Search

ABOUT BLOG EVENTS PROJECTS SIGN UP VOLUNTEER HELP LEARN UPLOAD DONATE CONTACT JOBS

Full text of "The colonial laws of New York from the year 1664 to the Revolution : including the charters to the Duke of York, the commissions and instructions to colonial governors, the Duke's laws, the laws of the Dongan and Leisler Assemblies, the charters of Albany and New York and the acts of the colonial legislatures from 1691 to 1775 inclusive"

See other formats

Google

This is a digital copy of a book that was preserved for generations to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the boo to copyright or whose legal copyright term has expired. Whether a bo are our gateways to the past, representing a wealth of history, cult Marks, notations and other maiginalia present in the original volume publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain public and we are merely their custodians. Nevertheless, this work is prevent abuse by commercial parties, including placing technical restri We also ask that you:

+ Make non-commercial use of the files We designed Google Book Searc
personal, non-commercial purposes.

+ Refrain fivm automated querying Do not send automated queries of a
translation, optical character recognition or other areas where access
use of public domain materials for these purposes and may be able t

+ Maintain attributionTht GoogXt "watermark" you see on each file is
additional materials through Google Book Search. Please do not remove

+ Keep it legal Whatever your use, remember that you are responsible
because we believe a book is in the public domain for users in the
countries. Whether a book is still in copyright varies from country
any specific book is allowed. Please do not assume that a book's ap
anywhere in the world. Copyright infringement liabili^ can be quite s

About Google Book Search

Google's mission is to organize the world's information and to make
discover the world's books while helping authors and publishers reach

at|http: //books .google .com/I

D„r„.db,G00glC

D.,r.,i.db,G00glc

,db,Googlc

THE

COLONIAL LAWS

or

NEW YORK

ntOH TBI

YEAR 1664 TO XHE> REVOLUTION,

iNCLUDiHa Tin

CHABTEBS TO THE DUKE OF YORE, THE COMMISSIONS AND JN-
STBUCnONS TO COLONIAL QOVEENOBS, THE DUKE'S LAWS,
fHE LAWS OF THE DONOAN AND LEISLER A8SEH-
BUES. THE CHARTERS OF ALBANY AND HEW
yore: AND THE ACTS OF THE COLO-
NIAL LEQISLATUBB8 FROM IMl
TO ITTB INCLUSIVB.

VOLUME) I.

ALBANY:

JAMES B. LYOTTSTATE PRDTTEB.

1094.

Digi-jzedbyGoOglC

y

2'223&^

D„r„.db,G00glC

State of New York.

IN ASSBMBLY.

REPORT

COMMISSIONERS OF STATUTORY REVISION.

STATE OF NEW YORK:

To the Legislature:

In accordance with chapter 125 of the Laws of 1891, we have the honor to present herewith the Keport o£ the Commissioners of Statutory Revision, relating to the publication of the Colonial Laws.

Respectfully yours,

CHARLES Z. LINCOLN,

WILLIAJ[H. JOHXSON,

A. JT'DD XORTimrP,

Commissioners of Htutiitory Rrrision.

Digi-jzedbyGoOglC

D„r„.db,G00glC

EXPLANATORY NOTE.

The Statutory ReYisicm Cotnmiasion was directed by chaptw 125 of the Laws of 1891 to republish verbatim, preserving the original Bpelling and punctuation, the statutes of the Colony of New York, from the foundation thereof to the adoption of the first Conatltution

There has never been a complete publication of the colonial laws of New York, In the year 1694, William Bradford, who was then public printer of the colony, published the laws enacted by the colonial legislature since its first session in 1691. There are but. seven copies of this edition known to he in existence, one in the library of the Historical Society of Pennsylvania, one in the

library of the New York Society, one in the Lenox library, one in the State library at Albany, one in the office of the Secretary of State at Albany, one in the possession of Sfr, Bernheira of New York, and one owned by Mr, John Boyd Thacher of Albany. The copy owned by ifr. Bernheim has been reprinted in fac simile by the Grolier Club of New York, under the supervision and editor-ship of Mr. Robert Ludlow Fowler. This reprint is referred to in the notes preceding the chapters as " Fowler's Bradford." The copy in the State library was purchased by the State at the sale o the library of Mr. Brinley of Hartford, Conn., its former owner, and is referred to in the notes as " Brinley's Bradford." It con-tains most of the session laws down to the year 1710, bound in with the original publication of 1694. Other editions of the session laws were published from time to time by William Bradford, and references in the notes are to editions contained in the State libra Albany.

Another piiblieation of the colonial laws, known as Baskett's edition, was made in London in 1718.

In the year 1752, Livingston and Smith, under the direction of the colonial legislature, published the colonial laws then in force, enacted by the colony from 1691 to 1751, inclusive. In the year 1762, the same editors published the colonial laws enacted since 1751 down to and including the 22d day of May, 1762. In the year 1772, Peter Van Schaack was directed by the legislature to

Digi-jzedbyGoOglC

publish all the colonial laws then in force, and in the following year such publication was made by him, including the kwa enacted from 1691 down to and including March 8, 1773,

The subsequent laws of 177i and 1775 were published by Hugh Gaines, the public printer, a copy of which publication is in the State library at Albany.

All of the foregoing editions contain the full ^xt of the laws in force at the date of publication, acta that had then expired being referred to by title only. As it was the custom to enact laws for a limited period, many important acts expired before any publica-

tion of the laws was made; and as a result any publication or all publications of the colonial laws heretofore made contain but a comparatively small prc^rtion of colonial legislation.

The Revision Commission has taken the edition of Van Schaack as a basis of this pubUcation, so far as the arrangement and chapte numbering are concerned. Every act, however, of which the original or a copy is known to be in existence has been printed in full.

The Commission has also deemed it to be within the scope of its authority to publish the laws of the government of the colony from the first English occupation in 1664 to the General Assembly of 1691. These include the charters to the Duke of York, the com- missions and instructions to the colonial governors, the Duke's laws for the government of the colony, the laws passed by the Assemblies of 1683, 1684 and 1685, sometimes known as the " Dongan laws," and the laws of the Leisler Assembly of 1689 and 1690. The Dongan charters of the cities of New York and Albany, and the Montgomery charter for the city of New York are also printed as laws of the dat«s when granted or confirmed.

It will be observed that the note preceding each chapter indicates frmner publications of the chapter, so that comparison can be made if desired.

The first sixty-three chapters of the laws, beginning with the year 1691, except when other^^-ise stated in the note preceding a chapter, have been copied from the parchment-rolls in the State library. The Commissioners have been unable to obtain any trace of the orijrinals of these laws. They were probably transmitted to England for royal approval, and these parchment copies preserved for the use of the colony. At any rate the parchment-rolls now in the State library, but formerly in the office of the Secretary of Slate, appear to be the official and best evidence of the text of originals.

Digi-jzedbyGoOgiC

The lawB Bubeequent to chaptCT 63, except where otherwiae stilted in the note at the beginning of the chapter, have been

copied from the original manuscripts in the office of the Secretary of State.

It wiU be observed from the notes that in a few instances the original has been lost In such case a copy has been made from whatever source the Commiaeioners deemed most authentic. The note at the beginning of each chapter also indicates whether the chapter is a continuation or a revival of a former act, and general anything of interest in reference to the chapter that may have come to the observation of the Commissioners. Under the subject title in the index, every revival, continuatioo, explanation, amendment or repeal of an act has been indicated, and it is believed that the h tory of a particular subject of legislation may be readily and thoroughly traced by the vae of the notes and index. The index also contains the name of each person referred to in the legislation of the colony. It is believed that this will add greatly to the historical and genealogical value of the publication.

The acts of the colonial legislature, except as affected by amend- ment or subsequent repeal, continued in force until 1828, when it was enacted by chapter 21 of the laws of that year, that " no stat passed by the government of the late Colony of New York, shall be considered as a law of this state." As affecting titles to real est or as constituting irrepealable contracts, some of the laws may, however, still be in force ; but for the most part this publication a greater value from a historical than from a legal standpoint.

The following note contains a sketch of the history and develop- ment of repreaentative govenuuent in the colony.

Digi-jzedbyGoOglc

.D„r„.db,G00glC

HISTORICAL NOTE.

[By ROBKST C. CCMHINa.]

Verrazano. a French explorer, cnilsed up the American coast In 1524, and from a report describing hts voyage to the French King, it la

that he entere€l Xew York bay. No attempt was made, however, by the French goTemment, to occupy the territory nor to claim sovereignty ov It, and whatever rights may have been Initiated by discovery, lapeed DMioser.

Hendrick Hadson, an Englishman In the employ of the Dutch Ea^t iDdia Company, sailed from Amsterdam in the Half Moon on April 4. 1609. On the third of September, he entered New York bay, and from tbence Balled np the Hudson to a point near Albany. After the disco by Hadson, no Immediate attempt was made by the States General to ■ipproprlate the territory. For several years trading vessels were fit bf Individuals, and as earl7 as 1613 a trading post was established Maotiattan Island. In 1614 the States General granted to an Amsterdam Company the exclusive privilege from the first of January, 1615, to frequent the newly-discovered lauds " situated In America between New Prance and Virginia whereof the sea-coasts lie between the fortieth a Torty-flfth degrees of latitude.'' The charter expired In 1618. On th third of June, 1621, the States General granted a charter to the We India Company, providing, " That for the term of four and twenty ye none of the natives or inhabitants of these countries shall be permi sail to or from the said lands or to trafBc • • • In the countri Ame^ca, or the West Indies • • • but In the name of this United Company of these United Netherlands."

The charter further provided that " the aforesaid company may in our name and authority, within tbe limits hereinbefore prescribed, make co tracta. engagements, and aJllanees, with the princes and natives of t (Tonntries comprehended therein, and also bnlld any forts and fortlflc tbei*e. to appoint and discharge governors, people for wnr, nnd ofDce Jairtloe, and other public offloera, for the preservation of the plac ivg good order, police, and Jtrstlce, and In like manner for the pr

Lc;-,:.tll:yG00gIC

of trade; and agalD, others tn their place to put, as they, from t tion of their affairs, shall see fit: moreover, they must advance the peopling of tboBe fruitful and unsettled parts, and do all that the of those countrifR, and the profit and increase of trade stiall requ the couQpnnr shall aucccssively communica.t« and transmit to Us such contracts and alliances as they shall have made with the afiwesald princes and nations; and likewise the situations of the fortresses, f

cations, and settlement by them taken."

" Saving, that they have chosen a governor-ln-chief, and prepared in-stmctions for him, they shall be approved, as a commission given by And that further, such govemor-ln-chlef, as well as other deputy gove nors, CMumanders, and officers, shall be held to take an oath of all giance to Us and also to the Company."

It thus conferred upon the West India Company powers of local sovereignty over the territory of New Netherlands, subordinate only t» the authority of the States General. For many years thereafter or until the occupation of New York In 1004 by the English, New Nether lands was governed by the directors and agents of the West India Com pany, in pursuance of its charter. The laws and ordinances for the government of the province conformed generally to the jurisprudence of Holland. Many of these have been lost, but a lai^e number have been translated by Dr. O'Callagban, and printed In a volume entitled " La and Ordinances of New "Netherlands."

No attempt will be here mads to describe the government of the province under the Dutch. [For n thorough discussion of the subject, see note by Robert Ludlow Powler, introdnctory to a " Fac simile of Laws and Acts of the General Assembly &c of New York, as printed a Bold by Wm. Bradford, 1694," published by the Grolier Club of New Tork.J

Although at the time of the grant to the West India Company, no ac occupation of the territory embraced withfn Its terms had been made any other nation, the Dutch never held undisputed sovereignty over Ne Netherlands. Occupying the territory lying to the north and south, th English could not but view with Jealousy and distrust, the possession the Intervening lands by a foreign power. In fact, It was always as by the English, that the title to New Netherlands was vested In the Crown of England and that the Dutch occupation was a mere usurpation The subject Is of considerable Interest tn determining whether the Du laws continued of force within the province after the occupaflon by EuRllsh In 16fi4. If the sovereignty of the territory had been there vested In the Batch, their laws would obtain within the territory un abrogated by the conqueror. In accordance with the familiar principle

Lc;-,:uJbyC00gIC

IntenuittODal law. On the other hand If the Dutch were mere trespaMe on a terrltorr tbe aorerel^t; of which waa In tbe Crown of England, whole ejstem of goTernment and law became null and void when the En^lsh posaessed the territoi;. IFor a dlecuBBlon of the subject, eee Intioductor}' note by Robert Ludlow Fowler, In a " Pac Blmtle of th and Acts of the Assembly &c," published by the Groller Club of New Torfc.]

