereby solemnly promise, that we will truly and faithfully discharge our respective trusts according to the laws, concessions and constitutions of the said Province, in our respective offices and duties, and do equal justice and right to all men, according to our best skill and judgment, without corruption, favour or affection. Witness our hands this fifteenth of the third month, 1683.

Justices.
Thomas Ollive, Edward Wade,
Richard Guy, Andrew Thomson,

Commissioners.
James Nevill, William Biddle,
Francis Collins, John Gosling,
Thomas Budd, John Skeen,
Thomas Gardner, Mahlon Stacy,
Mark Newbie, Thomas Ollive,

Thomas Revell, Recorder.
Benjamin Wheat, Sheriff.
Daniel Leeds, Surveyor.

Constables.
Bernard Devonish, Thomas Barton,
James Wills,

First Tenth.
Seth Smith, his mark. James Pharoe, his mark.

The times concluded upon for the electing the respective representatives of the Province, as best suitting the present state of each tenth, viz.
The first tenth, to elect on the 10th of the second month.
The second tenth, on the 14th of the same month.
The third tenth, on the 20th of the same month.
Salem tenth, on the 10th of the same month.

And the Assembly to meet to sit down the 12th of the 3d month yearly. The Assembly adjourn unto the third of the 9th month next.

The acts and laws aforesaid were assented unto the 15th day of the third month, 1683, by the Governor, and written out by the authority aforesaid.

By Thomas Revell, Clerk to the General Assembly.
The Acts and Laws of the General Assembly last mentioned, at their Session at Burlington,

(According to their Convention by the Governor and Council) beginning the 5th Day of the 11th Month 1683, and ending the 8th Day of the same month. The Members whereof being particularly mentioned before at their first appearing and Session.

The Governor to be Chairman. I T is resolved and unanimously agreed upon by this Assembly, that the Governor, be chairman, or speaker, and that he sit as one with the Assembly, together with the Council, and the chairman to have two votes, or a double vote.

When a Member Dies to choose another. II. B E IT ENACTED by the General Free Assembly of this Province, and by the authority of the Governor thereof, with the advice of his Council, that when any member or members of the Assembly, shall depart this life before the dissolution or determination of that Assembly, then the Governor (with the advice of his Council) shall and may issue forth his warrant or warrants, for that or those tenths where such member or members shall be wanting, for the choice of another, or others instead of such so dying.

II. And whereas it hath pleased God to commit this country and Province, into the hands of such who (for the generality of them) are fearing God, and
painful and industrious, in the promoting and improving the said Province; and for the better preventing of such as are prophan, loose, and idle, and scandalous from settling amongst us, who are, and will be not only unseviceable, but greatly burdensome to the Province, It is therefore hereby enacted by the authority aforesaid, that all persons and persons, who shall transport him, or themselves, into this Province, shall within eighteen months after he or they shall arrive in the said Province, procure and produce a certificate under the hands of such of that religious society to whom he or they did belong, or otherwise from two magistrates (if procurable) or two constables or overseers of the poor, with three or more creditable persons of the neighbourhood, who inhabit or belong to the place where he or they did last reside, as may give satisfaction (that is to say) that he or they came not clandestinely away, and (if unmarried) that he or she are clear from former engagements, in that particular, and also that he or she, are such as live soberly and honestly to the best of their knowledge. And that no justice shall presume to marry any such person or persons, who shall come into this Province before such certificate be procured, or that it be laid before the Governor, and two justices, and give them sufficient satisfaction concerning their clearness. And that all such person and persons, who shall settle in the said Province, and shall refuse or neglect to procure such certificate, as aforesaid, within the said eighteen months, shall be fined at the discretion of the Governor and Council of the said Province, not exceeding twenty pounds; the same to be levied by distress and sale of the offenders goods, and to be paid into the hands of the treasurers of the said Province.

III. And for preventing the spoiling the breed of horses, Be it enacted by the authority aforesaid, that no person or persons, within this Province, shall from and after the 20th day of the third month next, keep and suffer a stone horse, being three years old, and under fourteen hands high, (four inches to the hand) to range in the woods, under the penalty and forfeiture of five pounds, for each and every
such stone-horse that shall so range in the woods, three
months after warning and notice thereof given: And in
case of neglect or refusal of the payment of the said fine, to
be levied by distress and sale of the offenders goods, and to
be paid, the one half thereof to the informer, and the other
half into the hands of the treasurers, of the said Province.

IV. For preventing firing the woods to the
prejudice of the inhabitants of this Province;

Be it enacted by the authority aforesaid, that
no person or persons hence forward shall fire the woods be-
fore the 20th of the 12th month, (except such as shall fire
within their own bounds, for their own conveniency, who are
also to take care, that the fire run not out of their own
limits, nor prejudice any other person) under the penalty of
paying the damage that shall be done thereby; and also of
being fined by the Governor and Council, not exceeding
forty shillings for every such offence.

V. And for preventing persons fraudulently
leaving the Province, and the unequal and
fraudulent seizing upon the goods and estate of
persons absconding themselves, or leaving the
Province, by one or more of the creditors; Be it hereby
enacted by the authority aforesaid, that all and every master,
and masters, of vessels shall give five hundred pounds bond
to the Governor of this Province, that he, or they shall not,
or will not, take into his or their vessel, to transport or carry
away, any servant or servants, or any other person or persons
forth of this Province without a certificate under the hands
and seals of two or more of the magistrates of the said Pro-
vince, that the name of such person or persons have been put
up in three publick places of the said Province, (viz) at Salem,
at Burlington, and at the falls, for the space of three weeks,
giving notice of his or their intention to transport themselves.
And further that if any person or persons shall abscond
him or themselves, or leave the Province, being indebted,
and having goods, or estate in the said Province, no creditor
or creditors, shall have attachment granted against
such goods or estate, until notice shall have been thirty days publicly given for the rest of the creditors to come in, that so such goods and estate may be equally proportioned amongst such and so many of the creditors as shall within the time aforesaid, come in and prove the justness of his and their debt, before three or more of the magistrates of the said Province, who in the mean time, upon just ground and suspicion of the parties absconding, and complaint of any of the creditors, shall be and are hereby impowered to secure such goods and estate within the said Province for the use and intent aforesaid; and that such goods and estate at the next court after the same shall be secured, and the time before limited shall be expired, shall be then called forfeit to the creditors, and the same appraised and disposed of as aforesaid; and the overplus (if any be) to be returned to the owner thereof.

VI. And for the preventing servants running away from their masters, and other vagabonds, Be it hereby enacted by the authority aforesaid, that all magistrates, officers, ordinary keepers, and other the inhabitants within this Province, take special notice of all suspicious travellers, and require their pass or certificates, under the hand and seal of the magistrate or magistrates, or publick notary of the place of their last abode, to satisfy of the clearness of his, her, or their coming away, and for want of such pass or certificate, to secure such person or persons into the custody of the next constable; which person and persons so to be secured, or their masters; shall pay such charge and trouble as the person or persons shall be put to, in the securing them as aforesaid, before they shall be discharged, at the discretion of two or more of the magistrates of the said Province.

VII. And for the preventing of those heathenish practices and words, which are unbecoming people professing to know God, and which are dishonourable to his name, and tend to the stirring up of quarrels, and the breaking of the peace; Be it therefore enacted by the authority aforesaid, that if any person shall from and after the nine and twen-
tieth day of this instant, 7th month, be convict of cursing or using any other brutish, abusive, or reviling speech or speeches, either in the hearing of a magistrate, or by the testimony of one or more creditable person or persons, that all and every such person and persons shall forfeit and pay for every such offence, according to the discretion of the magistrate or magistrates, to, or before whom such offence shall appear, not exceeding two shillings, and upon refusal, or neglect of payment thereof, to be taken into custody, till he or they shall pay the same, and the charge that shall accrue upon his or their refusal, on neglect of payment thereof.

VIII. And whereas by experience we have found the inconveniency of nominating the persons who are to stand in choice for members of the General Assembly, there being so many who claim a right in the nominating of them, makes great confusion, it being impossible each such nomination should stand, *Be it therefore enacted* by the authority aforesaid, that the respective freeholders within each tenth, when they come together at the time appointed, may every one write the name of such person as he votes for, on a small piece of paper, and he that hath the most votes, thereby to stand.

IX. And it being taken into consideration concerning the good providence of God, in preserving those that have come and settled in this Province, by which this hath been improved to the great benefit and advantage of the Proprietors thereof; and forasmuch as many that came into this Province to settle, having a right to lands in the same, and many discouragements having happen'd to the endangering the ruining many families for want of their land, or part of it, to settle and improve the same, through the necessity of which there hath been concluded on, made and signed by the Governor, Samuel Jenings, with Edward Billings, and the rest of the Proprietors, an instrument empowering ten commissioners with the Governor to set out land to those that had right to the same, &c. that the said Province might not be left void of inhabitants, as it was likely to be for want of land being set out to those who hazarded their lives, and had brought their families over to settle, to their great charge, and in
pursuance of the same, several tracts of land having been set out and improved; *It is therefore hereby enacted* by authority aforesaid, that all person and persons, who shall bring in their deeds, writings, or evidences to the Governor and commissioners, and shall before them, clear their right to what land they have so taken up, and hold by virtue thereof, shall be and hereby is and are confirm’d to them, their heirs and assigns forever, provided they continue the improvements of the same settlements, according to the rules, methods, and laws in the case made and provided.

X. *And be it further enacted* by the authority aforesaid, that no person or persons, shall presume to buy any tract or tracts of lands, of, or from the Indians within this Province, without special order and authority to him and them given by the Governor and commissioners, or the major part of them for the time being; and if any person or persons shall notwithstanding, presume to buy or take any title from the Indians, of, and for any land within the said Province, such said title, and titles, shall be and is hereby declared null and void, to all intents and purposes: And such person and persons who shall buy, procure or accept thereof without such authority aforesaid, shall be deemed, and is and are hereby declared to be enemies to and contemners of the authorities of the Province, and the government thereof, and shall be fined for the same at the discretion of the Governor and commissioners, or the major part of them, not exceeding five shillings for each and every acre of land, he or they shall so purchase as aforesaid; and upon neglect or refusal of payment thereof, to be levied upon any of the offenders goods, chattles, or estate; and to be paid to the treasurers of this Province, for the use thereof.

XI. *And be it further enacted* by the authority aforesaid, that, a registry shall be kept within this Province, of all persons that are or shall come into the same Province, to settle or continue therein, of the time they came, or shall come in, of the place from whence they came, with the
name of the ship or vessel they came in, and master thereof, the place of their last abode, of their age, and (if parents) the number, names, and age of their children, with the place or places where they were born; (if masters) the number and names of their servants, with the time of their service, by contract or otherwise and their wages, and covenants; for which the register shall receive and take six-pence per head: In pursuance whereof, each and every master, or head of every family, and all other single persons within this Province is, and are hereby required to bring in their names, with the names of all such they shall be then concerned for as aforesaid, to the register or his deputy, within six months next, to some convenient place within the liberties or jurisdiction of that court they recide in, to be appointed by the register, under the penalty and forfeiture of five shillings per head, for each person, that is and are to be brought and given in as aforesaid; the same to be levied by the register upon the good and chattles of him, or her who shall be concerned to bring in the same as aforesaid, and shall refuse, or neglect to do the same.

William Welch, chosen register for the premises aforesaid.

XII. And be it further enacted by authority aforesaid, that the piece of land, set forth in Burlington, for and on the behalf of Edward Billinge as a gratuity to him, containing four acres, for the building a house for him to live in, and for a conveniency thereunto, is hereby given to him the said Edward Billinge, his heirs and assigns forever, and the owner and owners thereof to be paid for the same out of the publick stock.

XIII. And be it enacted by the authority aforesaid, and hereby resolved, that the Proprietary, &c. of the Province of Pennsylvania, be treated with in reference to the rights and priviledges of this Province, to or in the river Delaware.

XIV. And further that (with the Governor, and such and so many of his Council, as he shall think
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fit) the Assembly nominate and hereby appoint William Welch, Samuel Wills, and William Peachee, to treat in the aforementioned premises.

Thomas Ollive, chosen of the Governor's Council instead of Mark Newbie, deceased.

William Welch, chosen of the Governor's Council instead of Henry Stacy, to act and officiate therein, after the said Henry shall remove forth of the Province. Thomas Thackery, chosen commissioner instead of Mark Newbie, deceased. Francis Collins, chosen of the Governor's Council instead of John Skeen.

The Assembly adjourn unto the third of the ninth month, next.

The acts and laws of this session aforesaid, were assented unto the eighth day of the seventh month, 1683, by the Governor, and written out by authority aforesaid.

By Thomas Revell, Clerk to the General Assembly.

31
At the General Assembly according to their adjournment to appear at Burlington, the third of the ninth Month 1683, and by adjournment, continued to the eighth Day of the same Month.

The members whereof being as aforesaid, only those were newly elected, (viz.)

John Hollingshead, and Richard Basnet, instead of John Skeene, and John Chaffin.


I. BE IT ENACTED by the General Free Assembly of this Province, and by the authority of the Governor thereof, with the advice of his Council, that persons interested in the said Province, may come in to the Assembly at the first meeting and opening of the same Assembly; provided they stay not to impede the business of the same Assembly.

II. And further be it enacted by the authority aforesaid, that all persons who from and after the five and twentieth day of the first month next, shall keep hogs, or swine, within this Province to the injury of their neighbours marsh or meadow, shall pay the damage that shall be done thereby, to be valued at the discretion of two or more of the neighbours indifferently to be chosen between the parties.

III. And forasmuch as several reports and complaints
of late have been made of a suspicion of new money being coined, stamped, or counterfeited, of the Spanish and New England coin, or of its being spread within this Province, to the injury and abuse thereof and of the neighbour Provinces; Be it hereby enacted by the authority aforesaid, that strict and diligent enquiry be made for the finding out such person or persons who have been guilty thereof, and to apprehend such offender and offenders, and that a grand inquest shall be thereupon impanelled for the searching into the same, that so such person and persons as shall be found guilty thereof, may receive such punishment, as by the court shall be adjudged.

IV. And further be it enacted and resolved by the authority aforesaid, that the engagement for acknowledgement, and owning of the government, Governor, and officers thereof, shall stand as the same is drawn, and be subscribed according to the common way of the magistrates and officers subscription or engaging, by the Assembly, Proprietors, and freeholders of the said Province.

V. Be it hereby further enacted by the authority aforesaid, that an instrument, containing the state of the case of the Proprietors of this Province, with Edward Billinge, in relation to the peoples legal and equitable right to the government of the Province, shall be drawn up and sent to friends in London, (adding Henry Stacy, and James Martin, to the friends formerly sent to) to treat with Edward Billinge; as also that a particular letter of the same to Edward Billinge, shall be also sent therewith.

The persons hereby appointed with all possible speed to draw up the instrument, and letter aforesaid, are

SAMUEL JENINGS, Governor.

Thomas Ollive, Thomas Budd,
John Gosling, Daniel Wills,
William Biddle, George Hutchinson,
Mahlon Stacy, Robert Stacy,
William Emley, or any six of them.
And that as many hands may be got to the same premises as conveniently may be had.

VI. And be it enacted by the authority aforesaid, that a proclamation be issued forth and published, warning all persons within this Province for the future, to forbear any words or actions, tending to the breach of the peace of our Lord the King, and the subverting, undermining, or abusing the government of this Province.

Persons who have so done how they are to be dealt with.

VII. And be it further enacted by the authority aforesaid, that whereas several persons have been examined before the Assembly, concerning words and actions tending to the subversion, undermining, and abusive of the government, magistrates, and officers of this Province, which (upon serious consideration) is judged dangerous and insufferable. The same persons shall be first dealt with all by way of a Christian conference concerning the same premises in order to bring them to, and lay them under a sense of the evil thereof, which (if that effect not) they are left to the Governor and Council, to deal with them according to law.

For a Thousand Acres for Thomas Mathews.

VIII. And in answer to the proposal of Thomas Mathews, for a thousand acres of land for a saw-mill, upon the forks of Rancokus, in exchange for so much land elsewhere, Be it enacted and resolved by the authority aforesaid, that the consideration of the premises be laid before the Governor, and six of the commissioners, and if they shall see good, and judge it will be for the benefit of this Province; that then the said Thomas Mathews, by their appointment, may either purchase the said one thousand acres, or exchange other lands for the same; And it is hereby enacted and resolved, that then the building and maintaining the same shall be esteemed as a settlement thereof.

The acts and laws of the session last aforesaid, were assented unto the 8th of the 9th month 1683, by the Governor, and written out by the authority aforesaid.

By Thomas Revell, Clerk to the General Assembly.
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At the General Assembly at their Session at Burlington, for the Province of West Jersey,

Convened to appear the nine and Twentieth Day of the first Month called March, 1684, and ending the fifth Day of the second Month then next following.

The members whereof being as aforesaid, only elected,

Robert Dinsdale, instead of John Gosling.

And also Robert Dinsdale, chosen commissioner instead of John Gosling, and also one of the Council.

Robert Stacy, chosen one of the Council, instead of Thomas Budd, and also commissioner for the lower tenths.

I. BE IT HEREBY ENACTED and resolved by the Proprietors and freeholders within the Province of West Jersey in Free Assembly met, that the matter relating their demand and vindication of their right to the Government, against Edward Billing's pretence to the same, shall be proceeded in; and first that a demand to Edward Billing for his confirmation of what he hath sold, shall first be made. In pursuance whereof the Assembly unanimously nominate, elect and chuse Governor Samuel Jenings, and Thomas Budd, to negotiate the said affair in England, and commissionate and impower them for the transacting the same.

The particular orders, instructions, and methods by
the said commissaries to be observed in the same affair are elsewhere specified.

Governor Jennings to have 100l. in consideration of his undertaking.

II. And be it enacted by the authority aforesaid, that Governor Samuel Jennings, shall have one hundred pounds sterling money of old England, as a gratuity for and in consideration of his loss of time and absence from his own affairs in this Province, in his going for England, to transact and carry on the publick concern of this Province in relation to the Government thereof.

For 100l. more certain for necessary charges, &c. And further that one hundred pounds more, sterling money of old England, shall be provided certain in England for the payment of the charges and necessary expences to be disbursed by the commissioners and agents, in and about the seeking for and obtaining the confirmation of the power of the Government of this Province; and that the said commissioners shall have letters of credit, for the receiving what money more they shall or may have need of in England, for the carrying on the premises.

The Assembly to stand security for the Money to be procured for the Province. III. And be it further hereby enacted and resolved by the authority aforesaid, that the General Assembly of this Province, shall stand security, on the behalf of the Province, for the payment of the two hundred pounds sterling money of old England, or more (if it shall be wanted) to be procured by bills, or letters of credit, or such other way as the said commissioners can, or shall procure it, for the manageing and carrying on the affairs of the publick in the above mention'd premisses.

Governor Samuel Jennings, Thomas Budd, and Thomas Ollive, are become bound for one hundred pounds sterling on the publick account.

And those persons under written have by their several bills bound themselves, for each of them ten pounds sterling money of England, to Governor Penn, being in the whole one hundred pounds, with interest on the publick account, (viz.)
IV. Be it also hereby enacted by authority aforesaid, that three thousand acres of land (more than what is formerly ordered to be sold) above the falls (when purchased) shall be, and is hereby secured for the discharge of the two hundred pounds, lent to the publick; that is to say, one thousand five hundred acres thereof to Samuel Jennings, Thomas Budd, and Thomas Ollive, their heirs and assigns, for the one hundred pounds, lent or secured by them; and one thousand five hundred acres the remainder thereof to the aforesaid ten persons, that is to say, to George Hutchinson, Mahlon Stacy, Percifall Towl, William Cooper, Robert Dinsdale, Thomas Lambert, Richard Bassnet, Richard Guy, Elias Farre, and Thomas Revell, and their respective heirs and assigns, to each of them one hundred and fifty acres thereof, for their ten pounds a peice, with interest lent to the use aforesaid. And the commissioners appointed for selling land above the falls, (when purchased) are also hereby authorized to sell the same three thousand acres of land for the payment of the said sums respectively with the interest, if the same sums and interest shall not be paid within two years next coming after the fifth day of this instant, second month, then the same land shall become forfeit and particularly sold to the said persons, their heirs and assigns for ever, for their respective discharge and satisfaction: and the commissioners (who are to sell the same) shall stand seized of the said three thousand acres in trust for the said persons respectively, for the selling and conveying the same as aforesaid, and in case the aforesaid two hundred pounds lent as aforesaid, shall not be paid and satisfied by land as aforesaid, then that the same shall be paid particularly by sale of other lands in the Province, so soon as the same may be raised.

