

N^o 77

A C T S
O F T H E
GENERAL ASSEMBLY

O F T H E
STATE OF NEW-JERSEY,

At a SESSION begun at PRINCETON on the 27th Day
of *August* 1776, and continued by Adjournments.

TO WHICH IS PREFIXED,

T H E

C O N S T I T U T I O N

O F T H E

S T A T E.

B U R L I N G T O N :
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A C T S
O F T H E
GENERAL ASSEMBLY
O F T H E
STATE of NEW-JERSEY.

C H A P. I.

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

WHEREAS an Ordinance of the Convention of this State, Preamble.
of the twenty-first Day of *August* last, for recovering and appropriating the Fines incurred by the preceding Ordinances of said Convention, of the third and eleventh Days of the same Month, for detaching Part of the Militia, has been found unnecessary ;

Sect. I. BE IT ENACTED by the Council and General Assembly of the State of New-Jersey, and it is hereby Enacted by the Authority of the same, That the aforefaid Ordinance of the twenty-first Day of August be, and it is hereby repealed; and that the Fines incurred by said Ordinances of the third and eleventh of August be collected, appropriated and equally divided among the Non-commissioned Officers and Privates, in the Manner directed by said Ordinance of the third of August. Repeal. Fines, how appropriated.

Passed at Princeton, September 13, 1776.

Justices to
tender the
Oaths of Ab-
juration and
Allegiance to
suspected
Persons.

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

Passed at Princeton, October 4, 1776.

C H A P. VI.

Rep. No. 790

An ACT for the Inspection of Gun-Powder.

Preamble.

WHEREAS the vending of damaged or bad Gun-Powder within this State, especially in the Time of War, may be of the most dangerous Consequence;

No Gun-Pow-
der to be sold
without In-
spection, &c.

Sect. I. BE IT THEREFORE ENACTED *by the Council and General Assembly of this State*, and it is hereby Enacted *by the Authority of the same*, That any Person who, from and after the Publication of this Act, shall offer any Gun-Powder for Sale, without being previously inspected and marked as is herein after directed, shall forfeit, for every such Offence, the Sum of *Five Shillings* a Pound for every Pound weight so offered for Sale, and so in Proportion for greater or lesser Quantity; to be recovered in any Court where the same may be cognizable, and applied the one Half to the Person who shall prosecute therefor, and the other Half to be paid to the Treasurer for the Use of the State.

Penalty.

Inspectors;

their Duty,

2. That Jacob Zabriskie of Bergen County, Jonathan Sears of Essex, Samuel H. Sullivan of Middlesex, Kenneth Henkinson and Jacob Cook of Monmouth, Abraham Staats of Somerset, Samuel Day and Daniel Lindfly of Morris, William Perine of Sussex, David Cowell of Hunterdon, Josiah Foster and John Leek of Burlington, Joseph Hugg, John Somers and Thomas Clark of Gloucester, Curtis Trenchard of Salem, Enos Seeley of Cumberland, and Joseph Ludley and Abraham Bennet of Cape-May, be, and they hereby are appointed Inspectors of Gun-Powder; who are directed to pass or mark no Gun-Powder but such as is good as to its Quickness in Firing, Strength, Dryness, and other Qualities; and who, before

they do any Thing in the Execution of their Office, shall severally take, before any Justice of the Peace for the County in which they reside, the following Oath or Affirmation, *I A B will well and truly execute the Office of Inspector of Gun-Powder for this State, according to the best of my Skill and Understanding, and agreeable to the Directions of an Act, entitled, An Act for the Inspection of Gun-Powder.* and Qualification.

3. That every Inspector shall mark each Cask of Gun-Powder, by him approved, with the Letters S N I, and such other Marks as are necessary to distinguish the several Sorts of Gun-Powder. Inspector to mark.

4. That every Maker of Gun-Powder shall pack his Powder in dry well-seasoned Casks, and mark every Cask in which he shall pack the same with the initial Letters of his Name. Maker to pack, &c.

5. That every Inspector who shall neglect or refuse to do any of the Duties enjoined by this Act, shall forfeit for each Offence the Sum of *Five Pounds*, to be recovered and applied in like Manner and Form as the Fines and Penalties herein before-mentioned. Penalty.

6. That every Inspector shall be allowed the one Eighth Part of a Dollar for every Hundred Weight of Gun-Powder he shall examine, to be paid by the Owner of said Powder; provided, that no Inspector shall be obliged to ride more than ten Miles to inspect any Quantity of Gun-Powder less than one Thousand Weight, without being allowed by the Owner thereof the Sum of *Three-pence* a Mile for going, and *Three-pence* a Mile for returning, over and above the Fees of Inspection allowed by this Act. PROVIDED ALSO, That Powder inspected by Order of the Continental Congress, or by any Person legally authorised for that Purpose, in any of the neighbouring States, shall be subject to Inspection by Virtue of this Act, any Thing herein to the contrary notwithstanding. Inspector's Wages.

7. That in case of the Death, Removal, Disability or Resignation of any Inspector, the Court of General Quarter-Sessions of the County where the same shall happen, are hereby authorised to appoint an Inspector to supply such Vacancy, who shall take the Oath or Affirmation, perform the Duty, and be subject to the Forfeitures in and by this Act prescribed. Inspector dying, &c. who to appoint another.

Passed at Princeton, October 4, 1776.

C H A P. VII.

An A C T for establishing a Court of Admiralty and Custom-Houses within the State of New-Jersey.

Sect. I. **B**E IT ENACTED by the Council and General Assembly of this State, and it is hereby Enacted by the Authority of the same, That it shall and may be lawful for the Governor or Commander in Chief for the Time being, with the Consent of the Council, any three

*Resolved
Act for Estab.
Jan. 25th 1779
788.*