Upon tbe assumption that the 80vere1|:nty to the New Netherlands was Tested Id the crown of England, Cfaartee II, on the 12th of March. granted to his brother, the Duke of ToiTt, the territory embracing L Island and New York. [For charter In full, see p. 1.] By the t^'in th<> obaner the Duke of York, his heirs, deputies, agents, commlaBlon and asKlguB, were empowered " to correct, punish, pardon, gorem and rule all such the snbjecta of us, our heirs and successors, as shal time to lime adTentnre themselves into any the part or places afores • ■ ■ according to such laws, orders, ordinances, directions and In- Btmctioaa as by our said dearest brother or his assigns shall be es lished ∗ ∗ ∗ BO always as the said statutes, ordinances and proceed- iuKJi be not contrary to but as near as convenlehtly may be agreeab the laws, statytes and government of thla our realm of England." The charter further empowered the Duke of York to appoint goTemors and otber officers, and generally to establish a local goremment within t territory embraced In the terms of the charter.

During the year 1664 Richard Nlcolls waa appointed goTemor of New Torfc by a commission from the Duke of York, the original of which to hare been lost, bat which undoubtedly conferred upon him In snl>- stantlally the same terms, the powers of local goremment within the province, which by the terms of the charter were conferred on the D of Torb, his deputies and assigns.

Governor Nlcolls sailed from England and arrived at New York In Angnst, 1604. On the 27th of August, articles of capltalation were a upon, by which the Dutch were guaranteed certain permanent rights; liberty of conscience in divine worship and church discipline; the en meDt of their own customs concerning Inberltaaces; the conflrmatlon of Judgments rendered and the right to appeal therefrom to the States G eral: the continuance of the present officers until the election of n ones: the determination according to the manner of the Dtitch of dif ences of contracts and bargains made before the cnpltalation: the enjo ment of property and the disposal of the same at pleasure, [For full teit of treaty, see Revised Laws, 181.1, appendix l.J

Almost tbe flpst step takra by Nlcolls after his arrival was to cre the Englleb portion of the province, consisting of Lqng Island, State

Coogic

Island, anil Westcheeter couQty, the nhire of Yorkshire, dlrlding it tbv^e districts or " ridings." The soverniuent of the shire consisted high Hlieriff, appointed by tlic sovemor and council, a deputy sherif each rIdlDg, and Justices of the peace, to hold office during the g pleasure. Courts oC sessions were to be held three times each year Justices In each riding, presided over by the governor or any of bi conncll, or in their alwenee, by the senior Justice. [See Duke's Law p. 27.] Annually the Justices and the high aberiS were to meet witb governor and his council in the court of Assizes at New York, which wards became the general court of the province.

Two days after the surrender of New York, Governor NicoUe in a lett to Captain Young [iromlsed that " Deputys shall in convenient time a place, be summoned to propose and give their advice In all matters ing to ye peace and beneQtt of Long Island." And shortly afterwards, clpctilar was addressed to the Inhabitants of Long Island requesting to send two delegates from each town to a convention to be 'held a Hempstead on the last day of February, 1G65. In accordance with this call, delegates from each town met at Hempstead on March 1, 1<105. most Important action of tbe meeting was to prepare, or more properl confirm, a tmdy of laws, which afterwards came to be known as the "Duke's Laws." [See Duke's Laws, p. 6.] A number of additions and amendments were made by the court of Assizes, and afterwards the Cod was transmitted to England for confirmation. [See preliminary note to Duke's Laws, p. 6.]

The " Duke's Laws " originally obtained in the shire of Yorkshire o and did not go Into effect in New York until after the second occu by the Dutch In 1674, nor on the Delaware Hlver, until IfiTil. From time they continued In effect throughout the province, except as modi by later enactments of the assizes, the goyernor and council, or the nor, council and assembly, probably, until IGfll; — certainly as late 1687, for In that year Governor Dongau, answering certain charges aga him. In response to tbe question of what laws are In force In the replied: "The Laws In force are ye Laws called his Royal Highnesses Laws and the Acts of the General Assemhly." [See Col. of N. T. Col

Documents. ITI. p. 3!t0.]

Until the " Duke's Laws " became of general effect throughout the province, the Dutch laws probably continued of force In accordance wi the principle that the laws of a conqnercd country continue In force e.Tpredsly abrogated by the conqueror. [For discussion of this subject see Introductory note by Robert Ludlow Fowler, In " Fac simile of t Laws and Acts of the General Assembly &c," published by the Grolier Club of New York.l

Digi-jzedbyGoOgiC

tioveruor Xlizolls took IndepenUeiit action as to tlie city o(New l howeTiT. and. Iiy proclamatlou dated June 12, 1665, revoked the Dutch And ontaliUslied tbe Bngllah form of government by the appointment of offifM^rB to " be knowiie and called by tLe Name & Style of Mayor, Bi^D and SberllTe, according to the CuBtome of England In other his Ma tics corporaconst"

The meeting at Hempstead can hardly be called a legislative assembly. After the promulgation of tbe Duhe'e Laws, tbe Court of Assizes, In limlte^l sense, acted as ft legislative body. However, It was little than the mouthpiece of the Duke or the Governor In the promulgation pdi<^t8, -n-blch It had no share In framing. The people were dissati and petitioned for the assembly which had been promised by Nlcolls. The petition was insolently rejected by the Assizes: " It doth not that Col. Xloolls made any such promiee & ye Uoveimors Instmctions directing him to make no altnatlona In ye lawes of ye Oovernmt sett before his arrlvall, tbey cannot expect hia Honor can comply wtb the therein, & for their desire to know what la required of them. There nothing required of them but obedience and HUbmlBslon to ye I>awee o gnvemmt as appeares by his B. Hss. Commission wch hath often beeue read unto them."

In 1607 XlcoilB was recalled, and Col. t'rancls Lovelace was appointe to succeed hfm. His commission directed him to make no alteration in laws of the government settled before his arrival.

New York was re-taken by the Dutch on July 30, 1673. a^d the com- manders of the fleet re-established the Dutch form of government by t appointment of Schout, burgomasters and scbepenn. on August IT. 1673.

ISee p. 101.] On Jannary 17, 1674, Colve. acting as governor general the province Issued Instructions to the scbout, burgomasters, and scbe of the city of >'ew Orange, for their guidance In the government of city. This document Is aometlmes known as Colve's charter. [See p. 102 for document in full.] The Dutch were In posseselon of New York for too brief n period to re-establish a permanent or stable form o ernment, and their rnle amounted to little more than a military occup tion of the city. By the treaty of Westminster, signed February 19, tbe Dutch rellnqnished New York, although they were In actual possess of the city for some months thereafter. Whatever doubt may have ex- isted theretofore as to the title of the English was conclusively set by tbe terms of the treaty.

A new charter waa granted to the Duke of York on the 2&th of June lfi74. In substantially the same terms as the fonner charter, embraci the same territory. IFor copy of charter, see p. 104.]

DigiMzedbyGoOylc

B7 commlBeion, dated Juir 1. 1074, Edmuod Aodros was appointed governor of Ibe provlDce. and was empowered by bis commiSBlon " to perfonne and execute all and every ye poweis web. are by ye said l patents grannted unto Mee to be excuted by Me my Deputy Agent or Aaalgncs." (For copy of commlsalon, see p. 100.]

The Dnke of York, on Jnly 1, 1674, among olbw matters Instructed th new gorernor as follows:

"As to ye formes of Justice, I thinke It best few you to put In Bucb laws, rules and ordrs as yon find bave been eetabllsbed by Col Nlcolls and Col. Lorelace, and not to vary from them b^t upon emerg neceseltlee, and yo advice of your Councllll and the gravest & experl persons there; and If any such alteration be made, that It be only rary for a yeare, and if It be not confirmed by me within that tim to be utterly voyd at ye end of that yeare and of aoe force at a such alteracon or new law never had been pnultted." [Doc. Itel. to Ulst. of New Ywk, III, p. 218.]

On AuKuet G, 1074, the Dnke of York Instmcted the new governor to put In execution the " Duke's Laws," except those requiring amendment or alteration. [For copy of order, see p. 107]; and on November 9,

shortly after his arrival at New York, Governor Andros by proclamatio conforming to the instructions declared " that the same Book of Laws formerly entahllsht and In force under bis royal hlghnease government now again conftrmeil by his Ituyal HlghneeBO the which are to be ob served and in-actlced together with the nuinuer and time of holding C therein meiicoiicd na heretofore." [For copy of proclamation, see p. Thus the province coDtlnued to be governed by the Duke's Laws, with such amendments ns the governor and council, with the approbation of the Duke of York, saw fit to adopt. During the years prior to the occnpatloD by the Dutch, the people of the colony were restlpss and contented, demanding by petition and otherwise, some form of repre- sentative assembly. As free bom Englishmen the principle of no taxatio without representation, had been Inculcated In thsit minds, and alread the mode of government of the colony by the edict and decree of ro offlcers, was sowing the seeds of the Revolution. That the demand of people fur a representative assembly bad reached the ears of the Dnk York, is evident from a letter written to Governor Andros on April In which the Duke said:

" First yn, touching General! Assemhlyes wch ye people there seems desirous of In Imltocon of their neighbour Colonies, I tblnke you ha well to diaconrage any mocon of yt kind, both as being not at all prehended In yr Instructions nor Indeed consistent wth ye forme nt government already established, not necessary for ye ease or redressc

Digi-jzedbyGoOgiC

any grelvance yt may happen, alnt^e yt ma? be a easily obUlned, bj> petlcon or othr addreese to yon at the Qenerall AsslzeB (web Is onc feare) where the same persona <as justlcaa) are usually present, who all probability would be thelre Representatives If another cosstltucon were allowed." [See Doc. Bel. to CoL HlaL of N. T., Ill, p. 230.] later, on tbe 28tb of January, 1676, the Duke wn>te to GoTemor Aadr as follows:

" I hare formerly writt to you touching Asaemblyes In those countrey and have since observed what several] of your lattest letters hint a that matter. But unless you had offered what quallQcacona are usuall and proper to such Assemblyes I cannot but suspect tbey would be of dangerous consegnence, nothing being more knowne than the aptness of Buch bodyes to assome to themselves many prtvlledges wch prove de-

structive to. or very oft dlstnrbe the peace of ye govemmt wherein t
are allowed. Neither doe I see any use of them wch Is not as well
vided for, whilst you and your councell goveme according to ye laws
established (thereby preserving every man's property Inviolate) and
. whilst all things that need redresse may IM sure of finding It.
Quarter Sessions or by other legall and ordinary wayes, or lastly by
peale to myaelfe. But howsoever if you contlnne of ye same opinion,
shall be ready to consider of any proposalls you shall send to yt
[See Doc. ReL to Col. Hist, of New York, III, p. 235.1

Whether Andros continued of the " same opinion " does not appear, b
at any rate, no form of representative assembly vras established unde
his administration.

Col. Thomas Dongan was commissioned governor of New York, Sep-
tember 30, 1682. With ills commission he received instructions directin
him " to Issue of Writfs or warrts. of Sumons to ye sev'all Sherir
other proper offlcrs In every part of yor said government wherein yo
shall expresse that I have thonght fltt that there shall be a genii
sembly of all the FYeeholders, by the prsons who they shall choose t
reprsent ym In ordr to consultting wth yourselfe and the said conndl
what laws are fltt and neces^ry to be made and established for the
weale and governmt of the said Colcny and its i>ependencyes." [See c
of Inatmctlons, p. lOS.]

Governor Dongan arrived In New York in August, 1683, and at a meet-
ing of the Council held at Fort James on the 13th of September foll
It was determined to snmmon an assembly tn accordance with the in-
structions to the Governor, to be held at the city of New York on
17, 1683. Writs or orders were issued directing the Inhabitants to c
their representatives " In the Genernll Afisembly to tw held at New
October ye 17th, 1683." Bach riding on Long Island was entitled to

D,g,;,zeclbyG00gIe

representatlrea; Staten Island, one; Esopna, itvo; Albany and Bene-
laerewyck, two; Schenectady, one; Pemaquld, one; The lelands about New
York, one; and New York, four.