V. And be it hereby enacted by authority aforesaid, that all such person and per-
Laws passed in West Jersey.

For Persons travelling without a Certificate, sons, who from and after the 20th of the second month instant, shall be found travelling within this Province without a certificate, under the hand and seal of a magistrate, or magistrates of this, or the neighbouring Provinces, and may be reasonably suspected to be such as are not going about their lawful and honest occasions, such person and persons, shall and may be seized upon, secured and taken before the next justice of the peace to be examined, and dealt with according to law: And in pursuance thereof all sheriffs, constables and other officers within this Province, and all inn-keepers, ordinary's, and publick houses, and all other person and persons within this said Province, are hereby authorized and empowered to take diligent notice of all such persons so travelling without a certificate, and where they shall find such in the said Province, to seize and secure them until they shall be examined as aforesaid; and he or they who shall take up any such person or persons who shall be found faulty, he or they so taking them up shall be reasonably rewarded; and if the parties so taken up be servants, their masters to pay it, and if free men, then they are to be made work to discharge the same. And if any person or persons within the said Province shall be found conniving at such suspicious persons, or any ways harbouring or corresponding with them, upon due proof thereof made, such person and persons, shall be punished according to the nature of the offence.

Warrants and Hue and Cryes made by the Magistrates of Pennsylvania, to be of equal Force as if made by our own Magistrates.

VI. And for the more speedy prosecuting offenders, and for the greater concord and union of the two Provinces of West Jersey, and Pennsylvania; Be it hereby enacted by the authority aforesaid, that all warrants, and hue and crys of the magistrates within the Province of Pennsylvania, against all offenders, especially felons, run-away servants, and such as commit henious misdemeanors, to the affront of authority, shall from henceforth be of equal force and authority within this Province, and shall be as duly observed and obeyed by all person and persons therein, in order to the premises aforesaid, as if the same warrants were made, signed and sealed by one or more of the magistrates within the said Province of West Jersey.
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Thomas Ollive, nominated by the Governor, as Deputy Governor, until the next General Assembly, and George Hutchinson, chosen Treasurer instead of Thomas Budd, and George Hutchinson, and Thomas Gardner, chosen commissioners for selling land, in the six lower tenths, instead of Samuel Jenings, and Thomas Budd.

And George Hutchinson, also chosen commissioners for the buying and for the selling land in the first tenth, instead of Thomas Budd.

All which acts and laws, and resolves are assented unto by the Governor, the 5th day of the second month, 1684, and written out by the authority aforesaid.

By Thomas Revell, Clerk to the General Assembly.

Province of West New Jersey, 1684.

The Acts and Laws of the General Assembly, at their Sessions at Burlington, for the Province aforesaid from the 20th Day of the third Month called May, 1684, and ending the 14th Day of the same Month, and confirmed by the Governor thereof.

The members of the same Assembly, returned by the respective sheriffs.

First Tenth.
George Hutchinson, Richard Guy,
Robert Stacy, Percifall,
William Biddle, Mahlon Stacy,
Francis Davenport, William Emley,
Elias Farre, Godfrey Hancock,
Second Tenth.
Robert Dinsdale,  William Peachee,
Thomas Ollive,  Benjamin Scott,
Thomas Gardner,  Isaac Marriott,
John Gosling,  John Boarton,
Daniel Wills,  Richard Bassnett,

Third Tenth.
William Cooper,  Henry Wood,
Robert Turner,  Marcus Lawrence,
Francis Collins,  William Bates,
Henry Tradway,

Salem Tenth.
William Brathwayte,  John Pledger,
John Smith,  Thomas Smith,
Christopher White,  Roger Milton,
Roger Carary,  George Haselwood,
Christopher Saunders,  Francis Forest,

Members not appearing.
George Hutchinson,  Henry Wood,
John Gosling,  Roger Carary,
Benjamin Scott,  Thomas Smith,

Thomas Ollive, by the unanimous vote of the Assembly,
chosen chairman, or speaker.

We the General Assembly having seriously weighed
necessity of government, for the keeping the peace,
and the preserving of property; do unanimously judge, that
the best present expedient for the performing and maintain-
ing the same, is to continue it upon the same foot and bot-
tom, and in the same method as formerly, until matters
shall becontroverted and determined in England, or the
King’s pleasure be further known therein.

THOMAS OLLIVE, chosen Governor.
The Council chosen are,
Robert Stacy,  Robert Dinsdale,
William Biddle,  John Gosling,
Laws passed in West Jersey.

Elias Farre, Daniel Wills,
Richard Guy, Robert Turner,
William Emley, Christopher White,
Who are also justices, ex officio.

Justices elected.

First Tenth.
Robert Stacy, Francis Davenport,
Elias Farre, Thomas Lambert,

Second Tenth.
Robert Dinsdale, Thomas Gardner,
John Gosling,

Third Tenth.
Francis Collins, Thomas Thackery,

Salem Tenth,
James Nevil, Andrew Thompson,
George Deacon, Edward Bradway,

Commissioners chosen,
Richard Guy, Daniel Wills,
William Biddle, Robert Turner,
William Peachee, Henry Wood,

And for the six lower Tenths.
Isaac Marriott, William Cooper,

Treasurers chosen.
Thomas Gardner, John Gosling,

And for Salem.
George Haselwood,

Commissioners for purchasing land of the Indians, and for selling such part thereof has formerly hath been appointed.

Mahlon Stacy, William Emley,
Thomas Ollive, is desired to assist, and Daniel Wills.
The Recorder for Burlington jurisdiction, and Clerk of the General Assembly.
Thomas Revel.
The Recorder of Salem, &c.
Samuel Hedge.
The Sheriff for Burlington jurisdiction.
Benjamin Wheat.
The Sheriff for Salem.
Thomas Woodroffe.
General Surveyor, Daniel Leeds,
Constables.
First Tenth.
John Lambert, Eleazer Fenton,
Robert Murfin,
Second Tenth.
William Evans, John Hollinshead,
Third Tenth.
Robert Zane,
For the Tenths below to Old Man's Creek.
Hance Hopman,
And for Burlington,
John Dewesbury, James Hill,

Resolved that the number of the quorum of this Assembly, shall be twenty and four, (the Governor, speaker, or chairman being one) who may proceed in the business of the House.

BE IT HEREBY ENACTED by the General Free Assembly of this Province, by the authority of the Governor thereof, with the advice of his Council, that needful and necessary highways within this Province shall be laid forth, within each and every respective tenths, or limits (as hitherto dispensed with) by the respective commissioners herein
after nominated and appointed, or the major part of them within their several limits.

The commissioners for laying out the same, are.

For the first Tenth.
Joshua Wright,  Godfrey Hancock,
Thomas Lambert,  Elias Farre,
Percifal Towle,  John Woolston,

For second Tenth.
John Boarton,  Thomas French,
Daniel Wills,  John Hollingshead,
William Peachee,  Anthony Elton,

For third Tenth.
Henry Wood,  Thomas Sharpe,
William Bates,  Francis Collins,

For Salem Tenth.
Andrew Thomson,  James Peirce,
George Deacon,  Edward Champney,
Thomas Smith,  Joseph White,

II. And be it hereby further enacted by the authority aforesaid, that from and after publication hereof, three farthings of the King's coin, shall be accounted, and go current for one penny within this Province, and so proportionably to greater sums; provided none shall be constrained to take more than five shillings thereof at one payment.

III. And be it hereby also enacted by the authority aforesaid, that each and every tenth within this Province, have power and are hereby authorized, to lay and levy such taxes within their own respective tenths, as the same for a time are dispensed with, as shall be necessary from time to time, for the making and repairing their respective bridges and highways, within each respective tenth.

IV. And forasmuch as several considerable sums of money of late have been borrowed for and upon the publick account, for the necessary maintaining the weigh-
A tax of 5s. per hundred Acres on Lands held so much certain, and 2s. 6d. per Hundred Acres on those who have undivided shares in the Province. And also for assessing Tradesmen, &c.

The sum of threescore pounds to be levied within the limits of Salem, and thence downwards, for their share and portion towards the defraying and discharging of the necessary expenses in and about the public concern of this Province; and the same to be laid, assessed and collected in such equal manner, upon the persons within the said limits, as by the assessors (by them to be chosen) shall be judg'd most equitable and reasonable.

Each Tenth to nominate and chuse 6 Assessors and 2 Collectors, &c.

V. And be it hereby further enacted by the authority aforesaid, that each and every of the tenths shall gather together, and chuse amongst themselves six honest and able men to be assessors, to assess each and every person assessable as aforesaid, within that respective tenth or circuit hereby limited according to the act aforesaid, and also to nominate and appoint two collectors or receivers, to receive the same within each and every tenth respectively, who are to pay in the same assessment
and tax unto John Gosling, and Thomas Gardner, the treasurers of the said Province, on or before the 29th day of the 7th month next: And further that all and every person and persons who shall refuse or neglect to pay into the collectors, his and their respective tax or assessment, to be laid as aforesaid, within the time appointed, that then it shall and may be lawful for the next magistrate within that respective limit to issue forth his warrant to the constable to gather or distraint for double the sum taxed upon him or them so refusing, or neglecting, and all such charges as shall be reasonable for the levying the same.

VI. And be it hereby enacted by the authority aforesaid, that a publick registry shall be kept within this Province, that is to say, one for the nine tenths, and one for Salem tenth, of all persons within this Province, that are, or shall come in, to settle therein (viz.) of the time they came in, or shall come in, the place from whence they came, the ship in which they came, the place of their abode or settlement here, their age, the number, names, and age of their children, and the place where they were born, the names of their servants, and time of their service; for which the register shall receive three shillings per head: In pursuance whereof, each and every master and mistress, or head of every family, and all other single persons within this Province, is and are hereby required to bring in their names, with the names of all such they are concerned for as aforesaid, to the respective registers within this Province, or his or their respective deputy; on his side or before the twenty-ninth day of the seventh month next ensuing, under the penalty of one shilling per head, for all such as shall refuse or neglect to do the same within the said time herein before limited.

And William Emley, is chosen register for the same within the nine tenths,—And Samuel Hedge, register for the Salem tenth.

VII. And be it hereby further enacted by the authority aforesaid, that the surveyor already or hereafter to be chosen, shall not deputize or appoint any person or persons under
him or them, to survey his or their own land; and that if any such deputations have, or shall be given, the same is and shall be null and void.

VIII. Be it hereby also enacted by the authority aforesaid, that the sum of forty pounds, shall be assessed, and levied, and raised in the aforesaid limits of Salem, for the discharge of publick debts there, and defraying other necessary charges, which is to be assessed, levied, and raised in manner as the before mentioned tax is to be raised, and paid in to George Hazelwood, the treasurer, at or before the nine and twentieth day of the 7th month next. And further Christopher White, John Pledger, and Edward Bradway, are hereby required to call such person and persons within the limits of Salem, to account for all such sum and sums of money, or other goods which they have had in their hands, upon the publick account; and also to require such persons (as upon account shall be found indebted, to the publick) to pay in the same of George Hazelwood, their treasurer, on this side, or before the nine and twentieth of the 7th month next.

IX. And upon application of several of the inhabitants within Salem limits, for the laying out of necessary highways there; Be it hereby enacted by the authority aforesaid, that necessary highways within Salem limits aforesaid, shall be laid forth, and the representatives for Salem having nominated, Andrew Thompson, George Deacon, Thomas Smith, James Peirce, Edward Champney, and George White, commissioners, or any four of them, for the laying out of all highways needful within the aforesaid limits, the whole Assembly thereupon have approved of, and hereby elect and chuse them, the said Andrew Thomson, George Deacon, Thomas Smith, James Peirce, Edward Champney, and Joseph White, for the performance of the same.

All which acts and laws were assented to by the Governor, the 14th day of the 3d month, 1684, and written out by authority aforesaid.

By Thomas Revell, Clerk to General Assembly.

Adjoined to the third of the ninth month next.
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At a General Assembly according to adjournment at Burlington, held the 3d Day of the 9th Month, 1684.

The members thereof then appearing.

Thomas Ollive, Governor and Speaker.

Robert Stacy,                John Boarton,
William Biddle,              Richard Bassnett,
Elias Farre,                 William Cooper,
Richard Guy,                 Robert Turner,
Mahlon Stacy,                Francis Collins,
William Emley,               Henry Wood,
Francis Davenport,           Marcus Lawrence,
Godfrey Hancock,             William Bates,
Percifall Towle,             Christopher White,
Robert Dinsdale,             John Pledger,
Thomas Gardner,              George Haselwood,
John Gosling,                Francis Forrest,
Daniel Wills,                Roger Milton,
William Peachee,             Thomas Smith,

I. Proposed whether to proceed further, in business as matters now stand, or to let things remain as they are: It is unanimously agreed and resolved that matters remain, without proceeding further at present.

The petition of Nicholas Demyre, by John Wilms his attorney, read, and his appeal to this Assembly entered, and the certificate of Samuel Hedge, defendant, read, and the 4th of the same month both complainant and defendant declare they are agreed concerning the land in contest.

The Assembly adjourn to the 11th of the 3d month, next, unless immigrant occasions require their coming together sooner, and then the time of such meeting to be appointed and published in reasonable time.
Province of West Jersey, 1685.

The Acts of the General Assembly at Burlington for the Province aforesaid, from the 12th Day of the 3d Month called May, 1685, and ending the 13th Day of the same Month and confirmed by the Governor thereof.

The members of the same General Assembly returned.

First Tenth.
Thomas Barton, John Pancost,
George Hutchinson, Mahlon Stacy,
Percifall Towl, John Horner,
Francis Davenport, William Biddle,
Robert Stacy, William Emly,
Mahlon Stacy, and William Emly, appeared not.

Second Tenth.
Thomas Ollive, William Peachee,
Robert Dinsdale, John Boarton,
John Gosling, William Evans,
Daniel Wills, James Budd,
Thomas Gardner, Richard Bassnett,
John Gosling, appears not.

Third Tenth.
Robert Turner, Richard Russell,
Thomas Sharp, Richard Arnold,
Samuel Cole, William Albertson,
Samuel Carpenter,
Robert Turner, and Samuel Carpenter, appear not.
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Fourth Tenth.

Peter Delboe, William Warner,

Salem Tenth.

John Mattocks, Hypoet Lesseaver,
Richard Johnston, Roger Milton,
William Penton, George Haselwood,
Joseph White, Richard Tindall,
Roger Carary, Samuel Bacon,
The six last mentioned appeared not.

Thomas Ollive, chosen to continue Governor, chairman, or speaker.

The Assembly upon the considerations mentioned in the last Assembly, agree and resolve, to continue things upon the same foot and bottom as formerly, until matters shall be controverted in England, or the King's pleasure be further known therein.

The Council chosen,

Robert Stacy, Daniel Wills,
William Biddle, Robert Turner,
William Emley, James Budd,
Robert Dinsdale, George Hutchinson,
John Gosling, Francis Davenport,

Who are also justices, ex officio.

Justices chosen.

First Tenth.

Robert Stacy, Francis Davenport,
Elias Farre, Thomas Lambert,

Second Tenth,

Robert Dinsdale, Thomas Gardner,
John Gosling, William Peachee,

Third Tenth.

Francis Collins, Thomas Thackery,

Fourth Tenth.

Andrew Robinson,
Salem Tenth,
George Deacon, Edward Bradway,
Andrew Thomson, Christopher White,

Commissioners chosen.

First Tenth.
Richard Guy, William Biddle,

Second Tenth.
William Peachee, Daniel Wills,

Third Tenth.
Robert Turner, Henry Wood,

Six lower Tenths.
Isaac Marriott, William Cooper,

Treasurers chosen, And for Salem.
Thomas Gardner, George Haselwood,
George Hutchinson,

Commissioners chosen for purchasing land of the Indians, and selling part thereof above the falls.

Mahlon Stacy, Daniel Wills, William Emley,
Governor Ollive is desired to assist them therein,

Recorder and Clerk to the Assembly.
Thomas Revel,

Sheriff for Burlington Jurisdiction.
Benjamin Wheat.

Clerk for Salem, Samuel Hedge,

And for Salem, Thomas Woodroffe,

General Surveyor, Daniel Leeds,

Constables.

First Tenth.
John Lambert, Eleazer Fenton, Robert Murfin,
Laws passed in West Jersey.

Second Tenth.
John Hollinshead, John Payne,

Third Tenth.
Robert Zane,

For the Tenth below to Old Man’s Creek.
Anthony Mealson,

For Burlington.
James Hill, Law Morris,

Commissioners for laying forth Highways, and repairing the same.

First Tenth.
Joshua Wright, Godfrey Hancock,
Thomas Lambert, Elias Farre,
Percifall Towl, John Woolston,

Second Tenth.
John Boarton, Thomas French,
Daniel Wills, John Hollinshead,
William Peachee, Anthony Elton,

Third Tenth.
William Bates, Francis Collins,
Thomas Sharp,

Salem Tenth.
Andrew Thompson, James Pierce,
George Deacon, Edward Champney,
Thomas Smith, Joseph White,

Registers for prosecuting acts made in pages 467, 468.

For the nine Tenth.
William Emley,

For Salem Tenth.
Samuel Hedge,

I. Resolved that the Governor with the advice of his Council, for the present emergency, shall and may issue forth such proclamations and

The Governor to issue forth Proclamations for preserving the Rights of Inhabitants, &c.
precepts for the preservation of the properties and privileges of the Proprietors, freeholders and inhabitants of this Province, as he and they shall see necessary, until such time as the General Assembly shall make further provision for the securing the said property and privilege.

Resolved, that the tax laid by the General Assembly thereof the 14th of the third month 1684, shall stand in force, and be collected and paid by the respective tenths to the receivers, by them appointed for receiving the same, that so it may be paid by the receivers to the treasurers, for the use and uses of the Province, in the way, method and manner as is before prescribed for that purpose.

These resolves of this Assembly are the 13th of the third month, 1685, assented to by the governor of this Province. Attested by Thomas Revel clerk to the General Assembly.

The General Assembly adjourned unto the third of the ninth month next, unless the Governor and Council shall see necessary occasion for calling them together sooner; and then the Assembly to appear upon their legal summons at the time and place as shall be appointed by the Governor and Council.

Province of West Jersey, 1685.
25th of the 9th month, 1685.

JOHN SKENE, Deputy Governor.

