

*Cal. Coll.*

# A C T S

*N. Y. Bar Assn.*

OF THE

TWENTY-THIRD

## GENERAL ASSEMBLY

OF THE

S T A T E

OF

## NEW-JERSEY.

AT A SESSION BEGUN AT TRENTON, ON THE TWENTY-THIRD DAY OF OCTOBER,  
ONE THOUSAND SEVEN HUNDRED AND NINETY-EIGHT, AND CON-  
TINUED BY ADJOURNMENTS.

BEING THE THIRD SITTING.



T R E N T O N

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MDCCLXXXVIII

collector, as the case may require, for the use of the state, and shall also be amerced by the court of common pleas of the county, to the amount of the sum in the said warrant mentioned, with interest and costs; which amercement shall have the force and effect of a judgment, whereon execution shall instantly, and without any further proceedings, be issued against the goods and chattels, lands, tenements, hereditaments and real estate of the sheriff so amerced.

39. *And be it enacted*, That if the sheriff shall not execute the writ of execution agreeably to this act, or shall not pay the money therein directed to be made, within ninety days after receiving such execution, he shall, for every offence, forfeit and pay one hundred dollars, to be recovered, with costs, by action of debt, by the treasurer, or the county or township collector, as the case may require, for the use of the state, and shall also be amerced by the court, out of which such execution issued, to the amount of the sum in the said execution mentioned, with interest and costs; which amercement shall have the force and effect of a judgment, whereon execution shall instantly, and without any further proceedings, be issued against the goods and chattels, lands, tenements, hereditaments and real estate of the sheriff so amerced.

Penalty on the  
ruff for neglect  
of duty on exe-  
cutions.

40. *And be it enacted*, That every act and every clause of any act, within the purview of this act, be and they are hereby repealed; but such repeal shall not extend to or affect any assessment, tax, penalty, suit, judgment, warrant of distress or writ of execution, made, arising, commenced, entered or issued under any act or clause hereby repealed; but that the same shall be collected, prosecuted, enforced and proceeded upon, in the like manner as if this act had not been made.

Former acts  
repealed.

A. Passed at Trenton, June 10, 1799.

C H A P. DCCCVI.

## An Act to describe, apprehend and punish disorderly Persons.

Sec. 1. **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 all paupers, who shall unlawfully return to the city or township, from which they were legally removed, without a certificate from the city or township to which they belong, or who shall leave their places of legal settlement; and all persons who shall go about from door to door, or place themselves in streets, highways or passages, to beg, crave charity, or col-

Who shall be  
adjudged to be  
disorderly per-  
sons.

lect alms, or who shall wander abroad and lodge in taverns, inns, beer-houses, out-houses, houses of entertainment, market-houses, barns or other places, or in the open air, and not give a good account of themselves, or who shall wander abroad, and beg or solicit charity, under pretence of being or having been soldiers, mariners or seafaring men, or of loss by fire, or other casualty, or of loss by the Indians, or by war, or other pretence or thing; and all persons, who shall leave or threaten to leave their families to be maintained by the city, township or county, or to become chargeable thereto, or who, not having sufficient property or means for their subsistence or support, shall live idle, or not engage in some honest employment, or not provide for themselves or families; and all persons who shall use, or pretend to use, or have any skill in physiognomy, palmistry, or like crafty science, or who shall pretend to tell destinies or fortunes; and all runaway servants or slaves, and all vagrants or vagabonds, common drunkards, common night-walkers, and common prostitutes, shall be deemed and adjudged to be disorderly persons.

Further description of disorderly persons.

2. And whereas divers ill-disposed persons are frequently apprehended, having upon them implements for house-breaking, or offensive weapons, or are found in or upon houses, warehouses, stables, barns or out-houses, areas of houses, coach-houses, smoke-houses, inclosed yards or gardens belonging to houses, with intent to commit theft, misdemeanors or other offences; and although their evil purposes are thereby manifested, the power of the justices of the peace to demand of them sureties for their good behaviour, hath not been of sufficient effect to prevent them from carrying their evil purposes into execution; *Be it further enacted*, That if any person shall be apprehended, having upon him or her any picklock-key, crow, jack, bit or other implement, with an intent to break and enter into any dwelling-house, ware-house, stable, barn, coach-house, smoke-house or out-house; or shall have upon him or her any pistol, hanger, cutlass, bludgeon or other offensive weapon, with intent to assault any person; or shall be found in or upon any dwelling-house, ware-house, stable, barn, coach-house, smoke-house or out-house, or in any inclosed yard or garden, or area belonging to any house, with an intent to steal any goods or chattels, then he or she shall be deemed and adjudged to be a disorderly person.

Disorderly persons may be apprehended without warrant and committed to the work-house.

3. *And be it enacted*, That it shall be the duty of every constable, and lawful for any other person, to apprehend, without warrant or process, any disorderly person of the description aforesaid, and to take him or her before any justice of the peace of the county where apprehended; and it shall be the duty of the said justice to commit such disorderly person, when convicted

before him, by the confession of the offender, or by the oath or affirmation of one or more witnesses or witnesses, to the workhouse of the city, town or county, there to be kept at hard labour for any time not exceeding three calendar months.

4. *And be it enacted*, That it shall be the duty of every justice of the peace of the proper county, to issue, on information, or his own view, his warrant or process to apprehend any disorderly person, within the intent and meaning of this act. Duty of justice

5. *And be it enacted*, That it shall be lawful for any two justices of the peace, at their discretion, to bind out the child of any beggar, vagrant, vagabond, common drunkard, or common prostitute, or of any person who shall not provide for such child, as a servant or apprentice to any person, who may be willing to take such child, till the age of twenty-one years, if a male, or eighteen years, if a female, or for a less time. Children of vagrants may be bound apprentices.

A. Passed at Trenton, June 10, 1799.

C H A P. DCCCVII.

## An Act concerning the Boards of Chosen Freeholders.

Sec. 1. **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 so much of every statute of this state, as directs that fines, penalties, forfeitures or other monies, shall be paid to, or that any officer or other person shall account with the board of justices and chosen freeholders of the county, shall be and hereby is repealed; and that the said fines, penalties, forfeitures and other monies shall be paid to, and the said officer or other person shall account with and be amenable to the board of chosen freeholders of such county. Certain clauses in acts respecting board of justices and freeholders, repealed.  
Monies to be paid and officers to account with board of chosen freeholders.

2. *And be it enacted*, That the goods, chattels, lands, tenements and hereditaments, which have been given, granted, conveyed or vested to and in the board of justices and chosen freeholders of any county, or any person for the use of such county, shall be and hereby are transferred to and vested in the board of chosen freeholders of the said county, and their successors, and shall be, remain and enure to and for the use and benefit of such county, in the same manner and according to such estate, title and interest, as the said board of justices and chosen freeholders had therein. Public property vested in the board of chosen freeholders.