On the ITtb of October. 1US3. the representatives thus elected met
In General Assembl;, and constituted the first representative legislati

body In the colony of New York. By the terms of his Instruction^ G ernor Dongan was directed to let the Assembly know that It was to b entitled to free debate. Alt bills w^ere to receive the assent of t ernor and council, and were to be transmitted to tbe Duke of York f confirmation or rejection. I/aws assented to by the governor were to good and binding until rejected by the Duke of York, from which tim thDy were to be null and void. The governtw was glvrai power to ca tliG General Atwembly to be summoned and to adjourn and dissolve the same, aa be saw fit. [See copy of InBtructlons relating to Assembly, pp. lOS-O.]

At this session fifteen Acts were passed which received the signature of the Governor. Of the acts passed at this session of the Assembly fourteen, or all except "A continued bill for defraying the requisite of the government," were received by the Board of Trade for confirma February 17, 1684, It does not appear that any were disapproved exce the charter of llbertlea, [8ee p. 111-1 After a session of nearly t weeks, the legislature adjourned, enacting

" That according to the usage, custome and practice of the Bealme o Enfcland, a Sessions of a General Assembly be held In this province in three years att least."

The second meeting of the legislature commenced in October. 16&4, at which thirty-one acts were passed, which received the assent of the ernor. [See p. 142.1

Before another meeting news of the Ring's death was received, and it was deemed expedient to dissolve the present aaaombly, which waa done by proclamation, dated Auprust 13, 1685, [N. T. Col. Mas. XXXIII, p. 152], and writs were Issued by the governor directing the electio representatives to a General Assembly to be held In Octol>er, 16S5. Assembly passed six acta which received the aaaent of the governor [p. 17.3], and then adjourned to September, 1688. It waa further pror nntll March. 16A7, and finally. In view of a new comndsslon and In- struction received by the governor, repoalng the power of legislation the governor and council, the Assembly was dissolved on January 20,

The first act of the Assembly of 16S3 was to pass " the charter o Llbertyes and privlledgea ftranted by his Boyall Hlghnesse to the In- habitants of New Torke, and Its depends nsyes," whereby the represen- tatives attempted to confirm by legislation, the liberties and privileg

Digi-jzedbyGoOgiC

whicli tlier conctiTed were granted to tbem by the Duke of York In commlsBlon to Governor Dongau. [For copy of charter, see p. 111.] Tb assumption of the representatlTes, altbougb receiving the assent of tb governor, did not meet with favor from the Duke of York, and waa vetoed March 3, 1084.

It was with great reluctance, that the Duke of York ever granted to colon; of New York a. legtalatlve Aasemblj, and It Is probable that action of the asaembly In passing the Charter of Ltbertlea and prlvU only tended to Increase his prejudice against representative bodies. A any rate. In June, 16B6, the former Duke of York, now James II, Ki England, Issued a new commission, with instructions to Qovemor Dongen, whereby be empowered blm, with the advice and consent of the Council or major part of them, " to make coostttute, and ordain Laws, Statu and Ordinances for the publick peace, welfare & good Qovemment of ou ■aid Province and of the people and inhabitants thereof." [For commla and Instructions, see pp. 1T7–8.] In the instructions accompanying the commissloD, the governor was directed " to Declare Our Win & pleasur that ye said BlU or charter of Franchises bee forthwith repealed & allowed." (Thin was the charter of Liberties and privileges, which ha already been vetoed.) The Instructions further provided that all other Laws, Statntes ft Ordinances already made, continue in force nntll ne laws were enacted; that copies of new laws be transmitted to the Ki within three months tor approvnl or diaapprova); that laws disapproved were to be void from thenceforth; and that in ^lacting laws the sty enacting the same be by the Governor and Council. [See Instmctlons, p. 178.]

The governor and council met December 9, 1086. Hla ExceUys In- Btructlous being read and considered It Is " Ordered, that all the of the revenue & all other laws that have been passed since the ye 16S3 except such as his Made has repealed reroalne & continue as th now are till further conslderacon."

At a council held February 24, 1687, were passed "An act for ye de fraying ye necessary charge of the Government." and "An act about privateers." At a council held March 17, 1687, was passed a "Bill t prevent frands." At a council held June 14, 1687, were passed " BUI for raising of 1, pence pr ponnd of every mans estate for t fraying ye ex)>enceB for the good of the province In England." "Act settlement;" "Act about mortgagee;" "Bill for pleadings &c. to be in

English;" and "Bit! concemeing Excise of Rumm." At a council held August 20, 1687, was passed " The Bill for Balselng a penny In ye out of ye Estates of ye ffreeholdrs & Inhabitants of ye Kings. Qaee Dukes & Dntcheses Conntys the Conntys of BIchmond, Orange, West-
lii

Digi-jzedbyGoOgiC

Chester & Saffolk." At a conncit beld September 2, 16S7, waB paased " Bill to Raise one balfe penny per pound off all perBone Batates Clttys and Countys of New York and In ye County of Ulster," At a council held September 22, 1887, was passed " Bill for Naturalizing Duchemln and otber ffrencb persons." At a council held October 11, 1 was passed " BUI to prevent ffraudB and abuses in his Majties Excis Ordinary Keepers." At a council beld October 26, 1687, the tax on R was continued for three years. At a council beld May 17, 1088, were passed "An act for raising tbe sume of two thousand five hundred an dfty-flve pounds six sblllllngs by or before the first day of Novembe and ''An act for continuance of ye Judges (Sallary) of the Court of and terminer." At a council held July 30, 1688, It was ordered that ther proceedingB towards collecting the levy of 2555 L. (to be suspen until further order. At a couucU held August a, 1688. was passed "A to prohibit shewmakere Brom using ye mistery of tanning Hides." This was the last act passed during the administration of Governor Dongan. [For full report of proceedings of council during this period, see I ductory note by E. R O'Calloghan to Joarnals of legislative CduncU of New York, pp. 17-23.)

A change In tbe government of the Colony bad been determined on In England. The entire country from the St. Croix to the Delaware was consolidated under one frovemment, and Sir Edmund Andros was ap-
pointed governor. tSee Commission and Instructions, pp. 216,- 217.] So far as the making of laws was coacemed, the powers conferred on And were substantially the same as those possessed by Governor Dongan. Tb governor and council were continued as tbe law making power, and law so passed were to continue In force until disapproved by his majesty Andros arrived In New York early In August, and on August llth. New York was annexed to New England. At a council held Angnst 29, 1688, the bill for levying 2555 L. 6a, which bad been suspended by tbe D Council, wns ordered to be fully executed. Thus things continued unti the accession of William of Orange to the English throne, when Jacob

Lelsler usurped control of the colonial government, and on Februory 2 1690, Issued writs for a new asHembly. All tbe counties except Suffo chose representattves. The Assembly met in April and passed tbe fol- lowing bin: "An act to rajse throughout tbe government three pence In every pound, real and personal, to be paid the first of June." [See 21R.] The Assembly adjourned until September. On October 2 was passed "An act for raising thiree pence in the pound of all Real a personal visible estate of all and singular the Inhabitants of this to be levied In .Tannary and March next." [See p. 21&.J October fou was passed "A bill for Amerdi^ and fining ail persons wltbln this p

Digi-jzedbyGoOgiC

of New Tork TefaBlng to serve In Gommisaion of CIvlll or Military p within sd Province under his Majtiea Lieut Governor of the province aforeeaid & that none Inhabitants of ye City & Connty of Albany & Ulater leave or Depart the city or Countys aforesaid without spetlaU Lycense of the said Anthorlty or Carry out of or transport from aal places any Wares or Merchandises except socli hereafter espreat." [See p. 219.]

In the meantime Henry Slougbter waa appointed governor of New York by commission, dated January 4, 1690. [For copy of portion of Com., see p.. 221], and on his arrival In New York Leisler was trie demned and executed for treason.

The commission of Governor Sloughter authorized the calling of a Legislative asBcoibly, and on March 20, the day after his arrival In York, writs for the election of representatives to the new Assembly Issued. Pursuant to this call the new Assembly met Aih'II 9, 1601, from that date nntll the Bevolutlon, the representatives of the peopl General Apeembly participated In the making of laws for the governmen of the Colony.

There has been considerable discussion as to whether the laws and . statutes passed b^ore 1691 continued of force within the colony. [See note by Robert Ludlow Fowler, to " Fac Simile of the Laws and Acts the General Assembly &c of New York, as printed and sold by WDUam. Bradford, 1604." published by the Groller Club of New York, at p. 7 The discussion was provoked by the following resolution of the Genera Assembly, passed April 24, 1691: "Upon an Information brought into th

House, by Several Members of the House, declaring. That the several Laws made formerly by the General Assembly, and his late Royal Highness, James Duke of York, &c.

"And also tbe several Ordinances or repnted Laws made by the preceding Governors and Councils, for tbe Ride of their Majesties Subject wlthta this Province, are reported amorgst the people, to be still I Hesolved, Nemlne Contradlcente, That all the Laws consented to by the General Assembly, under James, Duke of York, and the Liberties and Privileges therein contained, granted to the people, and declared to their Rights, not being observed, and not ratified and approved by b Royal Highness, nor the late Ring, are null, void, and of none effe And also the several Ordinances made by the late Oovemors and counci being contrary to the constitution of England, and the practice of t government of their Majesties other plantations In America, are likewi null, void, and of none Effect nor Force within this province."

It does not seem reasonable, however, that any resolution of the Oen wal Assembly, without the concurrence of the council and Governor,

1 1., Google

could operate to repeal former leKisUtlon. In fact tbe laws sud stat theretofore passed are expresBly recognized as of force by the commis to Gorernor Sloughter, which directs him to execute his trust " acco to such reasonable Laws and Statutes as now are In force."

As to the acts adopted by the Lelsler Assembly, a different construc may apply. The Assembly was called without a semblance of royal authority, the former authority to OoTernor Dongan having been revoked and the law making power reposed In the Governor and council. Withou the sanction or conflrmation of the King, it seems probaUe that such adopted by an Irregular assembly and approved by a rebel Governor, were without the force of law.

By his commission from the king, Governor Sloughter, with the consent of the council and Assembly, was Invested with "lull power and authority to make, constitute and ordalne Laws, Statutes and ordlnaaceii for ye publlque Peaoe, welfare and good Government " of the province, but such laws, statutes and ordinances were to be " agreeable unto Laws and Statutes of this our KIngdome of England." Copies were to

transmitted within three months for royal approbation or disallow-
ance and duplicates by tbe next conveyance. If disapproved they
were to be void; but until disapproved, they were to have full forc
effect. The governor was given a negative voice In the making and p
Iqk of all I^aws, statutes and ordinances. [See copy of commission,
p. 221.] The King acted on laws transmitted to htm through the priv
council until ISOG and after that date, throngh the Board of Trade.
This was substantially tbe method of enacting laws until the Revoluti
Theoretically the government of the colony consisted of three depart-
ments: tbe Governor, or In case of bis death, the lieutenant governor
council and the general Assembly. The governor and llentenant governor
were appointed by the crown. The members of assembly were elected
by the people of the several counties pursuant to writs Issued by t
governor. The council originally consisted of not to exceed ten " pr
persons " inhabiting tbe colony and were appointed by tbe royal gover
nors In pnmuance of their commissions. [See Instructions of Governor
AndroB. July 1. 1674, Doc. Rel. to Col. Hist, of N. T., Ill, p. 2
structions to Governor Dongan, Jan. 27, 1683, Doc. Rel. to Col. Hist,
r.. Ill, p. 331.1 May 29. 1686, Governor Dongan was Instructed to c
together the council, and the members, consisting of seven, were name
therein. [See Doc. Rel. to Col. Hist, of N. T., Ill, p. 369.1 By
to Oovemor Dongan, dated June 10. 1686. the Governor was authorized
to suspend members of tbe council. Vacancies were to be noHfled to
crown and filled by the Crown. Three members were made a quorum,
and tbe commission states that a council shall have seven members in

Lc;-,:.tll:yG00gIC

Tacandee were to be filled temporarily by the gOTernor. [See commlB-
aloD to Governor Dongan, Doc. Rel. to Col. Hlat. of N. Y., Ill, p.
Id Instructtona to Governor Androe, April 10, 1088, forty-two councilo
vera named. Seven members were made a quonim except upon extra-
ordinary emergencies, wben five were enfficient Vacancies were to be
filled by tbe crown, from twelve peraona nominated by tbe governor.
The governor was given tbe power of suspension, but all cases of su
pension were to be reported to the crown, with answers to the charg
[See Doc. Rel. to Col. Hist of N. Y., pp. 543-4.] Tbe inetmctious
Governor Slongbter, named twelve councllmen. Five members were made
a quorum except upon extraordinary emergencies. Vacancies were to be
fille*) by the crown from six persons " men of ability and not nec
people or much In Debt," nominated by the Governor. [See Doc. Rel.