The names of the Representatives chosen within the respective tenths in the Province aforesaid, to meet and sit down at Burlington, in the said Province, the 25th day of the 9th month, Anno 1685, as the General Assembly of the same Province, according to the particular returns thereof, as followeth, viz.
<table>
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<tr>
<th>First Tenth.</th>
<th>Second Tenth.</th>
<th>Third Tenth.</th>
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<tr>
<td>Mahlon Stacy,</td>
<td>Thomas Ollive,</td>
<td>Robert Turner,</td>
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<tr>
<td>Thomas Lambert,</td>
<td>Samuel Jennings,</td>
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<td>William Emley,</td>
<td>Robert Dinsdale,</td>
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<td>William Biddle,</td>
<td>Thomas Budd,</td>
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<td>Francis Davenport,</td>
<td>Daniel Wills,</td>
<td>John Reading,</td>
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<td>Joshua Wright,</td>
<td>Thomas Gardner,</td>
<td>Robert Zane,</td>
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<td>George Hutchinson,</td>
<td>James Budd,</td>
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<td>Elias Farre,</td>
<td>John Boarton,</td>
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<td>Robert Stacy,</td>
<td>William Peachee,</td>
<td>John Key,</td>
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<td>Richard Guy,</td>
<td>William Budd,</td>
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<th>Fourth Tenth.</th>
<th>Salem Tenth.</th>
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<td>Andrew Robinson,</td>
<td>George Deacon,</td>
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<td>Israel Helme,</td>
<td>Edward Wade,</td>
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<td>Woolly Dalboe,</td>
<td>James Nevil,</td>
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<td>Anthony Nealsen,</td>
<td>Joseph White,</td>
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<td>Benjamin Bramma,</td>
<td>Edward Bradway,</td>
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<td>Richard Lawrence,</td>
<td>Samuel Hedge,</td>
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<td>John Wood,</td>
<td>John Worledge,</td>
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<td>William Warner,</td>
<td>Samuel Carpenter,</td>
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<td>Henry Tradway,</td>
<td>Mark Reeve,</td>
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<tr>
<td>Thomas Matthews,</td>
<td>William Brathwayte,</td>
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The Assembly (reserving their just right and privileges) subject to the commission of Edward Bylling, to John Skeene, as Deputy Governor.

THOMAS OLLIVE, chosen Chairman.

In regard the season is very sharp, and several of the members are at a considerable distance from their habitations; it therefore seems to be of dangerous consequence to detain them at this juncture: And in regard the matters now before the House are of great weight; the Assembly judge it the safest way to appoint a committee, that may take time for the inspecting the new charter, and bills prepared, and duly weigh the matters and things therein contained, and make report of their sense thereof at the next meeting of this House, that then the House may give their reslutment thereof, and in the mean while, the House to elect and chuse such officers as will be necessary for the assisting the Governor, in the keeping the peace of our Lord the
Laws passed in West Jersey.

King, and the good government of the subjects within this Province, and then to adjourn unto a fit and seasonable time, as to the House shall be thought most expedient.

Justices chosen,

First Tenth, Second Tenth, Third Tenth.
George Hutchinson, James Budd, Thomas Thackery,
Mahlon Stacy, Robert Dinsdale, Francis Collins,
Francis Davenport, Thomas Ollive,
Elias Farre,

Fourth Tenth. Salem Tenth.
Andrew Robinson, George Deacon,
Richard Lawrence, Andrew Thomson,

Justice for Cape May. Constable,
Caleb Carman, Jonathan Pine,

Treasurers, George Hutchinson, and James Budd,

Commissioners for regulating of lands.

First Tenth. Second Tenth. Third Tenth.
William Biddle, Daniel Wills, Robert Turner,
Richard Guy, William Peachee, Henry Wood,

Fourth Tenth. The other 5 Tenth below,
Andrew Robinson, George Hutchinson,
Anthony Neelson, James Budd,

Surveyor General, Andrew Robinson.

Clerk and Recorder, Clerk for Salem.
Thomas Revell, William Wilkinson,

Sheriff. Salem Sheriff.
James Hill, Thomas Woodrose,

The Council are.

William Emley, George Hutchinson, Samuel Carpenter,
William Biddle, Thomas Gardner, Elias Farre,
Richard Guy, Andrew Robinson, Francis Davenport,
James Budd,
Laws passed in West Jersey. 505

Some of the Proprietors in England having made and assigned properties here to act in their behalves in the concerns of the General Assembly of this Province, have been offered to this House, namely.

John Skeen, Deputy Governor, for Edward Byllinge, Governor, four votes.
Andrew Robinson, for the same five votes.
George Hutchinson, for the same, five votes.
Richard Lawrence, for the same, three votes.
John Cripps, for the same, five votes.
Thomas Matthew's, for Benjamin Barclett, six votes.
The same for Robert Squib, sen. and for Robert Squibb, junr. two votes.

The Assembly conclude and resolve, that the proxies shall be referred to the committee to be chosen as aforesaid, for inspecting the aforesaid new charter and bills, to be also considered of, whether they shall be admitted or not, and the same committee are also to make report of their sense thereof, to the next meeting of this House.

The committee chosen for the same are,

Thomas Ollive,  Robert Dinsdale,
William Emley,  Robert Turner,
George Hutchinson, Thomas Thackery,
Robert Stacy,  Francis Davenport,
William Biddle,  Andrew Robinson,
Samuel Jenings,  James Nevill,
James Budd,

1. Resolved, that the new grant from the late Duke of York, (now King) of soil and government to Edward Bylling, and also the instrument from Edward Bylling, and Proprietors, shall remain in the custody of Thomas Ollive, and Thomas Gardner, until further order, and that the same be recorded.

II. Resolved also, that all such publick writings and instruments as concern this Province, shall be recorded.

III. And whereas there is an absolute necessity for the raising of money for the defraying of the charges of the
A tax for raising of money for necessary purposes, present government, for paying of quit-rents to the King; for procuring or building of a sufficient prison, and the paying of some just debts which (for and on the general account of the good of the Province) are already contracted, therefore it is resolved, and hereby ennaughted by the unanimous consent of the Assembly, that a tax be imposed in manner after specified, that is to say, that five shillings for each and every hundred acres of land, shall be laid and assessed upon such as have land which they hold certain, and not as purchasers of undivided shares, through the country from the upper end of the Province down as low as Old Man's Creek; and also that three shillings shall be laid and assessed upon each and every hundred acres of land which is in the possession of such who held as purchasers of undivided shares or parts of land through the country within this Province, (except Salem tenth or limits, which for the present exigent are appointed) And also all other person and persons within this Province who are free men, and are artificers, or workmen, or follow any trade, or merchandizing, and also all inholders, ordinary keepers, and other persons in places of profit within this Province, shall be lyable to be assessed for the same, according to the discretion of the assessors to be appointed by the General Assembly or their order: Reserving to all person and persons who shall find him or themselves aggrieved or wronged by his or their tax or assessment, liberty to make his or their appeal to two of the next justices, who (upon due proof of such wrong) shall have power, and are hereby impowered to remedy and redress the same according to equity and justice: And that the inhabitants of Salem limits shall assess, levy and gather the sum of eighty pounds upon the freeholders, and inhabitants, from Old Mans Creek, and thence downwards, for their share and portion towards the defraying and discharging of the necessary expences in and about the publick concern of this Province; and the same to be laid, assessed and collected in such equal manner, upon the persons within the said limits, as by the assessors.
The Hon. ANDREW HAMILTON, Governor.

Province of West New Jersey,
November 3d, unto 12th of
the same Month.

The Acts and Laws of the Governor, Council and Representatives for said Province then made and confirmed.

I. THAT whereas the purchasers and chief inhabitants, for the generality in this Province of West New Jersey, are a people whose principles for conscience sake cannot bear arms, nor be found in the exercise of war: Nevertheless and notwithstanding that such their principles may not be found or judged injurious to the King and Queen's service (under whose protection we now live, and heartily receive them as such, as by our proclamation thereof may appear) Be it enacted by the Governor, Council and representatives, now in General Assembly met and assembled, and by the authority of the same, that such our principles and practices aforesaid, shall be no ways binding or obliging to restrain such of the inhabitants of this Province, whose freedom and principles induce them to serve the King in the defence of the Province in such posture and form as to the Governor and Council shall seem meet, being the liberty that we claim to ourselves may not justly be denied to them, lest we should do as we would not be done unto, any act or law made to the contrary heretofore notwithstanding.

Chapter II.

WHEREAS this Province hath been formerly divided into three counties for the better regulation thereof, and whereas Cape May (being a place well situated for trade) begins to increase to a considerable number of
For Cape May to be a County.

families, and there being no greater encourage-
ment to the settlement of a place then that there be estab-
lished therein an order by government, and justice duly
administred, Be it therefore enacted by the Governor,
Council and representatives in this present Assembly met
and assembled, and by the authority of the same; that from
henceforth Cape May, shall be and is hereby appointed a
county, and to be called the county of Cape May, the bounds
whereof to begin at the utmost flowing of the tide in Morris
river northerly, being about twenty miles from the mouth
of the said river, and thence by a line running easterly to
the most northerly point of Great Egg Harbour, and from
thence southerly along by the sea to the point of Cape May,
and so round the same, then northerly along the west side
of Cape May, and so westerly along the coast, and so up the
east side of Morris river aforesaid, to the first point men-
tioned; and that there be nominated and appointed such
and so many justices, and other officers (inhabitants thereof)
as at present may be necessary for keeping the peace and
trying of small causes under forty shillings, consonant to
the act of Assembly in that behalf made: In which cir-
cumstance the same county shall remain until it shall ap-
ppear they are capable of being erected into a county court:
and in case of any action, whether civil or criminal where
any declaration or indictment shall be upon traverse, the
same to be heard and determined at the quarterly session in
Salem county, with liberty for the justices of the county of
Cape May, in conjunction with the justices of Salem county
in every such action in judgment to sit, and with them to
determine the same.

Chapter III.

For size of Bar-
rels and a Packer.

WHEREAS the inequality of beef and pork
barrels, and ill ordering and management of provisions exported, hath been highly injurious to
traders, and the reputation of this Province, and conse-
quently detrimental to the increase of trade therein, for the
avoiding of which mischief, Be it enacted by the Gov-
ernor, Council and representatives in this present
Assembly met and assembled, and by the authority of
the same, that all barrels that shall be made after
the publication hereof, shall contain one and thirty
gallons, and an half at the least, with the cooper's mark thereupon; that made the same, under the forfeiture of each barrel, and the cooper that made the same shall upon conviction before one or more of the justices of the peace be fined in six shillings for each barrel made under the said gauge, and without his mark, to be levied by distress and sale of his goods, and the overplus (if any be) to be returned. And be it further enacted by the authority aforesaid, that there shall be in every county a packer, who shall take an oath or subscribe a declaration before the justices of the respective county courts, the purport whereof shall be as followeth.

I. A. B. do solemnly promise in the presence of God, that I will exercise the office of a packer, justly and uprightly according to my best knowledge and skill, particularly that I will not authorize or put my mark upon any barrel of meat, but such as shall contain thirty one gallons and an half at least, and the meat both as to the savering and quality thereof to be merchantable, and in good condition.

And that all beef and pork to be exported in barrels shall be marked with the respective parkers mark (for which the said packer shall be allowed eight pence for each barrel) on the forfeiture of the same, one third to the informer, and the other two thirds towards the support of the government.

Chap. IV.

For small Causes to be heard by one Justice.

WHEREAS petty actions, have constantly created greater charge, trouble and expence of time to the country then the value of the said actions, and equivalent to actions of greater moment, to avoid which inconveniency, and to the end the freeholders of the Province may not be unnecessarily burdened, Be it therefore enacted by the Governor, Council and representatives in this Assembly met and assembled, and by the authority of the same.
Laws passed in West Jersey.

That from and after the publication hereof, it shall and may be lawful for any justice of the peace upon complaint to him made, to hear, and upon evidence to determine any action or actions of debt within his respective jurisdiction under forty shillings; granting liberty of and appeal to the county court if desired. Provided always, that the person who desires such appeal first discharge the costs of the same action, so brought before such justice, and giving bail to prosecute his appeal at the next county court with effect, and to abide the judgment of the same court.

Chapter V.
An Act for only one Session of Assembly Yearly.

WHEREAS for several years past, there hath been held yearly and every year at Burlington a General Assembly at two several times in the year (viz.) on the twelfth day of May, and the third day of November then after, and it being found by experience that the session held in November is very inconvenient by reason of the season of the year, and the great distance of the abode of several of the members of said Assembly. To prevent which inconvenience and to lessen the charge of the country, Be it therefore enacted by the Governor, Council and representatives in this present Assembly met and assembled, and by the authority of the same, that there shall from henceforth be but one session of the said Assembly yearly and every year, (viz.) on the twelfth day of May as aforesaid, unless upon urgent occasions, the Governor for the time being with the advice of his Council shall see meet, (by giving notice thereof) to call them oftner.

Chapter VI.
An Act for raising Money by a Poll.

WHEREAS this house hath been informed, that the Province is indebted to sundry persons, and
also being sensible of the great necessity to raise money for the support of the government, and being likewise desirous to present our present Governor, with the sum of one hundred pounds; for the raising of a sum to answer these ends, Be it enacted by the Governor, Council and Representatives in this present Assembly met and assembled, and by the authority of the same, that two shillings and six-pence be laid upon every poll or head that is sixteen years old and upward, that are found resident in this Province; and that every householder shall be accountable for these persons resident in his family, the master being hereby empowered to detain it out of the wages of such as in his respective family shall refuse to pay the said tax. And that every respective county court shall have power to appoint their own collectors that shall at the charges of each county bring the same to the treasury at Burlington, at or before the 13th day of the 1st month (called March) next ensuing: And that Thomas Gardner, and Charles Read, are hereby appointed treasurers, who are to receive the same, after the payment of the sum of one hundred pounds to the present Governor, then to discharge such debts as shall appear before two or more justices (whereof one to be of the quorum) to be truly and really Provincial, all such persons concerned therein making appear their claim at or before the said 13th day of March, or loose their debt: And after payment of such debts, the remaining part to be strictly applied and paid in for the good and support of this Province, as to the Governor, Council and General Assembly shall seem necessary and convenient; the said treasurers and either of them to give in their accounts to the next sessions of Assembly in May, and that the tax shall be paid in silver money; out of which the said treasurers shall have six pence per pound for their care and pains therein. And further, that in case any person or persons shall refuse or neglect to pay the said tax, the justices of the peace are hereby empowered to issue forth their warrants to the constable, to make distress and sale of the offenders goods, returning the overplus to the offender, (if any be.)
Chapter VII.

An Act for suppressing selling Rum, &c. to Negroes, or Indians.

WHEREAS there hath been many abuses committed by permitting of rum to be sold to Indians, and notwithstanding of the laws formerly made to suppress the same, the law for that effect hath been hitherto rendered ineffectual; Be it enacted by the Governor, Council and Representatives, in this present Assembly met and assembled, and by the authority of the same, that if any person or persons inhabitants or otherwise in this Province, shall be lawfully convicted of selling or giving of rum, or any manner of strong liquor either to negro or Indian, or negroes or Indians, from and after the publication hereof, he or they so offending shall forfeit for each and every such offence the sum of five pounds. Forty shillings whereof to the informer, and the other three pounds to the publick treasurer, to be applied for the support of the government. And forasmuch as the detecting of persons so offending is difficult, Be it therefore enacted by the authority aforesaid, that one credible witnesses, or a probable circumstance shall be accounted a sufficient evidence, unless the party indicted is free before sentence to purge himself by his oath or solemn declaration, that he hath not transgressed this law directly or indirectly, nor that it is violated by his knowledge, consent or procurement. Provided always, that this law shall not extend to a moderate giving to a negro for necessary support of nature, or to an Indian in a fainting condition (without selling or taking any reward for the same) any thing herein to the contrary notwithstanding.
Chapter VIII.

An Act for the Bounds between Burlington and Gloucester Counties.

WHEREAS there has been several petitions exhibited to this House by the people inhabiting about Pensaukin Creek, intimating their dissatisfaction concerning the line intended for the division line, between the counties of Burlington, and Gloucester, and at our sessions in May last past, the House having heard their petition and debated it, Resolved to appoint four of the members of the Assembly, (viz.) John Tatham, Thomas Gardiner, junr. Andrew Robinson, and Daniel Leeds, to review the place, and according to their judgment and discretion to fix the line of partition between the said counties, the boundaries whereof the persons aforesaid affixed as follows, (viz.) from the fork up the southerly branch of the said creek, to the King’s road leading towards Salem, thence northerly along the same road, unto the northern branch of the said creek, thence pursuing the courses of the said creek, so far as the same continues up to the head, thence by a direct course south east to the utmost boundaries of the counties, the bridge upon the northerly branch to belong to Burlington, and that upon the southerly branch to belong to Gloucester.

Be it therefore enacted by the Governor, Council and representatives in this Assembly met and assembled, and by the authority of the same, that the boundaries between the counties above named, shall stand as they are above fixed, and recorded, firm and inviolable, from henceforth and forever.

All which acts of this Assembly at their session begun the third of November 1692. and continued until the twelfth of the same month, were by the honourable Governor, Andrew Hamilton, (with the advice of the Council) and by Francis Davenport, Speaker to the House of Representatives, on their behalf, the 11th and 12th days of the aforesaid month November, signed.

And according to order recorded by me Thomas Revell, Secretary, &c.
Laws passed in West Jersey.

Province of West New Jersey, October 3d, 1693, unto 18th of the same Month.

The Acts and Laws of the Governor, Council and Representatives for said Province then made and confirmed.

Chapter I.

An Act for nullifying the last Act for the Division between Burlington and Gloucester Counties.

WHEREAS there has been a great inconveniency seen in that act passed at our sessions of Assembly held in November last, for the settling the boundaries between the counties of Burlington, and Gloucester; Therefore be it enacted by the Governor, Council and representatives, in this present Assembly met and assembled, and by the authority of the same, that the said act above mentioned, shall be and is hereby repealed.

Chapter II.

An Act for holding County Courts at Cape May.

WHEREAS it hath been found expedient to erect Cape May, into a county, the bounds whereof at the last session of this Assembly have been ascertained, and conceiving it also reasonable that the inhabitants thereof shall partake of what privileges (under their circumstances) they are capable, of, with
the rest of the counties in this Province; and having (upon inquiry) received satisfaction that there is a sufficient number of inhabitants within the said county, to keep and hold a county court in smaller matters relating to civil causes. 

Be it enacted by the Governor, Council and representatives in Assembly met and assembled, and by authority thereof, that the inhabitants of the said county of Cape May, shall and may keep and hold four courts yearly, (viz.) on the third Tuesday of December, and on the third Tuesday of March, on the third Tuesday of June, and on the third Tuesday of September. The first court to begin and beholden on the third Tuesday of December next ensuing: All which courts the justices commissionated and to be commissionated for the said county, shall and may hear and try according to law all civil actions within the said county under the sum of twenty pounds.

Chapter III.

An Act for the Town of Salem.

WHEREAS the town of Salem hath a considerable tract of marsh given them on the account of making a ditch and bank for a road, a landing place and other considerations, whereby they hold the same, for which there hath been several sums of money expended by some particular persons for the performance thereof, whereby others receive the same benefit that have expended none, which if allowed on, will become prejudicial to all therein concerned: And whereas there is absolute necessity, that authority should be given by the General Assembly of this Province, to the inhabitants of the said Town, (not only for the performance of the abovesaid covenants and considerations) but also for the inhabitants of the said town of Salem to make such acts, rules and orders as may conduce to the general good of the inhabitants of the said town, for the making and repairing highways, bridges, wharfs, banks, ditches, and for removing of all publick nuisances, that are destructive to the common weal of the said town, 

Be it therefore enacted by the Governor, and Council, and the representatives of this Province, and
by the authority aforesaid, that yearly and every year within the said town of Salem, there be chosen, by the majority of votes of the freeholders of the said town, some one particular person who by the name of a burgess of the said town, shall have powers, at any time as occasion shall serve, to call the inhabitants of the said town, to meet together in the said town, then and there to make by the majority of votes such acts, rules and orders as they shall think most meet and convenient for the common good of the said town; and that such acts, rules and orders so made, shall be of the same force and validity, as if made by the General Assembly of this Province, (provided there be nothing acted repugnant to the laws of this Province) or prejudicial to the Proprietors of the said place.

Chapter IV.

An Act for erecting a Ferry at Great Egg Harbour.

WHEREAS there has been a complaint made to the House for want of a ferry at Great Egg Harbour, in order to redress which grievance. Be it hereby enacted by the Governor, Council and representatives in this present Assembly met and assembled, and by the authority of the same, that the justices of the county of Cape May are hereby empowered to erect and set up a ferry at the said Great Egg Harbour, which person or persons appointed by them for the purpose aforesaid, shall and may exact for the passage of every single person, twelve-pence, and for horses and cattle twelve-pence per head, and for sheep and hogs fourpence per head, and for all manner of grain, two-pence per bushel.