Col. Hiat, of N. Y.. III. p. 085.J The Instructions to Governor Fle dated March 7, 10O2. are Rubstantlally the satne as those given to ernor Slougbter, except that fifteen councllmen are named [Doc. Rel. t Col. Hist, of N. Y.. Ill, p. 818], while his commission directed th conncll shall consist of seven persons. [See Doc. Rel. to Col. Hist, Y., Ill, p. 828.1 As a matter of fact, the council under Governor consisted of mora than seven members. It will be thus seen that dur tbe early history of the colony, the number of members of the counc varied under different governors and in accordance with dltTerent com- missions and Instructions from the Crown.

The Governor presided at the early sittings of the council, voted as member of the body, and in case of a tie gave tbe casting vote, t poBsessinfT upon legislative questions two and sometimes three votes. This continued nntU I73S. when the matter was brought to the attenti of the Board of Trade in England, by which It was decided that thi action of the governor was Inconsistent with his commission. Tbe gov- ernor was accordingly notified that tbe council sat In two capacities, council to advise his excellency, in which case be was to sit with also as a third part of tbe T.^giHlature, In which case he was to sit nor vote with the council. From 1735 the council was presided o by a spealcer who in accordance with a standing rule of the council adopted October 20. 1730, was to be the eldest coancllllor present.

Confusion has sometimes nrlwn In the use of the terms "AsBemhiy " a "session of the Assembly." An Assembly continued until dissolved by the governor. A seanion continued until prorogued by the governor to date fixed, the same members meeting at the next session of the sam Assembly. A session of the Assembly might be adjourned without con- stituting tlie next meeting a new session.

D,g,;,zeclbyG00gIc

D„r„.db,G00glC

NOTE BY THE COMMISSIONERS.

Messrs. Charles A. Collin, Isaac H. Maynard, and EU C. Belknap were Commiasionere of Statutory Revbion when the act of 1891 was passed, providing for the republication of the colonial statutes, and the work now nearly completed was begun under their general

supervision, Messrs. Maynard and Belknap were succeeded by Daniel ilagone and John J. Linson. When the present commis- sioners assumed the duties of their office early in the year 1895, t foimd that the work of copying the colonial laws was completed and some of the earlier portions were already printed. Great care has been taken to obtain an accurate copy of the laws, as required by the- statute. All of the work was compared twice with the original before being printed, and has been thoroughly compared and veri- fied since. Almost the entire labor of comparing, verifying and reading proof, as well as a large part of the copying, has been do by Elizabeth A. Carroll, Carrie M. Clancey, Katharine A, Lewis and Grace Dom, who became experts in the difficult work of pre- paring a verbatim copy of the early maniiscripts. William C. Bir- mingham, Michael Danaher, Charles C. Dickinson, Owen I^ Potter, Frank E. Gilbert, "William O'Connor, Mary L, Waite and Mabel Dom have also rendered valuable assistance at different stages of the work, Hobert C. Cumming, Esq,, of Albany, N. Y., chief clerk of the Commission, an experienced lawyer and a thorough student, was given special charge of the work. He examined every available source of information, in an effort to furnish an accurate reprint o the early legislation, and also used great care in the preparation' the notes to the la^vs, as well as the foregoing general notes and index. These volumes, prepared under his siipen-ision, and era- bodying the results of bis exhaustive research, contain a substan- tially complete history of colonial legislation in New York, and are an invalnable addition to the legal literature of the State.

CHABLES Z. LINCJOIN",
WILLIAM H. JOHNSON,
A. JUDD NOETHRUP,

Commianionera.

AiMAjTT, Oetober, 1896.

Digi-jzedbyGoOgiC

D.,r„.db,G00glC

Fiist Grant to the Duke of Yorfc,:"it664.

[The origin&l parchmeat of the grant to the Duke of Tork is in tlf State Libr&iy, and has become very indistliict. The gr&nt is &1bo re theofficoof tha Secretory of State in vol, 1 ofpatenta, at p. 180. ing copy of the grant is made from a carefulTj compared copy of th inal parchment contained in a " Report of the Eegenta of the Uuiven the Bonndaries of the State of New York," transmitted to the legisla 38, 1BT8. vVorda interlined in the original parchment are here indoeed pafenthesefl.]

Charles the Second By the grace of God King of England Scotland ffrance and Ireland defender of the ffaith etc TO ALL to whom these presents shall come Greeting. KNOW YEE that wee for divers good Causes and Consideracons us there- unto moTeing HAVE of our especiall grace certaine knowledge and meere mocon given and Graunted And by these presents for us our heires and Succeeaors Doe give' and Oraunt unto our dearest Brother James Duke (^ Yorke his heires and Assignes ALL that part of the Mayne land cf New Engiaiid beginning att a certaine Place called or k&owne hy the name of St Croix next adyoyneing to New Scotland in America and from thence extending along the Sea Coast unto a certaine Place called Petuaquine or Pemaquid and (see) upp the Biver thereof to the furthest head of the same as itt tendeth North- wards and extending from, thence to the Biver of Kinebequi and Boe upwards by the shortest course to the Elver Caooada North- ward And alsoe all that Island or Islands comonly called by the severall name or names of Matowacks or Long Island scituate lyeing and being towards the west of Cape Codd and the Narro Higansetts abutting upon the Mayne land betweene the twoe Bivers there called or knowne by the severall names of Conectecutte and Hudsons Biver Together alsce with the said River called Hudsons Biver and all the land from the west side of Connectecutte River to the East side of De la Ware Bay. And alsoe all those severall Islands called or knowne by the names of Martin Vinyarda and Nantukes otherwise Nan- tukett Together with all the lands Islands Poyles Bivers Har- bours Mynes Mineralls Quarries Woods Marlshes Waters Lakes fOshings hawking hunting and ffowleing and all other Royalties proffltts- Gomodities and hereditaments to the said

D,g,;,zeclbyG00t^Ic

a LAWS off. THE COLONY OF NEW YOBK.,

severall l8laiidB;JaiiiJB and premises belonging and appertalne-
Ing with thttif'-iyid every of tlieir appurtenacs A2sl> all our
Estate rigbi 'title interest benelitt advantage Clayme and
demaunddt.'tn or (to) the said lands and premissea or any
part or.^^atcell thereof AND the Revereou and Bevercons
Bemaya4^' and Bemajnders togetht:r with the jearely, and
othei; the Eenta Revenues and proffitta of all and singuler the
sawj i)h!DiiB8e8 and of every part and parcell thereof To HAVE
AKIV'tO hold all and ainguler the said lands Islands
:)>e'reditament8 and premisses with their and every of their,
. appurtenncB hereby given and Graunted (or hereinbefore mem
"-,' coned to bee given and grunted) unto our said dearest Brother
Jamea Duke of Y'orke his heirs and Aaaignes for ever To the
only proper use and behoofe of the said Jamea Duke of Yorke
hia heirea and Assignee for ever To bee holden of na our
heirea and Succeftsora aa of our Manor of East Greenwich in
our County of Kent in ffree and Comon Soccage and not in
Capite or by Knights Service YEILDISG AND RENDERING
And the said James Duke of Yorke Doth for himselfe his
heirs and Aaaignes covenant and promise to yeild and Render
unto us our heirea and Succeaaors of and for tlie same yearely
and every yeare ffortie Reaver Skynns when tliey shall bee
demanded or within Nynety days after AND WE DOE FUK-
THER of our especiall grace certaine knowledge and meere
mocon for us our heirea and Successors give and Graunt unto
our said dearest Brother James Duke of Yorke his heires Dep-
utyes Agents Commissioners and Assignes by these presents,
full and absolute power and authority to Correct punish
Pardon Goveme and Rule all auch the Subjecta of U8
our heirea and Succeaaora as shall from tyme to tyme
Adventure themselves into any the parts or Places afore-
said or that shall or doe att any tyme thereafter Inhabite
within the same according to such Lawes Orders Ordinancee
direccona and Inatruments aa by our said dearest Brother or
his Aasignea shall bee eatablished And in defect thereof in
Cases of neceaaltie according to the good disoreccons of hia
Deputyes Commissioners OfRcera or Assignes respectively aa
well in all Cauaea and matters Capitall and Criminall aa Cirill
both Marine and others ROE ALL^'AYES as the said Statutea
Ordinances and Proceedings bee not contrary to but as neare
as conveniently may bee agreeable to the Lawes Statutes and
Govemement of this our Realme of England ANT) PA^^ING
and reserveing io ua our heira and Successors the receiveing
heareing and detennineing of the Appeale and Appealea of all

crany Person or Peraonsof in or belonging to the Territories or

Digi-jzedbyGoOgiC

Islands aforesaid in or touching aoy Judgment or Sentence to bee there made or ^ven AND FUBTHEE that it shall and may bee lawfull to and for our said dearest Brother bis beires and Asedgties b; these presents from tyme to t;me to Nominate make Constitute Ordejne and Couflrme by such Name or Names Stile or Stiles as to him €0* them shall seeme good and likewise to revoke discbarge Change and alter as well all and singuler Governors Officero and Miaisters which hereafter shall bee by him or them thought fltt and ineedfull to bee mode or used within the aforesaid Parts and Islands and alsoe to make Ordayne and EBtablisb all manner of Orders Lawes direccons Instruccons formes and Ceremwiies of Covernment and Magis- tracy fitt and necessary for and concemeing the Oovemement €t tbe Territories and Islands aforesaid soe allwayes as the same bee not contrary to the Lawes and Statutes of this our Bealme of England butt as neare as may bee agreeable there- unto And the same att all tymes hereafter to putt in Execncoo or abrf^ate ■ revoke or change not only within the Precincts of the said Territories or Islands butt alsoe upon the Seas in goe- Ing and comeing to and from the same as hee or they in their good discreccons shall thinke to bee fittest for the good of the Adventurers and Inhabitante there AND WE DOE FXIBTHER of our especiall grace certaine knowledge and meere mocon Graunt Ordeyne and Declare That such Governors Officers and MInistera as from tyme to tyme shall hee authorized and appointed in manner and forme aforesaid shall and may have full power and authority to use and exercise Marshall lawe in casee of Bebelllon Insurreccon and Mutiny in as large and ample manner as our Leiftennants in our Countyes within Our Bealme of England have or ought to have by force of th^r Oomission of Letntennancy or any lawe or Statute of this onr BeaJmiS a:ND WEE DOE further by these presents for us our helres and Successors Graunt unto our said dearest Brother James Doke of Yorke bis heires and Aasignes that itt shall and may beo lawful to and for the said James Duke of Yorke his heires and Asrignes in his or their discreccons from tyme to tyme to Admitt such and soe many Person and Persona to Trade and

Trafflque unto and within the Territoryes and Islands afore-
said and into every or any part and parcel! thereof And to have
posaesse and enjoys any lands or hereditaments in the parts
and Places aforesaid as they shall thinke fltt according to the
lAwes OrderB Constltucons and Ordinances by our said Brother
bis helres Deputyes Comissioners and Aseignea from tyme to
tyme to bee made and established by ulrtne of and according
to the tme Intent and meandng of these presents and under

Lc;-,:uJbyC00gIC

such Condicons reHervauona and Agreements as our said Brother
bia heirea or Assignea ahull sett downe Order direct and appoint
and not otherwise aa aforesaid AND WEE DOE FURTHER of
our especiall grace certaine knowledge and meere mocon for
iia our heirea and Successors give and G-raunt to onr said deare
Brother his heires and Assignes by these presenta that itt shall
and may bee lawfull to and for him them or any of them attall
and every tj-me and tymes hereafter out of any Our B«almea
or Dominions whatsoever to take lead Carry and Transport in
and into (their) Voyages and for and towarda the Plantacon
of our said Territorjes and Islands all such and soe many of
our loveiag Subjects or any other Strangers being not pro-
hibited or nnder reatraint that will become our loveing Sub-
jects and live under our Allegiance aa shall willingly Accom-
pany them in the said Voydges Together with all auch Gloathing
Implements fFumiture and other things usually transported and
not Prohibited as shall bee necessary for the Inhabitants of
the said Islands and Territorjes and for tHeir use and defence
thereof and maunaging and Carrying on the Trade with the
People there and in passing and retumeing to and fro TEILD-
TSG AND PAYING to as our heires and Successors the
Customea and Duties therefore due and payable according to
the lawea a.nd Customea of this our Bealme AND WEE DOE
alaoe for us our heirea and Succeaaors Grauut to onr said
deareat Brother James Duke of Yorke, his heirea and Aasignes
and io all and every auch Governor or Governors or other
Offlcera or Ministers aa by our said Brother his heires or
Assignee shall t>ee appointed to have power and Authority
of Govemement and C<Mnmflund inorou'erthelnhabitantsof the
said Territories or Islands that they and every of them shall

and lawfully may t'om tyme to tyme and att all tymes here-
after for ever for their aeverall defence and safety encounter
expulse repelt and resist by force of Armes aa well by Sea
as by land and all wayes and meanes whataoever all snch
Person and Persons as without the special! Lycence of onr
said deare Brother his heires or Assignea shall attmipt to
inbabite within the severall Precincta and Lymitts of our said
Territories and Islands AND AI^OE all and every such Person
and Persona whatsoever as shall enterprize or attempt att any
tyme hereafter the distruccon Invasion detriment or annoyance
' to the Parts Places or Islands aforesaid or any part thereof
AND LASTLY OT'R WILL and pleasure Is and wee doe hereby
declare and Graunt that these our Letters Pattents or the
Inrollment thereof shall bee good and effectuall in the Law
to all intents and purposes whatsoever NOTWITHSTANDING