Chapter V.

An Act for the rates of Foreign Coin.

WHEREAS it has been found very inconvenient that money in this Province hath differed in value from the same coin current of our neighbouring Province of Pennsylvania, to prevent
which inconveniency for the future, \textit{Be it enacted} by the Governor, Council and representatives in this Assembly met and assembled, and by the authority of the same, that from and after the publication of this act, all pillar, Mexico and sivil peices of eight of twelve penny weight, shall pass current for six shillings: thirteen penny weight for six shillings and two-pence: fourteen penny weight for six shillings and four-pence: fifteen penny weight for six shillings and six-pence: sixteen penny weight for six shillings and nine-pence: seventeen penny weight for seven shillings: and all half peices of eight of the said coin proportionably: pillar, sivil, and Mexico ryalls, or bitts of ten-pence, and the double proportionally: all dog dollars not clipt, and Perue peices of eight from twelve penny weight and upwards at six shillings per peice; Peru ryalls or single bitts at nine-pence; and the double the same coin proportionally; and all person and persons whatsoever, resident in this Province, or that shall come from remote parts to trade amongst us, shall and are hereby obliged to receive and pay the same, according to the several values above specified, except they plainly bargain to the contrary.

\textbf{Chapter VI.}

\textbf{An Act for a Court of Appeals.}

\textbf{WHEREAS} by experience it hath been found highly inconvenient that hitherto there hath not been established in this Province a Supream Court of Appeals, into which all appeals in law may be made. \textit{Be it therefore enacted} by the Governor, Council and representatives, in this Assembly met and assembled, and by the authority of the same, that from henceforth there be erected constituted and holden a Supreme Court of Appeals at the town of Burlington, twice in every year, (viz.) on the 9th day of the 3d month called May, and the 5th day of October, the first session to be holden the ninth day of the 3d month next ensuing, which court shall have power of hearing and determining all appeals in law from any of the inferior courts in all civil actions of the value of five pounds and upwards, paying
the former court charges, and giving sufficient security to prosecute the action as is usual in such cases of appeal; which court shall have one or more of the justices of each county to sit in it; who together with one or more of the Governor's Council for the time being, shall be judges of the said Supream Court; any three of which, one being of the Council, shall be a quorum for said court: Provided always, that upon failure of such justice, or justices in the respective counties appearing in each such court, then any other justice or justices who have not set upon any action to be tried at the same court, shall and may sit and act in the same court instead of such justice or justices, who shall so fail to appear.

Chapter VII.

An Act for two Fairs Yearly at Salem.

Forasmuch as it appears necessary and commodious, for the inhabitants within the county of Salem, and for others within this Province, that there be fairs kept and held at Salem, at such days and times as may best suit the inhabitants there and elsewhere in this Province:

Be it enacted by the Governor, Council and representatives in Assembly met and assembled, and by the authority thereof, that there shall be two fairs kept and held in the town of Salem yearly and every year, the first fair to be held yearly upon the first and second days of the third month called May, and the latter fair to be held yearly upon the 20th and 21st days of October; at which respective fairs, all and every person and persons, shall have freedom and liberty to buy and sell all manner of lawful wares, goods and merchandizes, and shall not only be free from arrest on the said fair days, but also two days before and two days after the same, except they shall do or commit any act or acts, against the peace of our Lord, and Lady, the King
Laws passed in West Jersey. 519

and Queen, and except also it be for and concerning any matter or thing contracted or done upon the same fair days.

Chapter VIII.

An Act for preventing Profanation of the Lords Day.

WHEREAS it hath been the practice of all societies of Christian professors to set a part one day in the week for the worship and service of God, and that it hath been and is the antient law of England, (according to the practice of the primitive Christians) to set a part the first day of the week to that end, and finding by experience that the same good practice and law, hath been greatly neglected in this Province, to the grief of such as profess the Christian religion, and to the scandal thereof. Be it therefore enacted by the Governor, Council and Representatives in Assembly met and assembled, and by the authority of the same, that if any person or persons, from and after the publication hereof, shall within this Province be found doing any unnecessary servile labour, or shall travel upon the Lord’s Day, or first day (except to some religious service or worship, or otherwise in case of necessity) or shall be found tippling, sporting or gaming, thereby profaning the Lord’s Day, or first day, shall upon conviction thereof before one justice of the peace, forfeit and pay for every such offence six shillings, and the master or mistress of the house who shall harbour such tipplers, shall also upon conviction thereof as aforesaid, forfeit and pay six shillings to be levied by distress and sale of the offenders goods; and where such distress cannot be found and taken, then to imprison such offender or offenders, until he or they shall pay the same.

Chapter IX.

An Act relating to Fishing.

WHEREAS the whalery in Delaware bay has been in so great a measure invaded by strangers and
foreigners, that the greatest part of oyl and bone, recovered
and got by that imploy hath been exported out of the Prov-
ince, to the great detriment thereof; to obviate which mis-
chief, Be it enacted by the Governor, Council and Repre-
sentatives in this Assembly, met and assembled, and by the
authority of the same, that all persons not residing within
the precincts of this Province, or the Province of Pennsyl-
vania, who shall kill or bring on shore any whale, or whales
within Delaware bay, or elsewhere within the boundaries of
this government, shall pay one full and entire tenth of all
the oyl and bone made out of the said whale, or whales, unto
the present Governor of this Province for the time being.

Chapter X.

An Act for a Court of Oyer and Termi-
ner.

WHEREAS it hath been found a great inconveniency
to this Province that a Court of Oyer and Terminer
hath not hitherto been established therein for the tryal of
capital crimes, by reason whereof such offenders have and
may be of great burden and charge to the Province during
their imprisonment. Be it therefore enacted by the Gov-
ernor, Council and Representatives in Assembly met and
assembled, and by the authority of the same, that there be
erected in this Province a Court of Oyer and Terminer, and
it is hereby declared to be erected, and that the judge there-
of shall be named, commissioned and appointed by the
Governor, for the time being, with the advice of the Council;
which said judge, assisted by two or more justices of that
county where the fact may arise, is impowered to try there
such criminals as lay under an accusation for capital offences.
And be it further enacted by the authority aforesaid, that
in case of death or disability of the Governor, that the
power of commissionating the judge as aforesaid, shall rest
and be vested in the first of the Council, with the advice and
consent of a quorum of the same, being any three of the
Council.
Chapter XI.

An Act Relating to Lands in Case of Resurvey.

AND for the ease and benefit of the people of this Province who have taken up, settled and possessed lands therein, and the preventing of suits and quarrels, which hereafter may arise in relation to lands, so taken up and possessed. Be it enacted by the Governor, Council and representatives in Assembly met and assembled, and by the authority thereof, that in case (upon a resurvey) an overplus of land shall be discovered, the possessor or incumbent shall have liberty to purchase the same, at the rates of land then current: And if the possessor cannot or doth not think fit to make a purchase thereof, then four indifferent men shall be chosen, two by the possessor, and two by the pretender, that hath by good proofs asserted his claim, and procured the resurvey, to default the overplus, where they shall judge it most equal and just, and may least incommode the improvements and settlement; and in case they cannot agree, then to make a report of the proceedings to the next court to be held for the county in which the land lies; which court shall and may hear and determine the same. And be it further enacted by the authority aforesaid, that seven years peaceable possession, shall create and be accounted a good title to the possessor thereof, for so much land as he holds, and hath been possessed of by virtue of a good deed, legally executed and recorded.

Chapter XII.


WHEREAS it is incumbent on all men who live under government, to provide a fund for the honourable support thereof, whereupon also is built the people’s happiness and safety. Be it therefore enacted by the Governor, Council and representa-
tives in this Assembly met and assembled, and by the au-

tority of the same, that a tax be laid, and is hereby laid

upon this Province, to be levied in manner following (viz.)

that one penny per acre be laid upon all lands cleared, im-

proved and within fence (meadow excepted) and six-pence

upon every hundred acres of surveyed lands unimproved,

and upon all neat cattle from one year old and upwards, six-
pence per head. And upon every horse and mare, from one
year old and upward twelve-pence per head. And upon
every hog, or swine that any person shall sell, convey or
dispose of, living or dead, from and after the publication of
this act, six pence per head. Also all persons that keep
sheep, shall pay for each and every sheep one penny. And
if any person or persons shall neglect or refuse to pay his or
their tax, or shall be found to give in a false account of his
or their stock, or land of what kind or sort soever above
mentioned (when thereunto required by authority) and the
same be proved by two witnesses before one justice of the
peace, he, she, or they so offending, shall forfeit and pay
for every head of such beast, not given in as aforesaid, the
sum of ten shillings; and for every acre of land improved
two pence; and for every hundred acres of land unimproved,
nine pence; one half thereof to the informer, the other half
to be paid into the treasury as part of the said tax, the same
to be levied by distress and sale of the offenders goods:
And further, that all persons residing in towns or elsewhere,
whose estates are not so visible as those whose estates con-
 sist of land and stock, shall pay three-pence, for every
 pound their estates shall be appraised worth; whose estates
shall be valued according to the discretion of the assessors
that shall be appointed in every township or constabulary
within this Province, by virtue of a warrant from the county
court, directed to the constable of every precinct, who shall
be thereby authorized to warn the inhabitants within his
limits on a certain day at some convenient place within his con-
stabulary, there to chuse their assessor, and collectors, and give
in an account of their lands and stock as aforesaid. And fur-
ther that all persons who are free men within this Province,
who shall not appear taxable by estate or stock to the
value of six shillings, shall notwithstanding pay six shillings to the said tax: The collectors to pay in the money received by them to the treasurer at Burlington aforesaid, who shall have allowed him for his pains, three pence per pound for receiving and paying the same; and the collectors shall have for their pains in collecting and gathering in and paying the same to the treasurer, one shilling per pound; the said tax to be paid in silver money, at or before the tenth day of the second month called April, next ensuing the date hereof: three hundred pounds whereof to be paid by the treasurer to our Governor, Andrew Hamilton, and the overplus (if any be) to remain in the custody of Charles Read, (who is hereby appointed treasurer for the Province) to be disposed of according as our next session of Assembly shall see meet. And whereas there is as yet no court erected in the county of Cape May, the justices for the said county are hereby empowered and commanded to issue forth their warrants to the constables of their precincts in order to raising the tax laid as aforesaid: And further each and every collector are hereby required to bring in a true duplicate of the names and surnames of all the inhabitants within their respective circuit, who come within the compass of this act, and of the sum from them respectively paid to the treasurer, in order to enable him to make a just proof of his account.

Chapter XIII.

An Act for settling the Town of Burlington.

WHEREAS the prosperity and flourishing state of all country's may be chiefly ascribed to the trade and commerce of such towns and corporation therein as by their natural situations are most commodious for that purpose, and not any thing being of greater efficacy to promote trade and business in the said towns then the indult of such priviledges as may invite active and ingenious men to resort thither and coinhabit therein, and adventure their stocks and estates upon the issue of Providence in the way of trade. Be it therefore enacted by the Governor,
Council and representatives in this present Assembly met and assembled, and by the authority of the same, *And it is hereby enacted* that the actual inhabitants of the town of Burlington, who enjoy the fee simple of a house and land therein, shall hereafter have power to elect yearly on the first fifth day of April, an officer who shall be the chief magistrate of the said town, and shall be stiled the burgess thereof, who with the consent of the majority of the freeholders, inhabiting the said town shall have power to make such laws and orders as they judge may conduce to the promotion and benefit of the said town; and whatsoever laws and orders are so made, ordained and constituted by them (provided they be not repugnant to the laws of the Province) shall have the like force and validity, and be as binding upon all persons that be and inhabit therein, as if the same were interminis, made and confirmed by the authority of the whole Assembly; and the said burgess shall also have power with the consent approbation of the majority of the inhabitants of said town, to appoint always for the year following a recorder, treasurer, and such other subordinate officers as they shall judge needful for the good government, of the said town. And for the avoiding of future strife, and vexatious controversies which hereafter may arise concerning the land and soil of the said town, to the disquiet of the inhabitants and breach of that mutual kindness and love which ought to be exercised among neighbours, and for the asserting unto every man his just right and property therein; *Be it enacted* by the authority aforesaid, *And it is hereby enacted*, that an exact survey of the said town be made and recorded according to those bounds and limits to which nature seems to direct, (viz.) by Delaware river northerly, Assisconck creek easterly, and that run or channel wherein the water ebbs and flows westerly, and southerly, which survey being made as aforesaid, then the streets of the said town shall be laid out in the same places as formerly and no other, to the end that the quantity of the whole, and the quantity of the publick streets deducted out of the whole being known and ascertained, every Proprietor and person interested in proprieties may know the exact proportion and quantity they ought respectively to
enjoy out of the remainder. And to the end likewise that this important affair may be transacted with greater equality and justice to every person concerned therein, the swamp and wet land shall be divided from the fast land, at the discretion of the burgess and five other persons, or the major part of them, two of which shall be chosen by the town, the other three to be appointed by the council of Proprietors for the time being; and an exact account being taken of the quantity, the same to be divided (as the fast land) into twenty shares or proprieties; and every Proprietor, and other persons sharing in proprieties, to enjoy therein a proportionable right to that they hold in the town in common: Provided they do engage to bear a proportionable share of the charge for the draining of the said swamp and wet land by their subscriptions, to a paper or instrument drawn up to that effect, upon the first, second or third tender to them thereof; provided the last tender be not within six days of the first; and in case of refusal, then the said person and persons so refusing, to forfeit all claim and right in and to the same. (And those at whose charge the work shall be affected to enjoy to themselves, their heirs and assigns, such swamp so forfeited) The paper for subscription shall be drawn up in these words following (viz.)

We under written do promise to pay unto the treasurer of the town of Burlington, in current silver money our full proportions respectively of the charge laid out and to be laid out, upon the draining such swamps within and without the said town, as lies contiguous to the boundaries thereof, between Yorkshire bridge, and the mouth of the creek at the western end of the island of Burlington: And in case payment shall not be made by the subscribers accordingly within three months (if resident in the Province) after the work shall be finished, and if non resident then within three months after the same shall be demanded by the treasurer, or some other person by his order, then the person and persons so refusing or neglecting, shall forfeit his or their right and rights, respectively as aforesaid.

And as the draining of the said swamps, about the said
town, will highly conduce to the health, ornament, and advantage thereof, and consequently may prove a great attractive to draw inhabitants to it, so likewise of the clearing of the whole from the stubs and bush.

*Be it therefore enacted* by the authority aforesaid, that if any of the land so cleared at the charge of the inhabitants, shall thereafter by the respective owner and owners, be indorsed and appropriated, then such owner and owners thereof, shall pay to the treasurer for every such acre twenty shillings, the same to be employed for the publick benefit of the said town, as the persons at whose charge the work was effected, by the major part of their votes, shall agree and consent to, or otherwise such land as shall be so enclosed and appropriated shall and may be again laid open to the common. *And be it further enacted* by the authority aforesaid, that all persons who now, or hereafter shall be in actual possession of any lot or lots within the said town, either by buildings or other improvements thereon made, or by a legal survey recorded, shall and may enjoy what they so have in possession to them, their heirs and assigns for ever: Provided such lot and lots of land, exceed not the due and just proportion of what legally appertains to such person and persons: And in case any thing shall seem herein to be of ambiguous construction within this act, the construction and interpretation which the burgess, with the major part of the inhabitants of the said town, shall declare and put upon the same, shall be valid and received by all as the true meaning of the same law, and not otherwise: *Provided* nevertheless, that this act shall not extend to compel any person or persons inhabiting or to inhabit within this town, to do and perform any labour or work, or to contribute towards the stubbing and clearing of the fast land therein, other then the highways according to law: *Provided always*, that the burgess and inhabitants of the said town shall not have power to remove the market held in said town, from the present market house and place, without the consent of the General Assembly under any pretence whatsoever.
Laws passed in West Jersey. 527

All which acts of this Assembly at their session begun the third of October 1693, and continued to the eighteenth of the same month, were by the honourable Governor, Andrew Hamilton, (with the advice of the Council) and by Francis Davenport, Speaker to the House of Representatives, on their behalf, the 18th of the aforesaid month of October, signed.

And according to order recorded by me Thomas Revell, Secretary, &c.

Province of West New Jersey
May 12th, 1694, adjourned to the 14th of same Month, and continued until 17th of same Month.

The Acts and Laws of the Governor, Council and Representatives for said Province then made and confirmed.

Chapter I.

An Act discouraging Whoredom and Adultery.

WHEREAS amongst other heinous transgressions for which God Almighty afflicts a land, the sin of uncleanness is one of the greatest in the eyes of a pure God; for the suppression and discouragement of which, Be it enacted by the Governor, Council and representatives in this present Assembly met and assembled, and by the authority of the same; that what person soever, man or woman,
shall be convicted thereof before any court of record, either by confession of the party, or other evident proofs, such person or persons so convicted (if both parties are unmarried) shall be fined in the sum of five pounds, and if either party is married, in the sum of ten pounds, together with costs of court: And in case of non payment of the fine to be imposed as aforesaid, to receive at the most publick place where the crime shall be adjudged, thirty nine stripes on the bare back if either party is married persons, and if both married, then twenty stripes on the bare back as aforesaid, unless they petition to be sold to serve a certain space of time, at the discretion of the court, to pay the fine and court charges aforesaid: And that the said persons convicted as above, shall be bound in a recognizance to our Sovereign Lord and Lady the King and Queen’s Majesty’s in the sum of fifty pounds for the good behaviour for the space of a year and a day thereafter.

Chapter II.

An Act for impowering the justices and grand jury to raise County Taxes.

FORASMUCH as the discharge of such services and sums of money as from time to time are needful to be raised and assessed for the laying out of highways, building of bridges, prisons, the repairing of the same, and many other necessary uses, within the respective counties of this Province, it is necessary that the justices of the respective county courts within each county in said Province, with the advice, concurrence and assistance of the grand jury, be impowered to lay and impose such taxes upon their respective counties as shall be needful, by such methods as to them shall seem convenient; Be it therefore enacted by the Governor, Council and representatives in Assembly met and assembled, and by the authority of the same, that it shall and may be lawful for the justices of the county courts, or a quorum of them, with the advice, concurrence, and assistance of the grand jury, at their respective quarter courts of session to be holden in this Province, from time to time as need shall require, to lay and impose
such tax or taxes upon their respective counties, as shall seem needful to supply the occasions thereof, and that the said justices with advice, concurrence and assistance of the grand jury aforesaid, shall receive and examine all accounts whatsoever touching the disposing of the said sum or sums of money.

Chapter III.

An Act for Salem County to pay in their former Tax to Peter Fretwell.

WHEREAS the tax heretofore laid upon the freeholders and inhabitants of the county of Salem, at the General Assembly held at Burlington, November 5th, 1685, being the sum of fourscore pounds, and by the then Representatives for the same county in Assembly agreed for their proportion thereof, yet remains unpaid, although every other respective county hath paid and discharged their share of said Provincial tax, by reason of which neglect of said Salem county, the tax aforesaid hath fallen short of answering the end thereof, and thereupon several Provincial debts yet remain undischarged.

Be it therefore enacted by the Governor, Council and Representatives in Assembly met and assembled, and by the authority of the same, that the said tax or sum of fourscore pounds so laid upon the said county, and remaining due, and unpaid by and from the said county, be paid and discharged to Peter Frettwell, at Burlington, (the treasurer of this Province) at or before the first day of November next: In order whereunto, the justices at the next court to be holden at Salem aforesaid, are hereby required to take such legal methods, or appoint such assessors as may be meet for the due and regular assessing and raising the same, upon the several freeholders and inhabitants of Salem county aforesaid.
Chapter IV.

An Act for Table of Fees.

This act for the table of fees was to continue for no longer then the end of the next session of Assembly in May 1695: And another table is at the said Assembly made, and herein after recorded.

Chapter V.

An Act for Boundaries of Burlington County.

Be it further enacted by the Governor, Council and Representatives in this present Assembly met and assembled, and by authority of the same, that the two distinctions or divisions heretofore called the first and second tenths, be and is hereby laid into one county, named and from henceforth to be called the county of Burlington, the limits whereof bounded with the river Derwent, (formerly called Sunpink) on the north, and the river Crapwell (formerly called Penisawken) on the south.

Chapter VI.

An Act for Boundaries of Gloucester County.

Be it enacted by the Governor, Council and Representatives in this Assembly met and assembled, and by authority of the same; that the two distinctions or divisions heretofore called the third and fourth tenths, be and is hereby laid into one county, named and from henceforth to be called the county of Gloucester, the limits whereof bounded with the aforesaid river called Crapwell on the north, and the river Berkley, (formerly called Old Man’s Creek) on the south.
Laws passed in West Jersey. 531

Chapter VII.

An Act for Boundaries of Salem County.

BE IT FURTHER ENACTED by the Governor, Council and representatives in this Assembly met and assembled, and by the authority of the same, that the jurisdiction of Salem court, shall extend from the aforesaid Berkley river on the north, to the river Tweed, formerly called Back-creek, on the south, and is hereby named and from henceforth called the county of Salem.

Chapter VIII.

An Act relating to unmarked Horses.

BE IT ENACTED by the Governor, Council and representatives in this present Assembly met and assembled, and by authority of the same, that all unmarked horses and mares above the age of thirty months, shall from and after the publication hereof be accounted wild and no other: And it shall and may be lawful for the rangers from time to time within their respective limits or divisions, to take up such horses and mares, and shall give notice thereof by setting up papers in the most public places in three counties of this Province; and that the rangers acquaint one another with a description of the stray's, and also that they send a like description to the rangers of the counties of Monmouth, Middlesex, and Essex, in the Province of East Jersey; after which publication the same not being owned within four weeks, shall be appraised by two honest men indifferently to be appointed by the constable of that jurisdiction, and by the order of two justices of that precinct (being also Proprietors) exposed to sale, and the one half of the price thereof to be paid into the hands of the treasurer of the same county, for the use of the Proprietors thereof, and the other half to the rangers. And further if any such horses or mares, or any other cattle which shall be found unmark'd, shall be taken up by the rangers,
and by the sufficient proof of two witnesses within the time limited, before one justice of the peace attested, it shall appear that they belong to the person or persons, claiming the same, if then the owner or owners and rangers cannot agree about the reward, such owner or owners and rangers, shall chuse each of them one indifferent, substantial man of the same county to allot or award the rangers their fee or reward for taking up the same.

Chapter IX.

An Act for Interest of Money, to be after the rate of eight Pounds per Cent.

BE IT FURTHER ENACTED by the Governor, Council and representatives in this present Assembly, met and assembled, and by authority of the same, that what interest shall become due and payable for any sum or sums of money upon any specialty from and after the twenty fifth day of the tenth month next ensuing this session, shall not exceed the sum of eight pounds, for every hundred pounds per annum, and so proportionably for any lesser sum or sums of money; and if any person or persons inhabiting this our Province, shall exact or take more than proportionally, then to and after the rate of eight pounds per cent, per annum, he, she, or they so offending, shall forfeit the principal of their money, the one third part thereof to the informer, and the remaining two third parts to be paid unto the treasurer or treasurers of the Province, for the publick use thereof.

Chapter X.

An Act for the Inhabitants above St. Pink, to belong to Burlington County for present.

BE IT ENACTED by the Governor, Council and representatives in this Assembly met and assembled, and by the authority of the same, that all
persons inhabiting in this Province above the river Derwent, (being the northern boundary of the county of Burlington) shall belong and be subject to the jurisdiction of the court of Burlington, until further order of the General Assembly.

Chapter XI.

An Act for the Times of chusing Representatives in the several Counties.

WHEREAS at a General Assembly begun and held Anno 1683, several days certain were assigned for the respective tenths, to elect and chuse their representatives to serve in General Assembly, and now forasmuch as the aforesaid tenths are laid into counties, and by experience it is found expedient to alter the said days of election; Be it therefore enacted by the Governor, Council and representatives in this present Assembly met and assembled, and by the authority of the same, that the freeholders within the county of Burlington, shall yearly and every year meet at the town of Burlington aforesaid on the tenth day of the second month; the freeholders within the county of Gloucester, yearly and every year at the town of Gloucester, upon the thirteenth day of the said month; the freeholders within the county of Salem, yearly and every year on the sixteenth day of the month aforesaid, at the town of Salem; the freeholders of the county of Cape May, yearly and every year at the town of Cape May, upon the sixth day of the said second month; and then and there to chuse for their respective counties to serve in General Assembly as follows, (viz.) for the county of Burlington twenty; for the county of Gloucester twenty; for the county of Salem ten; and for the county of Cape May five, good and sufficient men to serve in General Assembly aforesaid.
An Act for Warrants and Precepts for
the several Courts to be taken from the
Clerk, &c.

BE IT HEREBY ENACTED by the Governor, Council
and representatives in this Assembly met and assem-
bled, and by authority of the same, that all writs, summons,
attachments, and executions relating to the several courts of
judicature in this Province, to be taken out in any civil
action of the case, debt, trespass, &c. shall and may be taken
from the clerk of the said court wherein the action com-
menceth, and be signed and sealed by any one justice of the
peace belonging to the said court for the time being; and
that all such actions which shall be brought to be prosecuted,
shall be first entered in the records of the same court.

An Act for regulating Bounds of Cape
May County, and for Egg Harbour
Inhabitants to belong to Gloucester
County.

WHEREAS at a General Assembly begun and held in
the month of October, 1692, among other acts, there
was entitled an act for the erecting Cape May into a county;
in which said act, the bounds of the said county were not
distinctly enough described; for the better regulating
whereof, be it therefore enacted by the Governor, Council
and representatives in Assembly met and assembled, and by
the authority thereof, that the bounds of Cape May county,
shall begin at the mouth of Prince Morris river, from thence to
run up the said river so far as the tide flows, from thence to
the middlemost great river that runeth into the bay of Great Egg
Harbour, so far as the tide flows up the same, and thence
down the said river into the said bay, bounded by Egg Har-
bour bay, on the north east, the main ocean on the south east, Delaware bay on the south west, and the said Morris river as aforesaid, on the north west. And forasmuch as there are some families settled upon Egg Harbour, and of right ought to be under some jurisdiction, Be it enacted by the authority aforesaid, that the inhabitants of the said Egg Harbour, shall be and belong to the jurisdiction of Gloucester county, to all intents and purposes, till such time as they shall be capable, by a copetent number of inhabitants, to be erected into a county, any former act to the contrary notwithstanding.

All which acts of this Assembly at their session begun the twelfth of May, 1694, and continued to the seventeenth of the same month, were by the honourable Governor, Andrew Hamilton, (with the advice of the Council) and by Francis Davenport, speaker to the House of Representatives, on their behalf, signed 17th May, 1694,

And according to order recorded by me Thomas Revell, Secretary, &c.

Province of West New Jersey, May 12th, 1695, unto 23d of the same Month.

The Acts and Laws of the Governor, Council and Representatives for said Province then made and confirmed.

Chapter I.

An Act for the List of Officers elected.

JUSTICES and other officers elected by the General Assembly sitting in Burlington, this 13th day
Laws passed in West Jersey.

Of May, Anno Dom. 1685, for the several and respective counties within this Province of West Jersey, for the year next ensuing are.

Justices for Burlington County.

Mahlon Stacy,       John Adams,
Francis Davenport,  Samuel Harriott,
William Biddle,     Peter Fretwell,
John Curtis,        John Hollinshead,
Daniel Wills,       

Sheriff, Thomas Bibb. Clerk and Recorder, Thomas Revell

Coroner. Daniell Wills.

Justices for Gloucester County,

Samuel Spicer,      John Hugg, junr.
Thomas Gardner,     John Rambo,
John Kay,           John Summers,
Andrew Robinson,    


Clerk and Recorder. John Reading.

Coroner. John Wood.

Justices for Salem County.

Jonathan Beere,     Dennis Fisher,
Richard Darkin,     Richard Tindall,
Obadiah Holmes,     Reniere Vanhoist

Sheriff, Thomas Woodroof.

Clerk and Recorder, Samuel Hedge

Coroner. Samuel Hedge.

Justices for Cape May County.

Joseph Houlding,    John Jervis,
Samuel Crawell,     Shamgar Hand,

Sheriff. John Townsend.

Clerk and Recorder. Timothy Brandereth

Coroner. Samuel Mathews.
Chapter II.
An Act for Granting Quietus.

To prevent abuses that may happen in giving administrators their quietus privately; Be it enacted by the Governor, Council, and representatives, in this present Assembly met and assembled, And it is enacted by the authority of the same, that from and after the publication hereof, no quietus shall be granted till forty days after the same is demanded, and then a publication thereof be affixed by the clerk of that county in which it is desired, upon the most publick place thereof, that thereby notice may be given to all concerned, that they be present at the giving in the accounts, and may have the freedom to make their reasonable objections; and that a quietus be granted in open court only and not otherwise.

Chapter III.
An Act for Fairs at Cohansey.

Forasmuch as a considerable number of people are settled on and about Cohansey alias Caesaria river within the county of Salem, and that fairs being there kept at convenient times or seasons of the year might be very commodious, serviceable and advantageous to the inhabitants there and elsewhere in the Province. Be it therefore enacted by the Governor, Council and representatives, in the present Assembly met and assembled, And it is enacted by the authority of the same, that there shall be two fairs kept yearly and every year at the town of Greenwich, at Cohansey, alias Caesaria river aforesaid. The first fair to be kept or held on the 24th and 25th days of April, and the second fair to be held on the 16th and 17th days of October, during which said respective fairs, it shall and may be lawful to and for all persons to buy or sell all manner of lawful goods, wares and merchandizes, and also that all persons shall be free from arrests on the said fair days, and also for two days before, and two days after the said fair days, except it be for the breach of the peace, or for any
Laws passed in West Jersey.

matter or thing contracted or done upon the fair days above-said.

Chapter IV.

An Act concerning Swine.

WHEREAS a former law which was made for the paying of such damages that should be done by hoggs or swine, in marsh land, is found in several respects deficient and wanting. And whereas several parts of the Province do suffer much prejudice and damage by the keeping of hoggs or swine to go at large, both in their meadow’s English grass, fences, and the like, for the preventing of which inconvieniency and damage for the time to come, Be it enacted by the Governor, Council and Representatives, in this assembly met and assembled, And it is enacted by the authority of the same, that from and after the publication hereof, it shall and may be lawful to and for the inhabitants of every or any precinct, jurisdiction, or township within this Province, and they are hereby impowered and authorized at their several and respective town meetings, to make such acts, orders, agreements, or by-laws for the suppressing, limitting, or restraining the keeping of hoggs or swine at large, within their several and respective precincts, as to the said inhabitants, or the major part of them, shall seem most requisite and necessary for the preventing of the detriment sustained by the keeping of hoggs or swine, in manner aforesaid.

Chapter V.

An Act for the Officers Fees.

BE IT ENACTED by the Governor, Council and Representatives in this Assembly met and assembled, And it is enacted by authority of the same, that the table of fees for the officers of this Province shall be as followeth.

Justices Fees.

FOR a warrant of appearance before a justice one shilling. Binding to the good behaviour by recognizance, or to answer in court by appeal, one shilling six pence.
Laws passed in West Jersey.

To the bench for an appeal, five shillings.
For each cause tryed, four shillings.
For each cause called and not tryed, two shillings.
A warrant for all causes under forty shillings, one shilling.
For a judgment, one shilling.
For every avercement, one shilling.
To the justices before whom a deed or conveyance is acknowledged, one shilling.
For a hue and cry, one shilling six pence.
For a pass, one shilling.
For a mittimus, two shillings.
To the two justices for granting letters of administration or probate of wills, two shillings.
For granting of licence for selling of drink, five shillings.
Admittance of a guardian in court, one shilling.
The King's attorney for each tryal ten shillings.
The coroner for viewing a dead body, ten shillings.
A warrant to summon the inquest, one shilling.
Entering the verdict of the jury, one shilling.
For return of the same, one shilling.
Calling the jury and giving them their averment, two shillings.
Arresting the sheriff, or any other in his behalf three shillings.
The jury per man, one shilling.

Sheriffs Fees.

For serving an arrest or attachment, two shillings.
Bail bond, one shilling.
Serving a summons, one shilling.
For going to serve arrest, attachment or summons, each mile to the place of serving, six pence.
For each criminal put into the sheriffs custody wanting bail, or not bailable, two shillings six pence.
Serving executions, if under five pounds, three shillings.
If above fifty pounds, six shillings.
Summoning the jury in each cause and return thereof, two shillings sixpence.
Impannelling the jury in each cause, one shilling.
Return of each writ or summons, nine pence.

Writting a summons, one shilling.

A writ or attachment, one shilling six pence.
Entering the action, one shilling.
Filing the declaration, one shilling.
Copy thereof per page, nine pence.
Entering the jury and calling the same, one shilling.
Giving the jury their averment, one shilling.
Recording the jury and their averment, one shilling six pence.
Each evidence averment, six pence.
Recording their evidence, six pence.
A copy thereof, six pence.
Taking the verdict and recording the same, one shilling.
The copy thereof, six pence.
Writing a subpoena, six pence.
Entering judgment and recording the same, one shilling.
Copy thereof, six pence.
Entering and recording a nonsuit, nine pence.
Execution, two shillings.
Copy thereof, one shilling.
Entering and recording a reference, one shilling.
An appeal entering and recording, one shilling.
Withdrawing an action, one shilling.
Drawing an indictment, two shillings six pence.
Copy thereof, one shilling six pence.
Filing an indictment, one shilling.
Arraignment of a criminal, one shilling.
Entering and recording the recognizance, two shillings.
Recording a deed of ordinary, five shillings.
If larger proportionably thereto.
Recording of ear mark’s, six pence.
Certificates of marriages, and recording the same three shillings.
For a probate or letter of administration and recording the same, and recording the inventory if under forty pounds, six shillings.
If above forty pounds, ten shillings.
For a bond for administration, one shilling.
Searching the records, one shilling.
Filing the returns of coroner’s inquest, one shilling.
Entering of a plea, one shilling.
A quietus, two shillings.
For a licence to an ordinary keeper, two shillings six pence.
A bond for the same, one shilling.
Entering and recording admittance of a guardian, one shilling.
A venire, one shilling.
Every rule or order of court, nine pence.
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Reading a petition and endorsing the answer, one shilling.
Entering returns of writs and summons, six pence.

Constables Fees.

For serving warrants to them directed, one shilling.
For every mile to the place where served, three pence.

Jurors Fees.

For each cause tried in court per man, one shilling.
For each cause called and not tried per man, six pence.
The grand jury per man per day, one shilling.
For each witness subpoenaed for each days attendance, two shillings.

Cryers Fees.

Non appearance of each jury man, six pence.
For each cause called in court, six pence.
Calling the jury in each cause, six pence.
Crying any thing lost, six pence.
Non appearance of a witness, six pence.
Door keeper to the House of Representatives per diem, three shillings.
Door keeper to the Governor, and Council per diem three shillings.

Chapter VI.

An Act for recording of Deeds.

WHEREAS there is and hath been great neglect in not having deeds and writings concerning the purchase of lands within this Province entered and recorded as by law appointed, whereby many inconveniences have already happened, and more controversy, damage and difference will unavoidably grow, arise, and increase for the future, if not timely prevented. Therefore in order to redress and obviate these mischiefs for the time to come, be it enacted by the Governor, Council and representatives in this Assembly, met and assembled, and it is hereby enacted by the authority of the same, that all deeds and conveyances already made, or to be made, whereby any land is or shall be purchased, held, or claimed within any part of this Province, shall be brought to the respective clerk of each county, there by him to be duly entered and recorded if such deeds and con-
veyances are not recorded already: And all and every person and persons, inhabiting within the several counties of this Province, who shall neglect, deny, or refuse to exhibit or bring into the respective clerk in each county, in which the land is taken up in order to be recorded as abovesaid, all or any of their deeds and conveyances of land already made, within the time or term of six months next after the publication hereof, and all such deed and deeds hereafter to be made, within the space or term of six months next following the executing the said deed or deeds, unless such as live beyond seas, or in foreign parts (who are to have two years time after publication hereof, for deeds already made, and two years next after executing of deeds hereafter to be made for recording their deeds) shall forfeit the sum of twenty shillings for each and every deed so concealed, withheld or kept back, the same to be recovered by due course of law, by the respective clerk of that county where the said deeds or conveyances ought to be recorded, the one half thereof to belong to the said clerk, and the other half to go to the publik treasury, for the service of the respective county where such neglect shall be made.

Chapter VII.

An Act for the further regulating the Affairs of Burlington and Salem.

WHEREAS the late acts for incorporating of the towns of Burlington, and Salem, seem in some particulars not to be full and express enough to answer the end they were designed for, and therefore for the explanation thereof, and supply of such deficiencies, be it enacted by the Governor, Council and representatives in this present Assembly met and assembled, and it is enacted by authority of the same, that the respective burgess of the said town of Burlington and Salem, for the time being, may and shall within the jurisdiction of the said towns, have as full power and ample authority to hear and determine all causes under forty shillings betwixt the inhabitants of the said towns, as by a late act of As-
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Assembly is given to any other justice of the peace within this Province, for hearing and determining of such causes. And be it enacted by the authority aforesaid, that the respective burgess for the said towns of Burlington and Salem, shall have full power and authority to grant and give licence to all tavern keepers, ordinaries, and ale-house keepers within the said towns of Burlington and Salem, and upon occasion to suppress and take away the same, and that he shall punish all persons convicted before him, and his associates, of all rudeness, profaneness, and vicious practices within the several respective towns aforesaid, and be it enacted by and with the authority aforesaid, that in case the burgess, or any other officer or officers elected for the said towns of Burlington and Salem, or either of them, shall happen to dye, or be made incapable to officiate in his or their place respectively, by non residence, distemper of body or otherwise, then in such cases the burgess, or, for default of a burgess, the chief magistrates of the said towns respectively then surviving, may order a town meeting by a new election to supply the want or vacancy of such place or places.

All which acts of this Assembly at their session begun the 12th of May, 1695, and continued unto the 23d of the same month, were by the honourable Governor, Andrew Hamilton (with the advice of the Council) and by Francis Davenport, Speaker to the House of Representatives on their behalf, signed within the said session of Assembly.

And according to order recorded by me Thomas Revell, Secretary, &c.
Providence of West New Jersey, May 12th, 1696, to 23d of the same Month.

The Acts and Laws of the Governor, Council and Representatives for said Province then made and confirmed.

CHAPTER I.

An Act for the List of Officers Elected.

Justices of the Peace and other officers elected by the General Assembly sitting in Burlington, the 12th day of May, Anno Dom. 1696, for the respective counties, within the Province of West New Jersey, for the year next ensuing are,

Justices for Burlington County.
Mahlon Stacy, Frans. Davenport, William Biddle, Daniel Wills, The Quor. John Adams, Peter Fretwell, John Hollingshead,

Sheriff. Henry Grubb.
Clerk and Recorder. Thomas Bibb.
Coroner. Daniel Wills.
King's Attorney. George Deacon.

Justices for Gloucester County.
Samuel Spicer, Thomas Gardner, John Hugg, junr. the Quorum. Andrew Robinson, John Rambo, William Cooper, Jonathan Adams,
Sheriff. Joshua Lord.
Clerk and Recorder. John Reading.
Coroner. John Wood.
King’s Attorney. Joseph Tomlinson.