Digi-jzedbyGoOgiC

the not reciteiDg or menconiQg of the premisses or an; part
thereof or the Meets op Bounds thereof or of any former or
other Letters Patents or Graunts heretofore made or Graunted
of the premisses or of any part thereof by us or of any of
our Progenitors unto any other Person »r Feraona whatsoever
Bodyes Politique or Corporate or any Act Lawe or other
Restraint ineertainty or jmperfeccon whatsoever to the con-
trai7 in any wise notwithstanding ALTHOUGH EXPRESSE
MENCON of the true yearely value or certainty of the prem-
isses or of any of them or of any other Guifts or Graunts by
us or by any of our Progenitors or Predecessors heretofore made
to the said James I>uke of Yorke in these presents is not
made or any Statute Act Ordinance Provision Proclamacon or
Restriccon heretofore had made Enacted Ordeyned or provided
or any other matter Cause or thing whatsoever t» the contrary
thereof in any wise notwithstanding EN WTTTNE8 whereof
Wee have caused these our Letters to bee made Patents ■WITT'
NES our Selfe att Westminster the Twelveth day of March
In the Sixteenth yeare of our Raigne.

By the King Howard.

Digi-jzedbyGoOglC

The Duke of York's Laws, 1665-75.

[The Dnke at York's Iawb (or the government of the Colony of New York were compiled from the Btatutee for the government of the other English coloQles in America, under the direction of Nlcolis, the firs EngltBh Governor. They were promulgated at Hempstead, on Long Island, March 1, 1665, and copies were transmitted to the several ri constituting the shire of Yorkshire. A copy of these laws, known as the "East Hampton copy." Is filed In the clerk's oflice of the town East Hampton, In the County of Suffolk. Another copy was filed In t clerk's office of Hempstead, where the laws were promulEateJ. but on the erection of the town of North Hempstead from the town of Hemp- stead, the records of the town, including the " Duke's Laws," were t ferred to the clerk's office of the town of North Hempstead, at Rosl A third copy of the laws is In the New York State Jjlbrary. The l copy Is cei'tlSed by " M. Wren," who was secretary of the Dnke of as " Concordat cum orlglnale."

The New York Historical So<-iety, In 1809, published a copy of the East Hampton copy of tlie Duke's Laws, which Is certified by the cl of the town as a correct copy of the origlnaL (Vol. 1, p, 307, of of the New York Historical Society for the year liSiK*.)

The several existing copies of the " Duke's I^ws " vary, partly fro errors In transcribing them, and partly from amendments, which were made from time to time by the Court of Assizes, and either were no transmitted to all of the towns, or, If received, were not recorded book containing the " Duke's Laws." As each of these copies had the force of law In the jurisdiction In which It was filed, either may regarded as an oriRinal. The commissioners have caused carefully pre- pared copies to be made of the East Hampton and Roslyn copies of th " Duke's I^aws." The East Hampton copy is made the basis of this publication, while the variations In the Roslyn copy, as they occur, noted In brackets. Variations between the two copies In spelling and capitalization are not noted. It will be noticed that the East Hampt copy states that the laws were published March J. 10(H. In the Rosl copy the date is given as 51arch 1, JC('r4-5, which was March 1, 1 first three months of the year, before the change In the calendar, treated as months of the preceding year, as well as of the year ti the new calendar.]

LAWES,
Establisht by the Authority of his Majesties Letters patents, granted to his Bovall Ilighnes Janies Duke of Yorke and Albany; Bearing Date the 12th Day of March in the Sixteenth year qt ye Raigne of our Soveraigne Lord Kinge Charies the Second. Digested into one V.oluine for the publicke use of the Terri- toryes in America under the Government of his Royall High- oease.

D,g,;,zeclbyG00giC

LAWS OF THE COLOKY OP NEW YORK. 7

Collected out of the Se\-eral Laws now in force in his Majeeties American Colonjes and I'lantations

Published Uarch the Ist Anno Domini 1661 at a General meet- ing at Hemsted upon Longe Island by virtue of a Commission from his Bojall Highness James I>uke of Yorke and Albany given to Colonell Richard NicoUs Deputy Governeur, bearing date the Second day of Aprill 1664.

If any Justice or high Constable shall bee absent from the Sessions held within that Riding hee aball pay for every Dayeg absence ten pounds and every petty Constable for each default aball pay five pounds Provided that it shall be Lawfull for the Justices upon the Bench to discharge any Constajale from his Appearance if they shall think fttt.

ACTIONS.

That all actions of Debts Accompta Slanders and Actions of the Case concerning Debts and Accompts shall be tryed within that Jurisdiction where the Cause of action Doth arise.

All actions of Debt or Trespasse under ye value of five ponods between Neighbours shall be put to Arbitration of two indifferent persons of the Neighbourhood to be nominated by the Constable of the place; And if either or both parties shall refuse (upon any pretence,) their Arbitration: Then the next Justice of the peace upon notice thereof by the Constable shall choose three other indifferent persons; who are to meet at the

Dissenters charge from the first Arbitration and both plaiatiffe and Defendant are to bee concluded by the award of the persons BO chosen, by the Justice.

In all differences wnder five pounds not triable in Courts the Constable is to have one shilling for naming Arbitrators to whom the Difference shall be refered, they shall have two shillings six pence each.

If it comes to the Justice, he sliall have seaven shillings and Six pence, the Arbitrators (he appoints) five Shillings each, and the Constable, for his trouble, two Shillings Sixpence, This to be paid by the party is Cast.

If any Person shall pretend his Debt or trespasse to be above five pounds, and on the hearing it shall appear to the Court to ctmie nnder that vallew, in such cases the Flaintiffe shall loose his action and pay the Defendant Cost,

All action or cases from the Value of five pounds to Twenty pounds, shall be tryed att the Sessions within that Jurisdiction frtna whence there is to be no appeal unless the <l€bt appears to

D,g,;,zeclbyG00gIC

be above that summe of twenty pounds, or where there iB a dubiousnesBe in the expression of the law. Which doubt made by one, if it tend to the Causeless vexation of je other Party; th other Person so offending shall pay all the charges.

Actions of Assault or Battery Breach of the peace or the like, are to be tryed at the sessions within the Jurisdiction where the offence is Committed, for which the Justices of the peace may take Baile or Commit to Prison such offenders to the ae£t Sessions:

Any Person renewing his Suit or Petition or Revew Causeless The plaintiffe shall pay the whole charges of the Court and be Lyable to a fine; But if the Defendant be in the fault, the Just Charges shall be imposed on him.

Any Person falsely pretending great damages & Debts to vex his Adversary; shall pay trible Damage.

The Plaintiffe may have liberty to withdraw his Action and be non Suited (if he see cause) before the Jury give in their Verdict, but hee shall pay full cost and Charges to the Defendant.

All Actions of the Plaintiffe; with his declaration, shall be entered and filed in the Ciarkes office eight Days before the Day ■ of hearing, to the end that the Defendant may (if he please) tak a Copy thereof and provide his Answer, Which is also to be filed by the said Defendant; And the Judgment if for the plaintiffe • shall be Endorsed on the Declaration; If for the Defendant on the Answer, and all Ev-idences concerning that Cause, are to be filed together, and remaine in the hands of the Clarke.

Where an Action hath been once entred for presses in Court Although the Difference shall be composed between both parties before they come to a Tryall; yet the plaintiffe shall enter such Agreement in the hands of the Clarke of the Court And so shall have Liberty to tal;e hia Action off the file, pacing only fo the Entry of the Agreement as for [The words " the Entry of the Agreement as for," are not in the Roslyu copy.] the Entry of the Action; upon forfeiture of ten Shillings for each Session which this first entry of the Action remaineth upon the file.

ASUINISTBATION.
Upon the Death of any person the Constable, with two Over-seers of ye parish shall Repair to the house of the deceased party to enquire after the manner of his Death and of his Will and Testament, and in Case none doth Appear, or shall be pro-duced, it may be taten for granted that the Person Dyed Intestate, And in the Presence of the Widow, Children and other BeIations,if any such there bee, or if any-such refuse to be present

Digi-jzedbyGoOgiC

It Bhall "be lawfnll for the said Constable in the presence of the Overseers to make a due Search and enquiry after the estate of the deceased, and within eight and forty howers after, hee is to

deliver in writing and upon Oath his full knowledge, t& the next Justice of the Peace and the said Justice of ye peace is impowered to send out warrants to take Security against any embezelmeot or disposal of ye said Estate under any pretence whatsoevw, until! the next Court of Sessions where all Cases of Administra;-tion within that Liberty shall be Adjudged:

The Estates of all Persons dying intestate who have neither the Eelations of Children Brothers or Sisters op their Children Uncles or Aunts or their Children for want c^ such heires shall, Elapse to the King Provided always that Such Elapsing shall not hinder the Lawfull Clayme of any Such Belations afore mentioned, if it be made appeare upon Oath to the Court, within one Year and Six weeks.

That no Administration be granted until) the third sessiocns after the parties decease, except to ye Widow or Child and then to be immediately granted to the said widow or child bringing in SufBcient Security for the performing all things the Law requires aad saving the Court harmless, And in case the widow OP Child da Administer the Estate shall be Inventoryed and Apprisement made by foure Men appointed by the Court and Sworne by a Justice of peace which Inventory or apprize-ment shall by the said widow or Child be brought into the next Court of Sessions, unless the Court for reasons showed them may think fit to grant Liberty to bring it in' the Court follow-ing. But in case the deceased Bye without widow or Child, then the estate, for the better improvement thereof shall be Bould by order of the C«urt at an Outcry, and the purchasers all puting Security, and Acknowledging Judgment for their debt which by the Court shall be Assigned to the several Cred-itors of the decedent, and paid according to ye priority of Law and the Surplusage remaining, if any, to be delivered to the next kinsman of the decedent, if he appears or if none prove himself such within one year and sis weeks, Then the Court to give an accompt of ye said Surplusage to the Govemour. And when the widow or Child Administers the surplusage after debts paid and the funerall Charges according to the quality of the person allowed for, shall be equally divided between the W^idow and Children, viz. one third otf the personall Estate to tlio widow and the other two thirds amongst the Children, pro-vided the Eldest Sonne shall have a double portion, and whwe their are no Bonnes the daughters shall inherit as Copartners, and if any of the Children shall happen to dye before it come

ibvCoot^lc

to age his portion shall be divided amongst the Burviviug Chlldi-en.

Wlioever pretends to Administer upon any Estate shall bring to the Court SuflScient Security, before the Order shall be granted, And an Order tline obtained legally by giving in such Security to be trulj' accODijitable to bring in a true Inventory, and to perform sucli things as Administered by Law are, required or enjoynod, shall not any time after be reserved, unlesse the partie that obtained the Same, dye before he hath given an Accompt of the estate and obtained his Quietus in which case the Court is Impowered to grant the Administration of that Estate so not Acc»mipted for to some other person who may by virtue thereof call the heirs Executors or Administrators of the ft>rmer Administrators to accompt who shall pay out of the deceased Administrators Estate all such debts as shall be fonud due to the estate he administered upon in the first place.