Justices for Salem County.
Jonathan Beer,  
Richard Darkin,  
Obadiah Holines,  
Reniere Vanhoist,  

John Bacon,  
Thomas Woodrooife,  
John Holme,  
William Ramsey,

Clerk, and Recorder, and Coroner. Samuel Hedge.

Justices for Cape May County.
Samuel Crowel,  
John Jervis,  

Shamger Hand,  
George Taylor,

Sheriff. John Townsend.

Clerk and Recorder. Timothy Brandreth.
Coroner. Samuel Matthews.

Chapter II.

An Act for regulating the Assize for Bread, for weights and measures, and for Toll at the Mills.

WHEREAS there hath been great abuses and irregularities committed by the bakers in not observing the due assize of bread; by ordinary keepers and other persons in the use and practice of undue weights and measures; and also in millers in exacting of unreasonable toll; for the preventing of which injuries, for the time to come: Be it enacted by the Governor, with the advice of his Council, and the consent and agreement, of the Representatives
in this present Assembly met and assembled, And it is hereby enacted by the authority of the same, that from and after the publication hereof, no baker within this Province shall bake for sale any other corn but what is good, sound and wholesome, nor make or sell any other weight of bread for one penny then is appointed by the assize following, and so proportionably to any other price then what is herein mentioned: That is to say; when wheat is at three shillings per bushel, one penny loaf white shall weigh eleven ounce. Wheaten sixteen ounces and three quarters of an ounce. And household twenty two ounces and an half. Wheat at three shillings six-pence the bushel. The penny loaf white shall weigh ten ounces; wheaten fourteen ounces and three quarters. Household twenty ounces.

At four shillings the bushel, the penny loaf white shall be nine ounces, the wheaten thirteen ounces and an half, and the household eighteen ounces. At four shillings and six-pence the bushel, the penny loaf white shall weigh eight ounces, the wheaten eleven ounces and a quarter, and household sixteen ounces.

At five shillings the bushel, the penny loaf white, seven ounces and an half, the wheaten eleven ounces, and household fifteen ounces.

At five shillings and six pence the bushel, the penny loaf white six ounces and three quarters, the wheaten ten ounces, and the household thirteen ounces and an half.

At six shillings the bushel, the white six ounces, the wheaten nine ounces and an half, and the household twelve ounces and an half.

At six shillings and six pence the bushel, the penny loaf white five ounces and three quarters, the wheaten nine ounces, and household twelve ounces. And where any bread is found wanting of the aforesaid weight, the same shall become forfeit to the use of the poor, and shall be seized by an officer or officers for that purpose appointed by the burgess in each
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burrough, or corporation, and by the court in such places where no burgess hath any jurisdiction.

And for the regulation of weights and measures, be it enacted by the authority aforesaid, and it is hereby enacted by the authority of the same, that all merchants, shopkeepers, innholders, ordinary keepers, and other persons residing within this Province who shall presume to buy or sell by any other weights or measures, either great or small, liquid or dry, then what are answerable and according to the standards of England, upon legal conviction thereof, shall be severely fined by the court, where the same is committed, and all persons shall bring in their weights and measures, in order to be tried, proved, and sealed, at such times, and to such persons as shall be appointed by the burgess, in each burrough or corporation, and by the court in such places where the burgess hath no jurisdiction, under penalty of being fined at the discretion of the said court, any act or law heretofore made to the contrary hereof in any wise notwithstanding.

And for the rectifying the unreasonable taking of toll; Be it enacted by the authority aforesaid, and it is hereby enacted, that no miller within this Province from and after the publication hereof, shall for the grinding of any quantity of any manner of corn or grain, more then one tenth part of the same, and if any person or persons shall be found offenders herein, upon complaint made, and the fact being proved before one justice of the peace, upon his certification the next court, the offender shall then and there be fined answerable to the magnitude of the offence, at the discretion of the said court.

Chapter III.

An Act against arresting Freeholders before a Summons.

WHEREAS it hath been found inconvenient to the freeholders of this Province to proceed against them by an arrest before a legal summons be
given, for the preventing whereof, be it enacted by the Governor, with advice of Council, and consent and agreement of the representatives in this present Assembly met and assembled, and it is hereby enacted by the authority of the same, that from and after the publication hereof, it shall not be lawful for any sheriff, under sheriff, bailiff, or other officer within this Province, by any precept or writ to arrest or imprison the person of any freeholder residing within this Province, upon the commencement of any civil action to be prosecuted against him; but that such freeholder shall have a lawful summons at least ten days before the respective courts at which he ought to appear, and that there shall be a declaration filed, and a copy thereof ready in the clerk’s office for the defendant, ten days before the same court. Provided always, that if the person so summoned do not make his appearance at the court to which he is summoned, that then and in that case, judgment shall pass against him by default as in case of non appearance. Provided also that in case it manifestly appear to any magistrate, that the person is designing clandestinely to leave the Province, he may be secured by an arrest.

Chapter IV.

An Act for a Bill to qualify Officers who are not free to take an Oath.

WHEREAS some persons out of a principle of conscience have not freedom to take oaths. Be it enacted by the Governor, with advice of his Council, and consent and agreement of the representatives in this present assembly met and assembled, and it is hereby enacted by the authority of the same, that their not having freedom to take oaths, shall not disable or incapacitate them, for want thereof, to hold or enjoy any office of government within this Province, whether magisterial or ministerial, to which he or they are duly elected, nor exclude him or them from any right or pri-
viledge which any of his Majesty's subjects are capable to enjoy, he or they signing the declaration of fidelity and profession of the Christian faith following (viz.)

I. A. B. do sincerely promise and solemnly declare, that I will be true and faithful to William, King of England, and the government of this Province of West New Jersey, and I do solemnly profess and declare, that I do from my heart abhor, detest and renounce, as impious and heretical, that damnable doctrine and position, that princes excommunicated, or deprived by the Pope, or any authority of the sea of Rome, may be deprived or murthered by their subjects, or any other whatsoever. And I also declare, that no foreign prince, person, prelate, state, or potentate hath, or ought to have, any power, jurisdiction superiority, preeminence, or authority, ecclesiastical or spiritual, within this realm.

THE CHRISTIAN BELIEF.

I. A. B. profess faith in God the Father, and in Jesus Christ, his eternal Son the true God, and in the Holy Spirit one God blessed for ever more; and do acknowledge the Holy Scriptures of the Old and New Testament, to be given by Divine inspiration.

Chapter V.

An Act for raising a Tax.

WHEREAS there seems a necessity for the raising of money for the payment and discharge of several Provincial debts, and the providing of a fund for the support of the present government.

Be it enacted by the Governor, with the advice of Council, and the consent and agreement of the representatives in this present Assembly met and assembled, And it is hereby enacted by the authority of the same, that a tax be laid, and is hereby laid upon the Province, to be levied in manner following, (viz.) that one penny per acre be laid and is hereby taxed and laid upon every acre of land
cleared, improved, and within fence, meadow only excepted, and six pence upon every hundred acres of surveyed and unimproved land; and upon all neat cattle from one year old and upwards six pence per head; and upon every horse and mare one year old and upwards twelve pence per head; and for every hog or swine, that any person shall sell, convey, or dispose of living or dead, from and after the publication hereof six pence per head; and for every sheep one penny per head; and also all persons keeping or owning of negroes, shall pay for every negro of ten years of age and upwards, two shillings and six pence.

And if any person or persons shall neglect or refuse to pay his or their tax, or shall be found to give in a false account of anything hereby taxable, when lawfully required, and the same be proved by two witnesses before one justice of the peace, shall forfeit and pay for every negro concealed and not given in, the sum of six shillings; for every head of such beast not given in as aforesaid ten shillings; and for every acre of land improved two pence, and for every hundred acres of unimproved land nine pence; the one half thereof to the informer, and the other half to be paid into the treasury as part of the tax, the same to be levied by way of distress and sale of the offenders goods.

And further, that all persons residing in towns or elsewhere, whose estates are not so visible as those estates which consist of lands and stock, shall pay three pence for every pound their estates shall be appraised worth, which shall be valued by the appraisers or assessors that shall be appointed in every township or constablewick within this Province, by a warrant from the county court, directed to the constable of every precinct, who shall be thereby authorized to warn the inhabitants within his limits at a certain day, at some convenient place within his constablewick, to chuse their assessors and collectors, and give in an account of their lands, negroes and stocks as aforesaid.

And further that all persons, who are free men, and not intended servants, of twenty year's of age and upwards within this Province, who shall not ap-
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pear taxable by estate or stock to the value of six shillings, shall notwithstanding pay the sum of six shilling to the said tax.

The collectors to pay in the money by them received to the treasurer at Burlington, at or before the second day of February next ensuing, who shall have allowed him for his pains for paying and receiving of the same, the sum of four pence per pound, and the collectors for collecting, gathering and paying in the sum to the treasurer one shilling per pound; the said tax to be paid in current silver money within this Province; of which the sum of two hundred pounds, shall be presented and given to our Governor, Andrew Hamilton, and the overplus (if any be) to remain in the custody of Peter Fretwell, treasurer, appointed for the Province, to be disposed of as the next session of Assembly shall see meet.

And further, that each and every collector are hereby required to bring in a true duplicate of the names and surnames of all the inhabitants within their respective circuit or precinct, who come within the compass of this act, and of the same from them respectively paid to the treasurer, in order to enable him to make a just proof of his account.

All which acts of this Assembly at their session begun the twelfth of May, Anno. 1696, and continued to the twenty third of the same month, were by the honourable Governor, Andrew Hamilton, (with the advice of the Council) and by Francis Davenport, Speaker to the House of Representatives, on their behalf, signed within the said session of Assembly.

And according to order recorded by me Thomas Revell, Secretary, &c.
Province of West New Jersey, May 12th, 1697, to the 21st of the same Month.

The Acts and Laws of the Governor, Council and Representatives for said Province then made and continued.

Chapter I.

JUSTICES nominated and elected to serve as justices, and other officers for the respective counties of this Province for the year next ensuing, are.

Justices for Burlington County.

Mahlon Stacy, Frans. Davenport, William Biddle, Daniel Wills, Peter Fretwell, 
John Hollingshead, John Adams, Quorum.

Clerk and Recorder of the county of Burlington, and Court of Appeals, Thomas Bibb.

Sheriff. Samuel Furnis.
Coroner. Daniel Wills.

King's Attorney. Benjamen Wheat.

Justices for Salem County.

Jonathan Beere, Thomas Woodrofe, Richard Darkin, Richard Tindall, 
Quorum. William Slooby, John Holme, John Bacon, William Butten,
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Clerk and Recorder, Samuel Hedge.


King's Attorney  Joseph Woodrofe.

Justices for Gloucester County,
Samuel Spicer,  John Hugg, junr.  
Thomas Gardner,  Quorum.  John Rambo,  
John Kay,  Jonathan Adams,  
Andrew Robinson.


Clerk and Recorder.  John Reading.

Coroner.  John Wood.


Justices for Cape May County.
George Taylor,  Jacob Dayton,  
John Jervis,  Quorum.  Shamgar Hand,  
Samuel Crawell,  William Gouldin,

Sheriff.  Ezekiel Eldridge.

Clerk and Recorder.  Timothy Brandereth.

Coroner.  Samuel Mathews.

Chapter II.

An Act for enlarging the Powers and Privileges of Court, for Cape May County.

WHEREAS it is represented to the House of Representatives by sundry of the members of Cape May, that the inhabitants of that county, suffer great inconveniencies by reason that their court is
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restricted only to the tryal of all civil causes, not exceeding the value of twenty pounds, pursuant to an act of Assembly made in the month of October, Anno, 1693.

Be it enacted therefore by the Governor with advice of Council, and consent and agreement of the Representatives in the General Free Assembly met and assembled, and it is hereby enacted by the authority of the same; that from and after the publication hereof, the said restraint, limitation or restriction shall be removed, absolutely vacated and taken away, and that it shall and may be lawful for the said courts within the county aforesaid, to hear and try all civil causes of any value whatsoever, without any observance of any such restriction, and that the said courts shall and may use and exercise the same liberties, immunities and privileges that have been granted to the rest of the courts within the several counties of this Province; any law, custom or usage whatsoever, to the contrary thereof in any wise notwithstanding.

Chapter III.

An Act for stopping the Tide out of Allaway’s Creek.

WHEREAS sundry of the inhabitants in and about Allaway’s creek in the county of Salem, have given the House of Representatives to understand, that several thousand acres of marsh might be drain’d, very great improvements made, and considerable advantage accrue by having said creek stopped, and the tide kept out, and by their petition do crave that they by an act of Assembly may be enabled to effect and perform the same.

Therefore be it enacted by the Governor, with advice of his Council, and the consent and agreement of the Representatives in this present Assembly met and assembled, and it is hereby enacted by the authority of the same, that it shall and may be lawful to and for the inhabitants, in and
about Allaway’s creek, subscribers to the said petition, and they are hereby enabled, empowered and authorized at any time or times after the publication hereof, at some convenient place in the said creek, to erect, build and make such damm’s, banks, gates, sluices, and works for the stopping, daming and keeping the tide forth of the said creek, as to them shall seem most expedient, necessary and convenient; and that each and every of the subscribers to the said petition, their heirs and successors shall be obliged to pay his and their respective parts of the charge of erecting and making of the dams, or works above said, and the amending, renewing, maintaining and repairing of the same from time to time, as need shall be and require, proportionable, and according to the number of acres of marsh which each one hath on the creek aforesaid: And also if any other persons besides the present subscribers shall hereafter receive a certain benefit in having their marshes improved, by reason of making the said dam or works above said, they, and each and every of such person or persons, their heirs and successors shall be contributary to the said charge, and pay their proportionable part of the same according to the quantity of their marsh improved in manner as aforesaid.

Chapter IV.

An Act for selling Widow Bassnett’s Brewhouse.

WHEREAS the heirs of Richard Bassnet deceased, is not yet of age, and thereby incapable to dispose of lands for the payment of his fathers debts and legacies, and whereas some part of his estate is likely to fall into decay: Be it enacted by the Governor, Council and representatives in this General Assembly met and assembled, and by the authority of the same, that the brewhouse upon the river opposite to the said Richard Bassnett’s brickhouse, with a convenient part of the wharf next (leaving sufficient wharf or priviledge upon it to accommodate the brick house) be vested in Elizabeth Bassnett, the widow
and executrix of the said Richard Bassnett, in trust for the
ehir of the said Richard Bassnet, to whom she is to be ac-
tcountable, with full power to sell and dispose of the same
to the best advantage, and the money to be imployed to
such uses as is appointed by the will of said Richard Bass-
nett.

Chapter V.

An Act for a Road to and for Cape May.

WHEREAS the inhabitants of Cape May county do rep-
resent themselves as under extreme hardships for
want of a road from Cape May, through their county to Co-
hansey, in order to their repair to Burlington, to attend the
publick service: Be it therefore enacted by the Governor,
with advice of his Council and the consent and agreement
of the representatives in General Assembly, met and assem-
bled, and it is hereby enacted by the authority of the same,
that George Taylor, and John Crafford, be commissioners
appointed, and they are hereby appointed and impowered to
lay out a road from Cape May the most convenient to lead
to Burlington, betwixt this and the tenth day of September
next. And be it further enacted by the authority aforesaid,
that the charge of said road be at present defrayed by the
inhabitants of Cape May county until such time as those
land through which the road goes are settled, and that the
grand jury (upon the report of the commissioners) do, in
conjunction with the court, assess the inhabitants of the
said county to defray the charge of the said road.

Chapter VI.

An Act for Fairfield elected into a Township.

WHEREAS the peopling of the Province does in-
crease the value thereof, and some encour-
agement to new settlers is a means to effect
the same; Be it enacted by the Governor, with the
advice of the Council and representatives, in this present Assembly met and assembled, and by the authority of the same, that the tract of land in Cohansy, purchased by several people lately inhabitants of Fairfield in New England, be from and after the date hereof, erected into a township, and be called Fairfield, which is hereby empowered to the same privileges as any other townships in this Province are or have been, that are not towns incorporate.

All which acts of this Assembly at their session begun the 12th of May, Anno 1697, and continued till the 21st of the same month, were by the honourable Governor, Andrew Hamilton (with the advice of his Council) and by Samuel Jennings, Speaker to the House of Representatives on their behalf, signed within the said session of Assembly.

And according to order recorded by me Thomas Revell, Secretary, &c.

Convened at Burlington, the 4th of November, 1697, then made and confirmed.

Chapter I.
An Act for encouraging the killing wolves and panthers.

It being seen by daily and detrimetal experience, that the wolves are very destructive to the cattle and creatures of the inhabitants of this Province;
and it is being represented that the panthers are also great destroyers of stock; and that notwithstanding ways and means have been used, yet none were found sufficient to abate their increase and growth.

Be it therefore enacted by the Governor, and Council with the advice and consent of the representatives in this present Assembly met and assembled, and by the authority of the same; for the better encouraging any persons to kill and destroy wolves and panthers, that whatsoever Christian shall kill and bring the head of a wolf, of prey, or panther, to any magistrate in any of the counties of this Province, shall receive as a reward twenty shillings of the treasurer of said county; and if by an Indian or negroe, the said Indian or negroe, shall receive ten shillings after the same manner. Provided nevertheless that if the wolf, or panther, shall not be deemed by the magistrate to be a wolf or panther of such growth as to be of prey, then the Christian that shall kill such wolf or panther, shall receive but ten shillings, and the Indian or negroe five shillings, as a sufficient reward.

Chapter II.

An Act for impowering the Trustees of Percivall Towle, to dispose of and sell certain Housing and Land to uses, &c.

WHEREAS by the directions of a quarterly meeting of the people called Quakers in the county of Burlington, divers members of this House did represent unto us the convenience it would be unto them, that an act of Assembly might pass for the enabling of certain trustees appointed by Percivall Towle, in his last will and testament which was then and there read, to sell such houses and lands as are thereby bequeathed to the use of the quarterly meeting of the people called Quakers in the county of Burlington, the said will not giving so full and clear power as may be necessary to make a good title to the
same, and the most valuable part of the said bequest being in houses much out of repair, by reason of which little clear profit doth arise from them, and less is like to be for the future.

Be it therefore enacted by the Governor, and Council with the advice and consent of the representatives in this present Assembly met and assembled, and by the authority of the same, that the trustees of the estate of Percivall Towle, or the major part of them, if they see meet, are hereby made able or enabled to sell and dispose of that part of the estate which is bequeathed to the quarterly meeting of the people called Quakers abovesaid, either entirely or in parts, as to the said trustees, or the major part of them, shall seem most expedient.

Chapter III.

An Act for the peaceable Possession and Enjoyment of the Land at Lessa Point, &c.

WHEREAS Peter Jeyou late of Lessa Point, in the county of Burlington, and Province of West New Jersey, deceased, was by virtue of a grant or permit from Philip Carteret Esq; then Governor of East and West Jersey formerly called New Cæsarion, seized and possessed of, a certain tract of land on said point (but without mentioning the quantity of acres) he claiming thereby and by his Indian purchase and survey about seventeen hundred acres, and afterwards by deed conveyed the same to Thomas Bowman of same place merchant, and whereas the said Thomas by agreement, advice and consent of the General Assembly, then likewise Proprietors of said Province, did accept to restrict himself and take up two hundred acres of land on said point in lieu of his claim to the said whole tract of seventeen hundred acres by him purchased of said Jeyou as aforesaid, and thereby relinquish’d all claim to the remaining part of seventeen hundred acres; and by advice aforesaid, did survey and take up the said two hundred acres, accord-
ing to the rules and methods prescribed by the commissioners in that behalf appointed, and accordingly was published in open court and recorded, and by virtue thereof he and his assigns quietly and peaceably, for many years have enjoyed the same: And whereas the said Bowman by deed conveyed one hundred acres of said land to Edward Hunlock, of Burlington, in said Province merchant; and the said Hunlock, obtaining a verdict and judgment in an action of debt against said Bowman, and other effects in the said Province being not to be found, the aforesaid other one hundred acres of land of said Bowman on said point, was taken in execution, and by the sheriff of said county was sold and conveyed to said Hunlock, towards payment of his said debt, according to the laws of said Province in that case made and provided, by virtue whereof the said Hunlock, for several years peaceably and quietly held and enjoyed the said two hundred acres of land on Lessa Point, and afterwards conveyed the same with other land adjoining thereto (unto which he had an indubitable right) unto John Joosten, and John Hammell, their heirs and assigns, and notwithstanding the premisses, and an act of Assembly, whereby it is provided that seven years quiet possession shall make and confirm an undoubted right, some persons by pretended claims, have disturbed said Joosten, and Hammell in their lawful and quiet possession of the said land and premisses; the verity of all which being made appear to this house by several eminent members thereof. Be it therefore enacted by the Governor, Council and representatives in this present Assembly met and assembled, And it is hereby enacted and declared by the authority of the same, that the said John Joosten, and John Hammell, their heirs and assigns, shall and may forever hereafter peaceably and quietly have, hold, possess and enjoy the same two hundred acres of land, with all the buildings and improvements therein made and being, and that from hence forward all such claims as have or may be made hereafter by any person or persons to the same, or any part thereof, shall from henceforth cease, become null, void, and of none effect, and it is hereby, and by virtue of this act, declared to cease, and be null, void and of none effect to all intents and purposes whatsoever.
Chapter IV.
An Act for the Tax.