If any Execntor nominated in any will and knowing thereof shall not at the next Sessions which shall be above thirty days after the decease of the party; or shall not cause the same to be recorded by the Recorder or Clarke of that Court within which Jurisdiction the deceased party last dwelt. Or if any person whatsoever shall not within the same time take Administration of all such goods as he hath, or shall enter upon of any party deceased, or if any person or persons shall alienate or Embezell any lands or goods before they have proved and recorded the will of the deceased or taken Administration, every such person BO administering, or Executing shall be lyable to be sued, and shall be bound to pay all suchl debts respectively as the deceased party owed, whether the estate of the deceased weare Bufflclent for the same or not and shall also forfeit.

If any person shall renounce his Executorship or that none of the friends or kindred of the deceased party that shall die intestate shall seeke for Administration of such persons Estate, then the Constable of the Town where any such person shall die, shall give notice thereof to the next Court of Sessions;

that so the Court may take order therein, as they shall think meet, whoshall also allowsuchConatableduerecompenceforhis pains But if the Constable shall fail therein, he shall forfeit forty Shillings to the pnbllqne Trcflsury.

That the Clarke of the sessions when he carries the Probates or Commissions of Administration to be signed do then alsc Certify unto the Recorders Office at Kew York, the name of the testator or the party deceased the Executors or Adminis-trators and their Security the County and Parish where they dwelt And the Court wherein the Administration is granted

.., C A.>(.>^[C

to the end that strangerB and other creditors invested in the Estate may be the better Enabled to find out the Records in which the accompts of the estate is entered and lie informed how they may come to their just dues.

Memorandum That what ia here spoken of Executors or Admin-istrators the like is ment; and intended also of Executrixes and Administratrixes who in such Cases are to have the same privileges.

AMEBCIAHENTS.

All Amerciaments and Fines that are not ^cpresly regulated because the meritt of the Case -or offence can not be foreseen shall be imposed at the discression of the Court.

That all fines and Amerciaments be collected by the petty Constables who are to give in an Accompt of them to the high Constable Eight days before the Sessions ensuing, and the high Constable shall give in their Accompts ta the high Sheriffe eight days before the next Assizefl.

APPEABANCES.

It shall be lawful for the plaintiffe or Defendant to take out Bubpona from, the Sheriffe or under Sheriff to Summon Wit-nesses to give in their evidence, in Case they will not volun-

tarily appear and the witnesses sO' summoned shall for non Appearance at the Session be fined twenty shillings; and for non Appearance at the Assizes forty Shillings Or such other fine or punishment as shall be Adjudged by the Court for damage done to the Cause by his non Appearance Provided that noe man shall be punished for non Appearing at or before any Court or CounaeT, nor for the Omission of any Office or Service, if he shall t>e necessarily hindred, by any Apparent Act or Providence of God; which he could neither foresee nor avoid Provided also that this Law shall not prejudice any person of his Just cost and Dami^e in Civill Actions.

APPEAL.

That no Justice erf the peace that hath sate as Judge or voted in any Inferior Court in that case he is appealed from, shall have any vote in the Superior Court appealed to; but the Case shall be there determined by such as are no way engaged in the same, by Judging or voteing formerly, And In all Cases of Appealer the Court appealed to, shall Judge the Case according to former evidence and no other, unless some material witness was not then in the Country or necessarily hindred from giveing in evidence at the triall, only rpctlfying what is amiss tha^iu, and where matter of fact Is fotutd to agree

LgizctlbyGoOgiC

with the fonjier Court and the Jadg«nent according to Law; not to revolie the Bentence or Judgement; but to abate or increase Damages as shall he Judged Right.

That in all Case of appeals the appealant do put In good Security for prosecuting the Appeal and payment of Damages to the Defendant if the Appealant be Cast in the Suite for his unjust Molestation.

If the Case of Appeal he of a Criminal nature, the party shall put in Security for the good behaviour, also, until the hearing, but if the Case be Capital!, and the person cond^nned shall appeale; he shall be kept In Goale till the next Assizes and then prosecuted and tryed Accordingly.

All Appeals ^ith the Security aforesaid shall be Sec(wded at the charge <rf the party Appealing, and Certified to the Court to which they are maiie, and the party appealing shall briefly, in writing, under his owne or his Attorneys hand, give unto the Clark of the Court from, which he did appeal, the Grounds and reasons of his Appeal Six days hefM-e fhe beginning of the Court to which he did appeal, the said Clark shall retume to that Court the said writing, and give Coppyes thereof to the defendant, and whosoever shall Appeal from the sentence of any Court and not prosecute the same to effect, according to Law shall besides his bond to the party forfeit to the Country the sum of Forty shillings for every such neglect.

A 11 appeals are to he made by way of Petition and the Appeal- ant shall pay ten Shillings upon the delivery erf the petition unto the Clark of the Assizes for defraying the Charges thereof, over and above two Shillings Six pence to the Clark for «itring the Appeal.

APPBISEUXNT or OOODS.

That the plaintifle and Defendant shall choose, each of them, two indifferent men, for that purpose, and 'in Case of disagreement, the said four, or any three of them, shall choose an Umpire, which Umpire, so chosen, shall be sworn by the next Justice of peace, to Apprize such Goods indiffwently, and his Umpirage to be finall. And if the Plaintiffe or Defendant neglect to Appoint Apprizers within three days after Execu- tion is served, notice being given them by the Sheriffe to whom the Execution was directed, that then the Sheriffe, in such case of neglect, shall choose and Appoint Apprizers either for the Plaintiffe or Defendant for Apprizing the Goods by him Seized upon Execution as aforesaid, That before Such Apprisement the Sheriff shall remove the goods out of the possession of the plaintiffe, and the surplusage, if any be, returned to him; but afte Appris^uent made as aforesaid, the property to rest in the

Digi-jzedbyGoOgiC

Sterriffe for the use of the Creditor to whom the Sheriff shall

gire notice that he may talfe thran into his own posseBsion, and beeause there can be no Averment against a Becord, the Sheriff shall make returne of the Execution to the Clark of the Sessiona that granted it, bj him to be entered upon Becord, under the Order it was Issued upon, that so the Satisfaction as well as the Judgement may be Authentickl^ proved, Occation Require.

AXREBT.
That no Sheriflf nor other officer shall Execute any writ or warrant upon any person or persons either upon the Sabbath day, npon the day of humiliation for the Death of the late King of Blessed memory, upon the day appointed for Thanksgiving for his Majesties happy restoration or upon the 5th day of November provided always tJiat it shall, and may be Lawful for .the Sheriff, or any other Officer to apprehend and Carry to prison, any person or persons for Biotts felony or Escape out of prison when nnder Execution, upon any day, at any place, any thing in the Law to the Contrary notwithstanding.

All that comes to the Seswons or Assizes for publique service or npon Compultlon upon Complaint & Examination of the matter by oath, shall be freed from any Arrest dnreing their occations so long as the Court sits.

All arrests, writs, warrants and proclamations are to be in his Majesties Kame.

No person shall be Arrested for any Debt or fine untill the time when the Debt or fine shall become due is expired; unless it Doth appear upon Oath, that the Debtor, doth intend to con< vey himself away upon purpose to avoid the Action, and defraud his Creditors; In which case also, he shall not be arrested- but either by Special warrant or warrant from one Justice of the peace or high Bherrife.

In case any suite or action depends between two persons of one Town, the one shall not cause the other to be arrested in any other Jurisdiction upon any pretence but by special warrant

Whosoever shall upon pretence of Debt or trespass Arrest any Person with intent to disinable him from giving in Testi- mony in any Case depending, or from prosecuting any suite in which he stands engaged shall be punished by Fine and Imprisonment at the dlscression of the Court, and the person

so Arrested shall be set at liberty. Neither shall the Cause, for want of such evidence, whilst under Arrest, be Adjudged to the prejudice of either Plaintiffe or Defendant.

Digi-jzedbyGoOgiC-

Any person under arrest except in cases not bailable may be set at Liberty to prosecute, Answer, or give in evidence at tbe Sessions or Assizes, Security being given for his return to prison, anil in case no bail or Security can be (oond, the Conrt may send for tlie party by Special warrant

No mans person shall be longer Imprisoned for Debt or fine than be can find sureties for his Answering tbe Suite, or paying the Debt. And if it s'&all Appear to the Court, that the person Impleoded hath a Competent man ["means" in Boslyn copy] to give Satirfaction out of his Estate reall or personal for the said Debt, Then the Court shall Discharge the person and Secure the Plaintiffes debt out of the Defendants Estate.

All Persons of known Estates who to beget strife refuse the payment of their Just Debts if arrested and Imprisoned, shall be kept at their own charge, and not the Plaintiffes, till Surely, be given or Satisfaction made Provided that no mans person . shall be kept in prison for debt or fine. Longer than the Second Day of the next Sessions after the Arrest unless the Plfiintiffe shall make it appear that the person Arrested hath some Estate which he will not produce. In which case the Court may AuthiH^ ize an Oath to be Administered to the party or any other Sus- pected to be privie in Consealing his Estate. And the Court shall also order if no Estate can be found, that the Debtor shall Satisfie his Debt by service, if the Creditor so require, as also the charge of bis arrest and imprisonment.

All assesments shall be made by the Constable and the Eight Overseers of the Parish ppoportionable to the Estate of the Inhabitants in the Town or parrish where such Assesments is to be made, and every Inhabitant who shall not Contribute proportionably to the Hate so Assesed, shall be compelled there- unto by Atachment or distress of Ooods to be Leveyed by the

Constable provided that no man shall be assesed for any Estate Beall or personall which lyetb not within the same Town or Parrish where he Is Assessed.

That the Justices of peace only shall be exempted from paying any publique Assessment In the place where they Inhabit dureing the time of their bearing Office payment to the Church only excepted.

The Towns assesment shall be certified in writing unto the Sessions, and the Justices are impowered to relieve any Inhabit- ant by abatement who flhall make it appear that he is over Charged.

Digi-jzedbyGoOgiC

In case of the necessary or Casual absence of one two or more of the Overseers when the Assesmente or other Dntyes ore to be performed, relating to the Constable and the Eight Oiereeere aforementioned it shall be lawful for the Constable and fonr Overseers to act and determine as if the whole Number were present, And if any one Overseer shall happen to dye dureing the time of his Office it shall be lawful for the rest of the Overseers by the Major voate to Choose an other in his place and the person so chosen, upon- refusal of the said Office shall forfeit to the Town ten poands towards the defray- ing of the Towns Charges.

ASSAULTS.

Assaults are made either by Blowes or offering of hurtful blowes or at least by threatening and menacing speeches To rebuke an Officer with foule words, so that he departs with fear without doing bis Office shall be taken for an Assault.

A servant or labourer [" workmian " in Eoslyn copy.] convicted by Oonfession or two witnesses for Assaulting his Master Dame or Overseers shall be Imprisoned till the next Sessions, where he shall be brought to answer for the fault and shall receive what CorporaJl punishment the Court shall Adjudge Saving life & Member:

In defence of himself his wife Father or Mother Children or Servants a man may Lawfully use force to resist any attempt made to that purpcse.

ATTACHUEKT AND SUKUOKS.

That it shall be in the Liberty of every Plaintiffe to take out either summons or attachment against any Defendant provided no Attachment shall be granted in any Civill Action to any Forrainer or Stranger against a settled Inhabitant in this Jurisdiction before he hath given Sufficient Security or Caution to prosecute his Action, and' to answer the Defendant such cost as the Court shall award Bm.

That in all attachments of Goods and Chatties or of Lands and hereditaments Leiagall notice aliall be given to the party, or Left in writing at his house or place of usuall aboad, otherwise the Suite' shall not proceed notwithstanding if he be out of .this jurisdiction, the Cause shall then procee3 to Trial ; but Judgment shall not be entered before the next Court, and if the Defendant doe not then appear, Judgment shall be entered; but Execution shall not be granted before the PlainliflCe have given Security to be Responsible to the Defendant if he shall Beverce the Judgment within one year or such further time as the Court shall limitt

Digi-jzedbyGoOglc

That no Btimmona pleading Judgment or any kind of proceedings in Court, or Courts of Justice shall be abated Arrested or Beverst upon any kind of Circumstanclal Errors or mistakes if the person and cause he nghtlj understood & Intended by the Court, And in all Causes when the first tjummons are not served eight Days Inclusively before the Court, and the Case briefly Specified in the warrant where Appearance ia to be made by the party Summoned, it shall be at his liberty whether he will appear or not, except all Cases that are to be handled in Court suddenly called on extraordinary Occation, by Special Warrant

That all Original processe whether Summons or Attachment shall express in whose name the party Sueth, whether in his own name or as an Executor of the last will and testament of such a man, or Administrator of the goods and Chattle, of such a man, or Assigne, Attorney, Guardian, or agent of such a man, or the like, or otherwise if Exemption be taken before the parties joyne Issue it shall be good and the plaintiffe shall be lyable to pay Cost.