BEING sensible of the many great services done by our present Governor, Coll. Andrew Hamilton, since his accession to the administration of the government in this Province, and taking also into our consideration the great charge that must attend any person in that post, and how little hath yet been done by us answerable to his merit and station, we find ourselves obliged in point of gratitude, and in testimony of our affection to him, and as a demonstration thereof, to offer as is hereafter expressed, and pray our Governor’s acceptance thereof from a poor people, whose good will and regard to him is not to be measured by the value of our offering, but integrity of the offerers: Be it enacted by the Governor, with the advice of Council, and the consent and agreement of the representatives in this present Assembly met and assembled, and it is hereby enacted by the authority of the same, that a tax be laid and is hereby laid upon the Province to be levied in manner following, one halfpenny per acre be laid, and is hereby taxed and laid upon every acre of land cleared, improved and within fence, meadow only excepted, and three pence upon every hundred acres of surveyed and unimproved land; and upon all neat cattle from one year old and upwards three pence per head; and upon every horse and mare one year old and upwards six pence per head; and for every hog or swine, that any person shall sell, convey, or dispose of living or dead, from and after the publication hereof three pence; and for every sheep one halfpenny per head; and also all persons keeping or owning of negroes, shall pay for every negro of ten years of age and upwards, one shilling and three pence. And if any person or persons shall neglect or refuse to pay his or their tax, or shall be found to give in a false account of any thing hereby taxable, when lawfully required, and the same be proved by two witnesses before one justice of the peace, shall forfeit and pay for every negro concealed or not given in, the sum of three shillings; for every head of such beast not
given in as aforesaid five shillings; and for every acre of land improved one penny, and for every hundred acres of unimproved land four pence halfpenny; the one half thereof to the informer, and the other half to be paid into the treasury as part of the tax, the same to be levied by way of distress and sale of the offenders goods. And further, that all persons residing in towns and elsewhere, whose estates are not so visible as those estates which consist of lands and stock, shall pay one penny halfpenny for every pound their estates shall be appraised worth, which shall be valued by the appraisers or assessors that shall be appointed in every township or constablewick within this Province, by a warrant from the county court, directed to the constable of every precinct, who shall be thereby authorized to warn the inhabitants within his limits at a certain day, at some convenient place within his constablewick, to chuse their assessors and collectors, and give in an account of their lands, negroes and stocks as above-said. And further that all persons, who are free men, and not indented servants, of twenty year's of age and upwards within this Province, who shall not appear taxable by estate or stock to the value of three shillings, shall notwithstanding pay the sum of three shillings to the said tax. The collectors to pay in the money by them received to the treasurer at Burlington, at or before the first day of May next ensuing, who shall have allowed him for his pains for receiving and paying of the same, the sum of sixpence per pound, and the collectors for collecting, gathering and paying in the sum to the treasurer one shilling per pound; the said tax to be paid in current silver money within this Province; of which the sum of two hundred pounds, shall be presented and given to our Governor, Andrew Hamilton, and the overplus (if any be) to remain in the custody of Peter Fretwell, treasurer, appointed for the Province, to be disposed of as the next session of Assembly shall see meet. Provided that the treasurer do forthwith after confirmation hereof, pay or cause to be paid to our said Governor, the sum of fifty pounds, as part of the said two hundred pounds so to be raised, presented and given. And further, that each collector are hereby required to bring in a true duplicate of the names
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and sir-names of all the inhabitants within their respective precinct, who come within the compass of this act, and of the same from them respectively paid to the treasurer, in order to enable him to make a just proof of his account.

All which acts of the General Assembly at their session convened at Burlington, November 4th 1697, and ending the 13th of the same month, were by the honourable Governor Andrew Hamilton, (with the advice of his Council) and by Samuel Jenings, speaker to the House of Representatives, on their behalf, signed within the said session of Assembly.

And according to order recorded by me Thomas Revell, Secretary, &c.

Province of West New Jersey, December 20th, 1699, to the first Day of January following.

The Acts and Laws of the Governor, Council and Representatives for said Province then made and confirmed.

The Hon. Col. ANDREW HAMILTON, Governor.

Chapter I.

An Act for Provincial judges.

WHEREAS at a General Assembly begun and held at Burlington, the third day of October, 1693, and continued by several adjournments unto the
eighteenth day of the same, among other acts it was enacted, that a supreme court of appeals be erected, into which all appeals in law might be made. And forasmuch as by experience it hath been found, that the said court, hath not answered the good ends thereby intended, for remedy whereof, be it enacted by the Governor, with the advice of his Council and with the consent and agreement of the House of Representatives, and by the authority of the same, and it is hereby enacted that from henceforward their shall be yearly chosen by the House of Representatives for this Province, three circular judges to be added to the list of officers presented annually to the Governor, for his approbation and commission, two of which judges with one or more of the justices of each county, or in default of such justices in their respective counties, any other justices who have not sat upon the action to be tried in the same court, shall and may sit and act therein; any three of which justices, in conjunction with two or more of the said judges shall be a quorum for the said court, and shall have power to try all criminal causes as well as civil that shall happen to be depending at any time in any of the counties where the said provincial court shall be held in course, without any special commission; and the judges and other officers shall and may lawfully demand and receive double the fees as by law allowed in the county courts. And be it further enacted by the authority aforesaid, that the said provincial court, or court of appeals, shall be held twice every year in each county at the times and under the restrictions and limitations, following, that is to say, at Burlington the eleventh day of the second month called April, and the eleventh day of the eighth month called October. At Gloucester the fourteenth day of the second month called April, and the fourteenth of the eighth month called October. At Salem, the seventeenth of the second month called April, and the seventeenth of the eighth month called October. At Cape May, the twentieth of the second month called April, and the twentieth of the eighth month called October, in case an information be given by the clerk of the county court, twenty days before the time of setting of the court in course, to the clerk of the
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Provincial court, which clerk shall be chosen by the said judges or the major part of them, and when chosen shall by order from them make it known to the clerk of each county court, that any business proper for recognizance of the said Provincial court is depending, then and not otherwise shall the said court be held at the times aforesaid. But in case it should so happen upon any sudden immemory that there should be any occasion for the Governor, or in his absence for the Council, to grant any special commission of Oyer and Terminer, it is hereby enacted by the authority aforesaid, that such commission shall be given to some one or more of the judges elected as aforesaid, and not otherwise; any law, usage or custom to the contrary in any wise notwithstanding.

Be it further enacted by the authority aforesaid, that such person or persons as shall see fit to appeal to the said Superior Court of Appeals, shall assign errors why the judgment of the inferior court ought to be reversed, and lodge the same with the clerk of the said court twenty days before the sitting thereof, that the appellant may have a copy thereof if he desires it; and in case no errors be assigned and lodged as aforesaid, that the appeallant shall loose the benefit of his appeal, and the judgment given against such person or persons in the inferior court be executed. And be it also enacted by the authority aforesaid, that the judges of the said court shall in civil causes take only cognizance whether the errors assigned be sufficient to reverse the judgment, and if they be found not sufficient to reverse the same, then to affirm the judgment of the inferior court, and the appellant to pay cost of suit. And be it also enacted by the authority aforesaid, that an appeal shall lye from the said Provincial court to the General Assembly of this Province in case the debt or damage, amount to the sum of twenty pounds, where a final division shall be, unless an appeal be demanded from the General Assembly to England, in which case the appeallant shall find sufficient security to prosecute the said appeal
within the space of eighteen months, and shall pay the costs of court, from which they appeal, and abide the judgment of the said court till it be reversed. And be it also enacted, that no appeal shall lye from the inferior court, or quarterly sessions, where the action is for a less sum than ten pounds.

Chapter II.

An Act for Officers.

A list of persons nominated by the General Assembly of representatives to serve as justices and other officers for the county of Burlington, (viz.)

Justices.
Mahlon Stacy,
Francis Davenport,
Peter Fretwell,
William Biddle,
Thomas Lambert,
Quorum.
Ralph Hunt,
Joshua Newbold,
John Wills,
John Adams,
Elias Toy,

Edward Hunlock, Clerk and Recorder.

Joseph Cross, Sheriff.

John Wills, Coroner.

Thomas Gardner, King’s Attorney

Justices for Gloucester County,
Thomas Gardner,
John Hugg, junr.
Andrew Robinson,
Philip Paul,
Quorum.
John Cahaen,
James Whiteall,
Jonathan Adams,

William Warner, Sheriff.

John Wood, Coroner.

John Reading, Clerk and Recorder.
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Justices for Salem County.
Thomas Woodrofe,             Denis Fisher,
Jonathan Beer,              Walter Hughstis,
William Hall of Salem,       William Slooby,
John Bacon,                  Joseph Sears,
John Thomson,

Samuel Hedge, Clerk and Recorder.
Hugh Middleton, Sheriff.
Benjamin Knapton, Jonathan Craling, Coroner.

Justices for Cape May County.
Samuel Crowel,               William Golding,
Shamger Hand,                Quorum.          Samuel Mathews,
Jacob Dayton,                Quorum.          John Townsend,

Ezekiel Eldridge, Sheriff.
Timothy Brandereth, Clerk and Recorder.
Joseph Whilden Coroner.

Francis Davenport, Edward Hunlock, Jonathan Beer,
Provincial Judges.

Peter Frettwell, Provincial Treasurer.

Chapter III.
An Act for restricting the Number of Representatives.

WHEREAS it hath been the custom and practice of this Province formerly to choose ten representatives for each tenth to serve in the Provincial Assembly, which was according to the tenor of the Concessions, and afterwards it was found necessary to distinguish the most inhabited parts and tenths of the said Province by counties; and according-ly in the year 1694, they were erected into counties by act of Assembly, that is two tenths allotted and laid to-gether for Burlington, two tenths for Gloucester, and
one reputed tenth for Salem county; and each county lim-
itted to the following members of representatives, that is to
say the county of Burlington twenty; the county of Glou-
cester twenty; the county of Salem ten, and Cape May five.
But it being considered by the House of Representatives,
that so great a number as was then allowed to each county
was superfluous, unnecessary and burthensome, the House
thereupon thought fit to reduce the said number.

Be it therefore enacted, and it is hereby enacted by the
Governor, with advice of Council, with the consent and
agreement of the House of Representatives, that from hence-
forward in each county of this Province on their election
days established, there be chosen as members, to serve in
the General Assembly, the members following. For Bur-
lington county ten, for Gloucester county ten, for Salem
county five, and for Cape May county three, all sufficient
freeholders and no more; any law, custom or usage of this
Province to the contrary notwithstanding.

All which acts of the General Assembly at their session
convened at Burlington, December 20th 1699, and ending
the first day of January next following, were by the honour-
able Colonel Andrew Hamilton Governor, (with advice of
his Council) and by Samuel Jennings, Speaker to the House
of Representatives and on their behalf signed in their ses-
tion of Assembly.

And by order recorded by me Edward Hunlock, Recorder.
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Province of West Jersey, May 12th, 1700, to the 25th, same Month.

The Acts and Laws of the Governor, Council and Representatives of the said Province then made and confirmed.

The Hon. Col. ANDREW HAMILTON, Governor.

Chapter I.

An Act for justices.

JUSTICES and other officers elected by the General Free Assembly sitting in Burlington, this 14th day of May, Anno Domini, 1700, for the several and respective counties within this Province of West Jersey, for the year next ensuing are.

Justices for Burlington County.

Mahlon Stacy, Joshua Newbold,
Francis Davenport, Richard Redgway,
Peter Frettwell, Robert Wheeler,
William Biddle, John Wills,
Thomas Lambert, John Adams,
Joshua Ely, Elias Toy,

Quorum.

Christopher Wetherill, Sheriff.
John Wills, Coroner.
Edward Hunloke, Clerk and Recorder.
John Wood, Coroner.
Thomas Gardner, King’s Attorney.
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Justices for Gloucester County.


Matthew Medcalf, Sheriff.

John Reading, Clerk and Recorder.

John Wood, Coroner.

Joseph Tomlinson, Kings Attorney.

Justices for Salem County.


William Griffin, Sheriff,

Samuel Hedge, Clerk and Recorder.

Benjamin Knapton, Jonathan Walling, Coroners.

Justices for Cape May County.

Shamgar Hand, John Townsend, Jacob Dayton, Quorum. Samuel Mathews, Thomas Stanford, William Mason,

Edmund Howel, Sheriff.

Timothy Brandreth, Clerk and Recorder.

Jonathan Osbourn, Coroner.

John Crawford, King’s Attorney.

Francis Davenport, Edward Hunlock, Jonathan Beer, Provincial judges.

Peter Frettwell, Provincial Treasurer.
Chapter II.

An Act for advancing Sheriffs and Cryers Fees.

FORASMUCH as it is signified to the House of Representative, that the fees (allowed by the law) to the sheriff and cryer, are too inconsiderable and small, and that thereby it proves prejudicial and burthensome to the persons serving in those offices, for remedy whereof, and as encouragement to them who shall officiate in those capacities for the time to come, be it enacted by the Governor, with advice of his Council, and the consent and agreement of the representatives in General Free Assembly met and assembled. And it is hereby enacted by the authority of the same, that from and after the publication hereof, it shall and may be lawful to and for each sheriff and cryer within the respective counties of this Province to demand and receive as their proper fees and salary in the office abovesaid, in manner as is hereby provided, allowed and given, any law, usage or custom whatsoever to the contrary thereof in any wise notwithstanding.

The Sheriff.

FOR serving an arrest, three shillings.

For an attachment above forty shillings, two shillings six-pence.

A bail bond, one shilling.

Serving a summons, one shilling.

For going to serve an arrest, attachment, execution or summons, each mile to the place of serving, six pence.

For each person put into the sheriffs custody, wanting bail, or not bailable, three shillings.

For serving an execution for five pounds, or any sum under, four shillings.

If above five pounds, and not exceeding the sum of twenty pounds, six shillings.

And for any sum above twenty pounds, four pence per pound.

For summoning of the jury in each cause tried and return thereof, five shillings.
Impannelling the jury in each cause, return of each writ or summons, ten pence.
Summoning of the grand jury, six shillings.

The Cryer.

For non appearance of each jury man, six pence.
For each cause called in court, ten pence.
For calling the jury in each cause, ten pence.
For crying of any thing lost, ten pence.
For each nonsuit entered, ten pence.
For each person cleared per proclamation, ten pence.

Chapter III.
An Act about provincial judges.

Forasmuch as there was a provincial court, or court of appeals, with its proper officers erected and established by act of Assembly made at the last sessions held the 20th day of December, Anno Dom. 1699, wherein no suitable methods are taken for the sufficient defraying of the judges and other officers expence and charge, therefore in order to supply that defect, and that the judges and other officers may be encouraged to discharge their several and respective trusts according to the tenor of that law. Be it enacted by the Governor, with advice of his Council, and consent and agreement of the representatives in this General Free Assembly met and assembled, and it is hereby enacted by the authority of the same, that the respective sheriff of each county within this Province (accompanied with one other man at the least) shall meet the provincial judges and other officers (when riding the circuit) at the verge of his county, and then shall attend, accompany and safely conduct through his bailifwick to the place of their sitting, or in case of further travel, to the entrance of the next county, where the sheriff thereof shall likewise receive and conduct them in manner aforesaid. And be it enacted, and it is hereby enacted by the authority aforesaid, that the sheriff of each county shall from time to time deposit and defray all the necessary and incidental traveling charges of the judges and other officers whilst in their respective counties, which said charges
shall be reimbursed the sheriff by the Provincial treasurer. And be it further enacted, and it is hereby enacted by the authority aforesaid, that the said judges shall and may receive six shillings per man for each cause, civil or criminal, and the justices sitting the said court for each cause twelve shillings over and above the double fees already established by-law; in causes civil to be paid by the appellant as costs of suit, and in criminal causes by the offender himself if able, and in case of non ability then to be defrayed by the respective county where the cause ariseth. And the like care and attendance shall be given by the sheriff to the said judges and officers, at their return, as their was at their entrance into each county as aforesaid; and in case the sheriff shall make one default, or failure in any of the services enjoyned him by this act, he shall be fined or punished for his neglect at the discretion of the Provincial judges.

Chapter IV.

An Act against Burglary.

WHEREAS hitherto the laws of this Province have made no provision for the punishment of burglary, or of such person or persons who shall break into houses.

Be it enacted by the Governor, with the advice of his Council, and with the consent and agreement of the representatives in this General Assembly met and assembled, and it is hereby enacted by the authority of the same, that from and after the publication hereof, any person or persons that shall break into any house, out-house, or barn, in the day time or in the night, and shall steal any goods or merchandise to the value of one shilling or upwards, upon being convicted thereof, shall (besides the making of restitution of four fold) according to the law of this Province (formerly directed) for the first offence receive thirty nine stripes upon the bare back, and being convicted the second time shall have burnt with a hot iron upon his, her or their forehead a Roman T
added to the above punishment; and being convicted the third time shall be burned with a hot iron in the cheek with the Roman letter T, suffer a twelve months close imprisonment, and be kept to hard labour, only having a sufficiency of diet, and corrected by being whipt with thirty nine stripes on the bare back, once in every month during the said term of one year. Provided always, and it is hereby provided, that after the conviction of the first fault, if the offender beg transportation, the judges or justices of the Supreme Court, shall or may allow it him or her. Provided nevertheless if they shall return into this Province for the space of seven years next after they have beg’d transportation, upon being apprehended they shall not only make restitution fourfold, but as often as they return in the said term of seven years, they shall receive thirty nine stripes as aforesaid, and likewise be branded on the forheead with the Roman letter T.

Chapter V.

An Act for the Inhabitants below Salem, to be at present under Salem jurisdiction.

BE IT ENACTED by the Governor, with advice of his Council, and the consent and agreement of the House of Representatives in the General Free Assembly met and assembled, and it is hereby enacted by the authority of the same, that all persons inhabiting on the River Tweed, being the lower bounds of Salem county, and all settlements below unto the bounds of the county of Cape May, shall from hence forth be annex’d to, and be subject to the jurisdiction of the court and county of Salem, until it shall be otherwise ordered by the General Free Assembly of this Province.

Chapter VI.

An Act for laying a Tax.