ATTOBNBT.

That no justice of Teace shall at any time whilst he is in Commission be an Attorney in any Case.

That no high Sheriffe, under Bheriffe high Constable petty Constable or Claire of the Court shall be permitted to plead as an Attorney in any Persons behalfe in the Court where he Officiates, provided always that if any poore person not able to plead his owne Cause shall request the Court to Assigne him the High Sheriffe under Sheriff high Constable petty Constable or Clark to plead for him it shall be Lawful for the Court to grant it; And for the person to plead accordingly. But the person so pleading the poor mans Case, is not to give Judgmeint provided also that any high Sheriffe undw Sheriffe high Con- stable petty Constable or Clark acting as general Attomeya for any person, absent out of the Country, and Negotiating their Affaires, and so Lyable to be sued for their Employers such Persona shall have Liberty, also to plead and prosecute in any Cause that shall any way Conscerne their said Employers.

The Court of Assises shall be held but once in the year which shall begin on the last thirsday in September at New York.

Upon information from any Court of Sessions to the Gov- emonP and Councell of any Capitall Offender, unless the Court of Assizes shall happen, to be within two Months time after

Digi-jzedbyGoOgiC

auch information; The Govwnor and Counceli shall Issue

(orth a ConmiisBioii of Oyer and Terminer for the more Speedy Trial of such Offender.

BATLR

Ba;lement is the saving or delivering a man from prisoiQ before he hath Satisfied the Law, by finding Surety to Answer which is justifiable by Law.

The person bayled is to be delivered into his Suretyes hands.

If the sureties shall afterwards doubt the Escape of the prisoner Bayled; a Justice of the Peace upon prayer may dis-charge the Sureties and Commit the party to prison untill he find other Security such as the Justice shall accept.

To Bayle one not baylable, is a negligent Escape In the Justice

To Bayle one Contrary to Law is fineable, which is to be interpreted for Bayling persons committed either by Special warrant, or for Capitall Offences.

BABBATRT.

If any man shall be indicted proved and Judged a CommoQ Barrator; vexing others with unjust frequent and endless Suites it shall be in the power of the Court both to reject his Cause; and punish him for his Barratry by fine or ImpriBonment

That no Ballast shall be taken from any Town Shore by any Person whatsoever without Allowance under the hands of the Constable and two Overseers upon the penalty of Sixpence for every Bhovell full so taken, unless they be such Stones as they had lay there before, and that no Ship, nw ortber veaaell shall Cast out any Ballast in the Channel or other place uncon-venlent; in any harbour within this Gorernment, upon the penalty of ten pounda

BIIXS.

That any Debt or Debts due upon bill or other Speciallity Assigned to another, shall be as good a debt and Estate to the Assignee, as it was to the Assigner, at the time of its Assigna-

tion, and it shall be lawful for the said Assignee, to sue for, and recover the said Debt due upon Bill and so Assigned as fully as the Original Creditor might have done. Provided the said Assign-ment be made upon the Back side of the bill or Speciallity.
3

Jigi-jzedbyGoOylc

BOND SliAVERY.
No Christian eliall be kept in Bondalavery, villenage or Cap-tivity, Except Such who shall be Judged thereunto by Authority, or such as willingly have sould, or shall sell themselves, In which Case a Record of such Servitude shall be entered in the Court of Sessions held for that Jurisdiction where Such Matters shall Inhabit, provided that nothing In the Law Contained shall be to the prejudice of Master or Dame who shall by any Indentiu-e or Covenant take Apprentices for Terme of Years, or other Servants for Term of years or Life,

That every Town shall sett out their Bounds within twelve Months after their Bounds are granted, and that when their Bounds are once set out; once in three years, three of the Over-seera of the town Appointed by the next Justice, shall Appoint with the Adjacent Towns the Auncientest Town to give notice to the neighbours Towns to go the Bounds betwiit their said Towns and renew thrfr Marks, The time of preambulation to be between the 20th and last [The word " day " here occurs in Eoslyn copy.] of February and at the charge of each particular Town upon the penalty of Ave pounds for every Town that shall neglect the same.

If any particular [The word "mans" here occurs in Boslyn copy.] Town lott or Lands lying in Common with others shall refuse to go to the Bounds between his lands and other mens once a year, being requested thereunto upon one weeks warning he shall forfeit ten shillings for every day so neglected one half to the party moving thereto. And the other half to the Town.

And whereas many Contentious Suites do arise about the

bounds, Limits and titles to lands appertaining to Towns or particular persons occationed much through the unskilfulness or fraud of pretended Surveyors, for prevention whereof for the future. No Surveyor of Lands shall give a plott of any lands Surveyed by him unto any other person or persons whatsoever, than such as Employed them, untill six Months after such Plott is drawn according to its Survey, And that one Plott so drawn describing the bounds and Limits of the Town shall be kept in the Records of each particular Town, and another plott so drawn and delivered to the Clark of that Court of Sessions to which that Town Relates, within Seven Months after the Survey shall be so made.

That no person whatsoever shall henceforth undertake the Calling or work of Brewing Beere for Sale, but only such as are known to have SufBcient ^ill and knowledge In the art or

...C^ooglc

Miitery of a Brewer, That if any undertake for Yictualling of Ships or other Vessels or Master or owner of any such Vessels or any other person shall make it appear that any Beer bought of any person within this Government do prove unfit, unwhole- moieand useless for their supply, either through the insufficiency of the Mault or Brewing or unwholesome Cask, the Person wronged thereby, shall be and is hereby enabled to recover equal & Sufficient damage by Action agadnst that Person that put the Beer to Sale.

BIBIES. HABBIAQES AND BUSIALS TO BB BEOIBTEBZD.

TTie ^sames and Surnames of every Inhabitant within the Several Parrishes within this Government shall be Hegestered, and to prevent future inconveniences which may arise about the age of Orphants The Certaiue Marriage of Men and Women or the decease cf, persons imported into this country whereof no positive Certificate can be granted, as to the age of one, Marriage of another or the Death of another. The Minister OP Town Clark of every parrish shall well and truly and plainly Becord all Births Marriages and Burials that shall happen

within his Respective parrish, in a Book to be provided by the Ghnrchwardener for that purpose, And if any Master of a family or other person Conscemed shall omitt the giving notice to the said Minister op Town Clark, of the Birth Marriage and Death of any to him or them Belated the space of one Mouth Such person for his neglect shall be fined five shillings. [The words " five shillings " are not in Boslyn copy.] And the Minister or Town Clark shall have for his entry of such Birth Marriage or Death four pence, and if the Minister or Town Clark shall neglect entering the same as aforesaid he shall be fined upon Discovery made thereof to the use of the panish.

BUBIALS.

Whereas the private Burial of Servants & others give occa-tion of mnch Scandal against divers persona and So divers times not undeservedly of being guilty of their Death from which if the person Suspected to be Innocent, there can be no vindication, nor if guilty no punishment by reason they are for the most part Buried without the knowledge or view ■ of any other then such of the family as by nearness of Relation, as being Husband Wife or Child are unwilling or Servants, are fearful 1 to make discovery, if Murder were Committed, for remidy whereof, and for the greater decency of Burials There shall be within every parrish of this Government, one or more places appoioted according to the extent of the parrish, to be set apart and fenced in for places of pnbllque Burial, and before

...C^oogle

the Corps be Buryed there shall be three or four of the neigh-bours .Called, of which one shall he one of the Overseers of the parrish, who may in Case of Suspicion view the Corps and if none, jet according to the decent custom of ChriBtendom they may accompany it to the grave, And that no person whether free or Servant, ahall be Buried in any other place then those so appointed, unless such who by their own appoint-ment in their life time have signified their desire of being interested in the burial place of Bome other parish.

L If any person within this Government shall by direct ^prest, impious or presumptuous ways, deny the true God and his Attributes, he shall be put to death.

2. If any person shall Commit any wilful and premeditated Murder, he shall be put to Death.

3. If any person Slayeth another with Sword or Dagger who hath no weapon to defend himself; he shall be put to Death.

4. If any man shall slay, or Cause another to be Slain b; lying in wait privily for him or by poisoning or any such wicked Conspiracy, he shall be put to Death,

5. If any man or woman shall lye with any Beast or Brulte Creature by Carnal Copulation they shall be put to Death, and the Beast shall l>e Burned.

6. If any man lyeth with mankind as he lyeth with a woman, they shall be put to Death, unless the one party were Forced or be under fourteen Years of age, in which Case fie shall be punished at the Discretion of the Court of Assizes.

7. If any person forcibly Stealeth or carrieth away any [The words "man or" here occur iu Boslyn copy.] mankind; He shall be put to death.

8. If any person shall bear false witness malliciously and on purpose to take away a mnna life, He shall lie put to Death.

0. If any man shall Tratorously deny his Majesties right and titles to his Crown(^ and Tiominious, or shall raise Armea to resist his Authority, He shall be put to Death,

10. If any man shall treachfTously conspire or Publiqaely, attempt to invade or Surprise any Town or Towns, Fort or Forts, within this Government, He shall be put to Death.

11. If any Child or Children, above sixteen years of age, and of Sufficient understanding, shall smite their Naturall Father or Mother, unless thereunto provoked and forct for their selfe preservation from Death or Mayming, at the Complaint of the said Father and Mother, and not otherwise, they being BufHcient witnesses thereof, that Child or those Children bo offending ghall

be put to Death.

.., C A.>(.>glc

|In the E. Hampton cop; the title of "Capital Lawes" ends here. The remaiader is io the Eoalyn copy only.]

12. Every marryed person or persons, who shall bee found or proved hy Confession of partyea, on sufficient Testimony, to have committed Adultery with a marryed man, or woman, shall be put to death.

Every single person or persons who shall bee found, or proved by conJFession of partyes on sufficient Testimony, to have committed Camall Copulation, with a marryed man or woman, they both shall bee grie^iously fined, and punisht as the Governor & CouncU or the Court of Assizes shall thinke meete, not extending to life or Member.

CATTLE COBN TLELDS PENCE8

Every Person interested in the improvement of Common fields [The words " or any ffleld " here occur in Boslyo copy] inclosed for Corn or other Necessary nee shall from time to time, make and keep his part of the fence Sufficiently strong and in constant repair, to secure the Corn and other fruits therein, and shall not put, cause or permit any Cattle to be put in 80 long as any. Corn or other fruits shall be growing or remain upon any part of the Land so Enclosed, unless by some general exprest agreement of such as are interested, and if at any time the owners or occupiers of any such inclosed Lands, Cannot or do not agree in any part of the premisses Then upon due and Seasonable notice given to the Constable and Overseers of the Town .they shall appoint a Convenient time to hear and order such differences, and Settle a due way of fencing improving, & preserving such fields and the fruits of them. And whosoever shall Oppose or transgress shall be lyable to all damage proved to grow thereby and to such further fine for breach of orders as the Overseers shall Judge meet.

And the said Constable and Overseers shall from year to year

appoint one or two or more of the planters for all or each Common field belonging to the Town where they dwell ; to view the Common fences within their trust and to take due notice of the real defects and insufficiency thereof, and shall forthwith acquaint the owners with the same, and if the said Owners or occupiers do not at furthest within Six Days, or sooner if the said Constable and Overseers see Cause, and so appoint Suffi- ciently Eepaire, ca- Cause the same to be Sufflciently Repaired, he or they shall forthwith upon the demand of the appointed viewer or viewers (besides other Just damages) pay as a fine to the Town Twelve pence for every Rod, if there be a considerable qnantity of such defective fence together, or for every Single

defect in such faulty fence, or the said viewer or viewers talking due witnCBB of the defects, may if it Suite their Conveniency forthwith repair or renew them or Cause them, to be repaired or renewed, and aball have double recompeace for the same, to b<i paid, besides, other [The word " juat" here occurs in Koalyn copy] Damages, by the Owners or Occupiers of the saifl insuf- ficient fence or fences.

And in either Case if payment be denyed or delayed the said Constable and Overseers shall Levy the same forthwith upon the Estate of the delinquent to the use of the viewer or viewers.

And where Lands lye in Common unfenced, if one man shall Improve his Land by fencing in several and others, one or more shall not, he who shall so improve, shall Secure his Land from other mens Cattle, unruly Cattle excepted, who shall Compel! no man to make any fence with him except he also Improve in Several.