WHEREAS it appears to the House of Representatives, that there is a present necessity for the
raising of money, as well towards an honourable support of government, as to defray several Provincial debts already contracted, in consideration whereof the House of Representatives do pray that it be enacted: Be it therefore enacted by the Governor, with the advice of his Council, and the consent and agreement of the representatives in this present assembly met and assembled, And it is hereby enacted by the authority of the same, that a tax be laid, and is hereby laid upon the Province to be levied in manner following, (viz.) that one penny per acre be laid, and is hereby taxed and laid upon every acre of land cleared, improved and within fence, (meadow only excepted) and eight pence upon every hundred acres of surveyed and unimproved land; and upon all neat cattle from one year old and upwards eight pence per head; and upon every horse and mare of one year old and upwards one shilling and four pence per head; and for sheep one penny halfpenny per head; and for every hog or swine, that any person shall sell, convey, or dispose of living or dead, from and after the publication hereof eight pence per head. And if any person or persons shall neglect or refuse to pay his or their tax, or shall be found to give in a false account of any thing here by taxable when lawfully required, and the same be proved by two witnesses before one justice of the peace, shall forfeit and pay for every head of such beast, hog or swine, not given in as aforesaid, the sum of ten shillings; and for every acre of land improved two pence; and for every hundred acres of land unimproved one shilling; the one half thereof to the informer, and the other half to be paid into the treasury as part of the tax. And further, that all persons residing in towns or elsewhere, whose estates are not so visible as those estates which consist of lands and stock, shall pay four pence for every pound their estates shall be appraised worth, which shall be valued by the appraisers or assessors that shall be appointed in every township or constablewick within this Province, by a warrant from the county court, directed to the constable of every precinct, who shall thereby be authorized to warn the inhabitants within his limits at a certain day, at some convenient place within his constablewick, to chuse their assessors and collec-
tors, and give in an account of their lands, and stocks as above said. And further that all persons, who are free men, and indented servants, of twenty year's of age and upwards within this Province, who shall not appear taxable by estate or stock to the value of six shillings, shall notwithstanding pay the sum of six shillings to the said tax. The collectors to pay in the money by them received to the Provincial treasurer at Burlington, at or before the second day of February next ensuing, who shall have allowed him for his pains for receiving and paying of the same, the sum of four pence per pound, and the collectors for collecting, gathering and paying in the same to the treasurer one shilling per pound; the said tax to be paid in current silver money within this Province; of which the sum of three hundred pounds, shall be presented and given to our Governor, Col. Andrew Hamilton, in token of our good will and affection towards him, humbly praying his acceptance thereof, and the overplus (if any be) to remain in the custody of Peter Fretwell, treasurer, appointed for the Province, to be disposed of as the General Free Assembly shall see meet. And further, that each and every collector are hereby required to bring in true duplicate of the names and surnames of all the inhabitants within their respective circuit or precinct, who come within the compass of this act, and of the sum from them respectfully paid to the treasurer, in order to enable him to make a just proof of his accounts.

Chapter VII.

An Act for enabling the Executrix of Richard Bassnett to dispose of some of his real Estate.

Whereas the heir of Richard Bassnett deceased, is not at age, and thereby incapable to dispose of lands, for the payment of his fathers debts and legacies.

Be it enacted by the Governor, with the advice of his Council, and by and with the consent and agreement, of the representatives in this Gene-
eral Free Assembly met and assembled, and it is hereby enacted by the authority of the same, that any part of the real estate of the said Richard Bassnett, to the value of five hundred pounds current money of this Province, be vested and is hereby vested in Elizabeth Bassnett, widow and executrix of the said Richard Bassnett, in trust for the heir of the said defunct, to defray the debts and legacies hereafter mentioned, (viz.) to the children of William Hampton deceased, three hundred pounds, to Samuel Carpenter, one hundred pounds, and to Elizabeth Dell, daughter of the said Richard Bassnett, one hundred pounds. Provided always, and it is hereby provided, that the said Elizabeth Bassnet, shall find sufficient security, that Sarah and Thomas Hampton shall when they are at age, or their portion become due to them according to a contract of marriage betwixt the said Richard Bassnett and Elizabeth, and afterwards his wife, renounce all their pretences to their father William Hampton’s estate, or that the money be repaid with interest, and also what Elizabeth Bassnett has or shall charge for their maintenance and schooling. And provided also, that Elizabeth Hampton that is now at age, shall also renounce her pretence to her said father Hampton’s estate, with full power and authority to the said Elizabeth Bassnett, and she is hereby authorized to dispose, sell and alienate any part of the said real estate in West New Jersey, (to the value above-said) to the best advantage, and firm or lawful conveyances and assurances thereof to make, seal and execute to such person or persons which shall purchase the same, and the money thereby raised to be employed to such uses as is appointed by the will of the said Richard Bassnett.

All which acts of the General Assembly at their session convened at Burlington, the 12th day of May, Anno Dom. 1700, and ending the 25th day of the same month, were by the honourable Col. Andrew Hamilton, Governor, (with the advice of his Council) and by Samuel Jenings, Speaker of the House of Representatives, and on their behalf, passed and signed in their session of Assembly.

And by their order recorded by me

EDWARD HUNLOCKE, Clerk Council.
Province of West New Jersey, May 12th, 1701 to the 21st same Month.

The Acts and Laws of the Governor, Council and Representatives for the said Province then made and confirmed.

The Hon. Col. ANDREW HAMILTON, Governor.

Chapter I.

An Act to enable John Hilliard, to dispose of 100 Acres of Land.

WHEREAS John Hilliard, by deed from Barnard Devonish, became vested in one hundred acres of land situate at and near Northampton river, in the county of Burlington, to the use of himself and wife, and the survivor of them, and to the heirs of their two bodies lawfully begotten, or to be begotten, and for want of such issue then to the use of the said John Hilliard, his heirs and assigns for ever. And whereas the said John Hilliard, by petition hath signified to this Assembly, that the said land is so greatly discommodated by so many and such various inconveniences attending the same, that there can be no considerable advantage made thereof, nor the chief end of the donor answered thereby, and that the holding of the same, (instead of a benefit) would prove to the present possessors of great detriment and prejudice, and thereupon prays to be enabled by a law to sell the same.

Therefore be it enacted by the Governor, with advice of the Council, and the consent and agreement of the House of Representatives in this
present Assembly met and assembled, and it is hereby enacted by the authority of the same, that the said John Hilliard, be enabled and authorized, and he is hereby fully enabled, empowered and authorized to dispose, sell and alienate all or any part of the said one hundred acres of land, and firm conveyances and assurances thereof, to make, seal and execute, with all other solemnities requisite, to such person or persons who shall purchase the same. Provided and it is hereby provided and enacted by the authority aforesaid, that the said John Hilliard, some time before the alienation of the said one hundred acres, in lieu and place thereof, do and shall procure a good right to one hundred and fifty acres of land in some more commodious place, and cause himself to stand lawfully seized thereof, to the several and respective uses abovementioned only, and that he hold the same to no other use, intent or purpose whatsoever.

Chapter II.

An Act for List of Officers.

A LIST of officers nominated and elected by the General Free Assembly to serve in the respective counties within this Province of West Jersey for the year ensuing, (viz.)

Justices for Burlington County.
Mahlon Stacy, Francis Davenport, William Biddle, Thomas Gardiner, William Emley, John Wills,}

Richard Ridgway, Samuel Furnis, Michael Newbold, John Adams, Joshua Ely,

Quorum.

Isaac Marriot, Sheriff.
Edward Hunlock, Clerk and Recorder.
John Wills, Coroner.
Thomas Gardner, King’s Attorney
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Justices for Gloucester County.

Thomas Gardner, Andrew Robinson, John Key, John Kaighin, Quorum.

Philip Paul, John Hugg, junr., William Warner, John Somers,

Matthew Medcalf, Sheriff,
John Reading, Clerk and Recorder.
Joseph Cooper, Coroner.
John Wood, King’s Attorney.

Justices for Salem County.

Jonathan Beer, William Hall of Salem, John Bacon, Joseph Woodroof, Quorum.

Joseph Sears, Hugh Middleton, Walter Hughstis, Benjamin Bacon,

William Griffin, Sheriff.
Samuel Hedge, Clerk and Recorder.
Benjamin Knapton, Joseph Eastland, Coroners.
Joseph Woodroof, King’s Attorney.

Justices for Cape May County.

Shamger Hand, George Taylor, William Mason, Quorum.

Jonathan Osborn, Thomas Stanford, Arthur Cressis,

Cæsar Hoskins, Sheriff.
Timothy Brandereth, Clerk and Recorder.
Samuel Matthews, Coroner.

Edward Hunlock, George Deacon, Jonathan Beer, Provincial Judges,

Peter Frettwell, Provincial Treasurer.
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Chapter III.

An Act for Representatives.

WHEREAS by the General Assembly sitting in December, Anno 1699, there was a law made for reducing the representatives to a less number, and thereby the several counties were limited (in their election of representatives to serve in General Free Assembly) to the following numbers, (viz.) for the county of Burlington ten; for Gloucester county, ten; for the county of Salem, five; and for the Cape May county three; which reduction hath occasioned an unexpected dissatisfaction, and not yet met with the good end thereby designed. Therefore be it enacted by the Governor, with advice of his Council, and the consent and agreement of the representatives in this present Assembly met and assembled, And it is hereby enacted by the authority of the same, that the act above mentioned for reducing the said representatives, shall be, and is hereby repealed, and that the former law and custom for electing the usual numbers, that is to say, for the county of Burlington, twenty; the county of Gloucester, twenty; Salem county ten; and for the county of Cape May, five; shall be and is hereby declared to be established, and to stand in full force and effect; any law, usage, or custom to the contrary thereof in any wise notwithstanding.

Chapter IV.

An Act to supply and enforce the observance of the late Tax Act.

WHEREAS there was an act of Assembly made in May 1700, entitled An act for raising a tax towards an honourable support of Government, as also to defray several provincial debts already contracted &c. Whereby it is provided, that a tax shall be laid upon the Province in manner and for the uses therein expressed, which are most necessary and just; yet notwithstanding the said act hath not at all in some places been obeyed, and in others, not prosecuted to
effect; occasioned by the artifices and devices practiced by factions and turbulent men, to seduce the inhabitants from their duty to government, and thereby run the King's subjects into disorder and confusion, infusing a jealousy into the heads of some well meaning but unwearied people, that the tax laid as aforesaid, would amount to a prodigious and unreasonable sum, far exceeding the occasions of the Province, and could not be less than between two and three thousand pounds, if not full so much: To remove which scandal and falsehood, we have taken notice what the tax laid in one thousand six hundred ninety six amounted to, and find it to be but three hundred and ninety pounds ten shillings and four pence, by the treasurers accounts and duplicates, and the tax, now to be raised is in proportion as eight to six, so that allowing for what can reasonably be supposed for increase of inhabitants since that time, we do not believe (upon the best calculation that we can make) that this tax can exceed seven hundred pounds, nor have we any probable conjecture that it reach so high; and the Province debts, by what already appears, amounts to five hundred pounds twelve shillings, besides what may be omitted, or not brought into the account, and growing charges of the Province, so that we cannot see any reason to believe that the sum arising from that tax, if duly paid, will do more than discharge the just debts of the Province; yet nevertheless, these false and malicious suggestions have so far prevailed in some places as to raise and cherish a refractory and seditious mind in divers, which hath appeared in some by refusing to obey the justices warrants to chuse assessors, and collectors; others being chosen to those offices, have refused to execute them, and some have refused to pay what is their just due when lawfully demanded, alledging further that the time is now elapsed, in which the said tax was to be raised, and so have sought to defend themselves and evade the force of the said act, by such weak subterfuges: For remedy whereof, Be it enacted by the Governor, with advice of the Council, and the consent and agreement of the representatives in this General Free Assembly met and assembled, And it is hereby enacted by the authority of the same, that the persons
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herein after mentioned, be appointed, and are hereby appointed and authorized in the several and respective townships, precincts or districts in the said Province, to be assessors and collectors, for the assessing and gathering the said tax, as follows, (viz.) In the county of Burlington, Burlington, for the township of Hopewell, Andrew Heath, and William Spencer, assessors, and Nathaniel Petit, collector. For Maidenhead, William Hixson, and John Brierly, assessors, and John Bainbridge, collector. For Nottingham, William Emlay, and Thomas Tindall, assessors, and Samuel Overton collector. For Chesterfield, Benjamin Field and Thomas Foulke, junr. assessors; and the same persons collectors. For Mansfield, Thomas Curtis, and James Crafts, senr. assessors, and Richard French collector. For Springfield, Thomas Duglis, and William Hunt, assessors, and John Knap collector. For Northampton, William Budd, and Anthony Elton, assessors, and Thomas Bryan, collector. For Burlington, Edward Hunloke, and Thomas Gardiner, Christopher Weatherill, Isaac Marriot, and Thomas Raper, assessors, and Abraham Buckley, and Richard Smith, collectors. For Wellinborough, Thomas Eves, and John Ward, assessors, and John Hudson collector. For Chester, Matthew Allin, and Abraham Hewlings, assessors, and John Hollinshead, and Thomas French, collectors. For Eversham, Henry Ballinger, and William Evans, assessors, and William Hewlings, collector. In the county of Gloucester, for the township of Waterford, John Kay, assessor and collector. For Newton, Martin Jervis, assessor and collector. For Gloucester, William Sharp, Gloucester County, assessor and collector. For Deptford, John Wood, assessor and collector. For Greenwich, George Lawrence, and Wolley Dalboe, assessors, and Peter Long, collector. For Egg Harbour, John Somers, and John Scull, assessors, and Jonathan Adams, collector. In Salem county, Salem County, for Salem, and Elfinburgh, Richard Johnston, and John Mason, assessors, and Richard Darkin, collector. For the precincts of Penns-Neck, Edward Godwin, and Paul Jaquet, assessors, and Adam Baldridge, collector. For the precincts of Maneton, Bartholomew Wiat, and James Barrott, assessors, and John Collier, collector. For the precincts of Alloways Creek, William Fenton, and Joseph Ware, assessors, and Daniel Smith collector. For the upper side of Cohansey Creek,
And be it enacted, and it is hereby enacted by the authority aforesaid, that the assessors respectively above named, for such township, precinct, or district, where all the inhabitants have not given in the accounts of their lands and stock, and paid in their respective proportions according to the said tax, such assessors, or either, or any of them, (the other refusing or neglecting to officiate) be impowered, and are hereby impowered to issue out their or his warrant to the constable or constables within their respective townships, or precincts, to summon town-meetings of the inhabitants at or before the twentieth day of June next, to warn such of the inhabitants who have not brought in their respective accounts as aforesaid, that they bring in their respective accounts of land and stock, and the collector or collectors appointed by this act as aforesaid, for the several and respective townships, precincts and districts be authorized, and are hereby authorized and required to collect, and pay in the same to the provincial treasurer at or before the twentieth day of October, next ensuing. And be it further enacted, and it is hereby enacted by the authority aforesaid, that if all or any of the assessors above named, or any other by virtue of this act to be appointed, shall refuse to join the other assessor, or assessors, in their respective township or precinct, in receiving the said inhabitants accounts of land and stock, or laying on the tax aforesaid, within the time above mentioned, every such person or persons refusing or neglecting to officiate as aforesaid, shall forfeit and pay the sum of ten pounds money of this Province to be disposed of as herein after is mentioned. And if all the assessors by this act named for any township, precinct or district within this Province, shall refuse or neglect to make the assessment within the time aforesaid, that then the Governor, with any two of his Council, shall be im-
powered, and are hereby empowered upon certain information to them given from time to time, to appoint other assessors to supply the vacancies of those townships, precincts, or districts where both or all refuse or neglect their duties in the said office, and those to be under the same forfeiture, upon neglect or refusal, as the former.

And be it further enacted by the authority aforesaid, that such collector or collectors as are appointed by this act, or any other that shall be appointed by virtue hereof, and shall refuse or neglect to collect and pay in the said assessment, when made, within the time or times prefixed, or refuse to serve in the said post, shall forfeit each the sum of ten pounds current money aforesaid, respectively, to be also disposed of as herein after is mentioned, and other collector or collectors, upon certain information given to the Governor and Council of such neglect or refusal, to be appointed by the Governor, with two or more of the Council, who are hereby empowered to appoint other collectors in their place and places, and also to appoint further times of assessing, collecting and paying in the said tax, to the treasurer, as to them the said Governor, and two or more of his Council, shall seem meet and convenient. And be it further enacted, and is hereby enacted by the authority aforesaid, that when the respective assessor or assessors of each township, precinct, or district in the said Province, shall warn in the inhabitants thereof, by his or their warrant as aforesaid, such inhabitants who refuse or neglect to appear at the said town meeting, or being so met, refuse or neglect to give in their accounts of land and stock, &c. then such assessors or assessor, are hereby empowered to assess such inhabitant or inhabitants according to his or their discretion; and if such inhabitant or inhabitants refuse or neglect to pay their said assessments to the collector, such inhabitants shall pay each the sum of three pounds, for their contempt over and above their tax to be applied also to the uses herein after mentioned. And be it further enacted, and it is hereby enacted by the authority aforesaid, that such collector or collectors as are appointed
by this act, and such other as in their default shall be appointed collectors from time to time, and shall not pay in the tax payable out of that township, or district whereof they are collectors, at the times appointed by this act, respectively, to the Provincial treasurer at Burlington, such collector or collectors, shall be deemed to have neglected or refused to serve in their offices and forfeit the sum of ten pounds, as if they had openly refused it, unless they shall make appear their diligence by giving in to a justice of the peace, the names of such of the inhabitants of whom they have made a demand of their tax, and who have refused or neglected to pay the same, and shall certify it in writing under his hand and seal; which certificate shall be accounted an execution of his trust; and which said justice of the peace is hereby required to certify the same, to the justices at their next Quarter Sessions, to be held for that county, or if by any accident, the Court of Quarter Sessions to sit in course next after, should not sit then to be certified to the first court that shall sit thereafter where default is made by them, in breach of this act, the production of which certificate shall be a sufficient conviction. And the justices are thereupon, hereby required to cause judgment to be entered against the respective persons named in the certificate for the fines respectively incurred.

And be it further enacted, by the authority aforesaid, that whereon default of the inhabitants bringing in their accounts of their land and stock, the assessors or assessor, will be at trouble to make assessments, the assessors or assessor, shall be allowed after the rate of six-pence in the pound, or the proportion thereof, which shall be laid upon such estates where the owners have made default in giving in their accounts, and that over and above their proportion assessed for the said tax; and the respective collectors or collector for the gathering in and paying in the same, to the Provincial treasurer; shall be allowed as provided by the former act. And be it further enacted by the authority aforesaid, that all fines and forfeitures arising by the refusal or neglect of the assessors and collectors appointed by this act and of the assessors and collectors to be ap-
pointed, and also the fines of such as shall neglect or refuse to pay in their proportions of the said tax or their assessments when thereunto required, by the collector or collectors aforesaid, be given and are hereby given to the King to be applied by the Governor for the time being, for such use and uses as in his discretion he shall see fit, for the benefit and defence of the Province. And be it further enacted and it is hereby enacted by the authority aforesaid, that the Provincial Treasurer do out of the first of the money to be paid on account of this Provincial tax, pay unto Col. Andrew Hamilton, (our present Governor) three hundred pounds; and next that he pay what is due on accounts of presents and subsisting the Indians while they were here in May, one thousand seven hundred; and next unto that he defray the charge of repairing the Assembly house, and payment of the clerk to the Assembly and door-keeper; and next to that he pay, what shall be found due to the Governor's Council. And it is also enacted by the authority aforesaid, that how far the money that shall come to the treasurers hands shall fall short of the payments in their order respectively above expressed, the persons to whom such money shall be owing, shall be allowed after the rate of ten per cent, for laying out of their money, till the treasurer for the time being shall be enabled to pay him or them out of the Provincial tax above named, or till some fund is provided by act of General Assembly to reimburse them.

All which acts of the General Assembly at their sessions convened at Burlington, the 12th day of May, Anno Domini, 1701, and ending the 21st day of the same month, were by the honourable Col. Andrew Hamilton Governor, (with advice of his Council) and by Samuel Jennings, Speaker of the House of Representatives, and on their behalf, passed and signed in their session of Assembly.

And by order recorded per me

EDWARD HUNLOKE, Clerk Council.