And where one man shall improve before his neighbor & so make the whole fence. If his said neighbour shall after improve: ho shall then SatisSe for half the other fence against him; according to the present vallew and shall maintain the saime, and if the first man shall after lay open his field or land, then the said Neighbour shall both enjoy his said half fence so pur- chased, and shall have Liberty to buy the other half fence against his Lands paying according to the present worth as it shall be rated by two men Indifter^itly Chosen, and the like order shall be when any man shall improve Land against or Adjoyning to a

Town Common provided this extend not to house Lotts in which if one man improve his Neighbour or Neighbours shall be Compellable to make and maintain one half of the fence between them whether he or they improve or not, provided also that no man shall be Lyable to damage done in any ground not sufficiently fenced and himself not interested in the defective fence, or some part of it, Except the damage were done by Prohibited or unruly cattle of any sort, in which Swine are Included which cannot be restrained by ordinary fence or where any shall unwarrantably put In Cattle of what Sort, or under what Oouler, or pretence whatsoever, or otherwise wilfully tresspass upon his Neighbours ground.

All Cattle and hoggs shall be markt with the publique mark of the Town to which they belong and the private mark of the owner, and when they are Sould to any other Town, the Purchaser shall cause the Towns mark of the place where he inbabiteth, besides his own particular mark to be sett on, or over the mark of the Town from which he bought them.

Digi-jzedbyGoOgiC

All horned Beasts shall be marked upoo the Horne with the Towne mark to which they belong.

That whatsoever Swine or greater Cattle, horses excepted shall be fotind in the woods or Commons unmarked are Lyable to Poundage or being either pounded or otherwise prosecuted & proved, The owners shall pay for each Swine unmarkt three Shillings four pence, of which half the fine to the pounder or prosecutor and the rest to the Constable & Overseers, and for each of the greater sort of Cattle Six Shillings, whereof half shall be ordered to the pounder or prosecutor & the rest to the Constable & Overseers, but if the owners be not known or found, then every such swine or Beast of a greater kind to be duely cryed, that the owner may take notice Clainie his intOTest and pay the fine and Charges.

But if no owner be found, then after due Apprizement by Indifferent men Chosen by the Constable and Overseers of the place and the same recorded in the Court of Sessions, Sale to be

BO fairly made, that the fine and Charges may be fully paid & the remaineder kept by the Constable, till the owner be known and the rest of such swine or Cattle, being first markt with a publique Town mark or Brand with some Distinction from the mark of particular men to be again turned into the wo>odB.

That no owner of Cattle of what kind soever after knowledge or notice given, that any Cattle of his whether Horse or other Beast or Swine, is unruly in respect to fences shall Suffer any such to go at Liberty, either in Common or against Corn fields ■ or other impropriated enclosed ground fenced as aforesaid, but shall either Constantly keep upon his own ground, within Sufficient fences, all his own, or put and keep upon each of them such shakles and fetters or yoakes and rings as may sufflcimtly from time to time Restrain them and prevent trespass or shall pay all Damage & Charges, whether in Com or other fruit with hart in fences, expences of time, help in Catching, pounding, driving out and bringing home any soch unruly Cattle, of what kind soever, with such further fine for breach of order, and Court Charges if the plaintiffe be put to recover it that way, as the Court of Sessions shall Judge meet.

For Impounding of Cattle for trespass upon Com or Meadow grounds, for each Horse, or Mare, Bull, or Cow, above two years to be paid to the Constable one peny per head.

For all Cattle under two years old and for Sheep or Hoggs, one half penny per head: Provided always that the said Cattle sheep or boggs be taken in the Trespass, then to pay as before said, and not otherwise, Moreover the owner of the said Cattle

Digi-jzedbyGoOglC

Sheep or Hogga shaJl pay jnst C<mt (or the Nourishment of them 80 Impounded till they find Bail to Answer or shall Com- pound for the trespass before it comea to Court,

Although it. be In the Constables power to impound yett he shall not grant a Eeplevin without two Overseers who are to take Security to answer the trespass, and if the Cattle impounded be worth five pounds or above, the owners shall

pay five Shillings, if under shall pay one Shilling for the Eeplevin, But if the party damaged shall agree with the tres-passer then to pay only for Impounding as aforesaid.

CAUSES.

Every Cause of five pounds or under, shall pay two shillings Sixpence, If the Cause he of ten pounds it shall pay five abillinga if above ten pounds to twenty pounds there shall be paid ten Shillings, and for every ten pounds more two Shillings Six pence.

That all causes shall be heard and tryed according to their priority of entrance, and if it shall happen that the Justices have Leasure and can dispatch the Cauces of which due entry was made before the time of Sessions is expired, It shall be lawful for the Justices to hear and determine any other cause or causes Action or CtHnplaints in as full and Ai^ple manner as if due Entry had been made, both the parties b^ng agreed to come to an issue, any thing to the Contrary in any other Law Notwithstanding.

CatTBCH.

Whereas the publiqiie Worship of God is much discredited for want of painful & able Ministers to Instruct the people in the true Religion and for want of Convenient places Capable to receive any Number or Assembly of people In a decent man-ner for Celebrating Gods holy Ordinances These ensneing Lawes are to be observed in every parish (Viz.)

1. That in each Parish within this Government a church be built in the most Convenient part thereof, Capable to receive and accomodate two Hundred "Persons, ■

2. That For the making and proportioning the Levies and Assessments for building and repairing the Churches, Pro-vision for the poor, maintenance for tfie Minister; as well as for the more orderly managing of flll Parochiall affairs in other Cases exprest, Eight of the most able Men of each Parish be by the Major part of the Housholders of the said Parish Chosen to be Overseers out of which Number the Constable and the aforesaid Eight Overseers shall yeariy make choice of two of the said number, to be Chnrch wardens and In case of the Death of any of the said Orerseers and Chorcli wardrais; or his or

Digi-jzedbyGoOgiC

their departure out of the parish The said Constable and Over-Beers shall make Choice of another to tiuppl; his Boom.

3. Everj Overseer is to take the Oath of Allegiance at the time of his Admittance into his office in the Presence of the Minister Overseers and Constable of the parish, besides the Oath of hia Office.

4. To prevent Scandalous and Ignorant pretenders to the Miniatrj- from intruding themselves as Teachers; No Minister shall be Admitted to Officiate, within the Government but such as shall produce Testimonials to the Oovemour, that he bath Keceived Ordination either from some Protestant Bishop, or Minister within some part of his Majesties Dominions or the Dominions of any foreign Prince of the Reformed Beligion, upon which Testimony the Oovemour shall Induce the said Minister into the parish that shall make presentation of him, as dnely Elected by the Major part of the Inhabitants [the word " free-holders" here occurs in Roslyn copy] housholders,

9. That the Minister of every Parish shall Preach constantly every Sunday, and shall also pray for the Kinge, Queene, Duke of Yorke, and the Boyall family. And every person affronting , or disturbing any Congregation on the Lords Day and on such publiquo days of fast and Thanksgiving as are appointed to be observed. After the presentments thereof by the Church-wardens to the Sessions and due Conviction thereof he shall be punished by fine or Imprisonment according to the merrit and Nature of the oifence. And every Minister shall also Pub-llquely Administer the Sacrament of the Lord's Supper once every Year at the least in hia Parish Church not denying the nrivate beniflt tliereof to Persons that for want of health shall require the same in their houses, under the penalty of Loss of jH-eferment unless the Minister be restrained in point of Con-science.

6. No Minister shall refuse the Sacrament of Baptism to the Children of Christian parents when they shall be tendered under penalty of loss of prefennent

7. Ministers are to Marry PerSons after Legal publication or Sufficient Ly.cence.

8. Legal publication shall be so esteemed when the persons to be Married are three Several Days asked in the Church, or have a Special Licence.

9. Sundays are not to be prophaned by Travellers Labourers or vicious Persons.

10. That no Congrefrations shall be disturbed in their private meetings in the time of prnver preaching or other divine Service Nor shall any person he molested fined or Imprisoned for dif-

Digi-jzedbyGoOt^Ic

feting in Judgment in matters of Religion wtio profeefl Christianity.

11. \o Person of Hcandalous or vicious Life, stiall be Admitted to tlie lioly yacrament, wlio liatli not given Batis* faction therein to the ^Minister.

CHTTSCH WABDENS.

That Church wardens sliall twice every year (viz) oo the Second day of the tk-si^ions, to be held in June; and on the Second day of the Sessions, to he held in December, In open Sessions deliver a true presentment in writing of all such mis- demeanors as by their knowledge have been Committed and not punished whilst they have been Churchwardens. Namely, Swearing, prophaness, Sabbatli breaking Drunkenness, fornica- tion, Adultery, and all such abominable Sinnes; The said Churchwardens are also hereby imjiowered to cause any per- son upon whose report they ground their presentment to appear at the respective Sessions to which the presentments are made to give in their evidence concerning the same, and the refusera shall be Lyable to be fined at the Sessions.

CHABGES PTTBLICEE.

The Charges of all Officers Civill and Military to whcHU no other fees are express\y granted and appropriated shall be Annually paid out of tlie Conmion Treasury' in reall and good payment, or Assignation to his or theu' Satisfaction.

Every Inhabitant shall Contribute to all Charges both in Church and State, whereof he doth, or may receive benefit according to the equall proportion of his Estate.

CHILBBEN AND SEBVAITTS.

The Constable and Overseers are strictly required frequently to Admonish the Inhabitants of Instructing their Children and Servants in matters of Religion, and the I^wes of the Country, 'And that the Parents and Masters do bring up their Children and Apprentices in some honest Lawfull Calling Labour or Employment. And if any Children or Servants become rude Stubbome or unruly refusing to hearken to the voice of their Parents op Masters the Constable ind Overseers, (where no Justice of Peace shall happen to dwell within ten miles of the said Town or Pariah) have iM>wer upon the Complaint of their Parents or Masters to call before them Such an Offender, and to Inflict such Corporall punishment as the merrit of their fact In their Judgment shall deserve, not exceeding ten Stripes, provided that such Children and Servants be of Sixteen years of age.

Digi-jzedbyGoOgiC

CHIBXTBaiOHS, KIDWIVES, FHT'SICIANS.

That no Person or Persons whatsoever, Employed about the Bed of Men women or Children at any time for preBervation oC Life or health as Chinirg^ons, Midwives, Physicians or others; presume to Exercise or put forth any Acte Contrary to the known approved Bule» of Art in each mistery or Occupa-tion, or Exercise any force violence or Cruelty upon, or to the Bodies of any whether Young or old; without the advice and Counsell [" consent " instead of " councell " in Boslyn copy] of the such as are Skillfull in the same Art (Lt such may be had,) or at least of some of the wisest and gravest then present and Consent of Ihe patient or patients if they be

Mentis OMupotes; much less Contrary to such Advice and Consent upon snch severe punishments as the nature of the fault f'fact" instead of "fault" in Boslyn copy.] may deserve, which Law nevertheless is not intonded to discourage any from all Lawfull use of their skill but rather to encourage and direct them in the right use thereof, and to inhibit and restrain the presumptions arogancy of such as through Oonfldence of their own skiJl, or any sinister Bespect, dare bonldly attempt to Exercise any violence upon or toward the body of young or old one or other, to the prejudice or hazard of the Life or IJmb of man, woman, or child.

That the names of the Severall Courts to be held in each Biding three times in the year, shall be called the Court wf

And whereas there is great respect due, and by all persons ought to be given to Courts which so nearly represents his Majesties sacred Person, and that such order, gravity and decorum, which doth manifest the Authority of a Court, may be maintaiued. These rules and foi-mes following are to be observed for beginning Continuing and proceeding in the said Court:

The Court of Besuons are to begin in the East Biding the first Tuesday in June; In the North the Second Tuesday and the third Tuesday following in the West Riding, They are to Continue the Sessions in each place three days, if need So require, but no longer, the second Court of Sessions shall be held the first Second and Third Wednesdays in Ttecember, The third Sessions are to be the first. Second and third Wednesdays In March.

THE STTLE OF THE COTTBT TO BEE ENTBES THUS.

At a Court of Sessions held at the day of

by his Majesties Authority In the Seaventeenth year of tfie

Baigne of our Sovereigne Lord Charles the Second by the grace

of God of Great lirittaiDe FraDce and Ireland King; Defender

of tlie Faith etc: And in the yrar of our Lord God Idiii present.

Insert the name of the Gcvernoure. Kilence Commanded
Then let the Cryer or under Sheriffe mak@ proclamation and
Bay O yes O yes O yes.

Silence is Commanded in the Court whilest his Uajeaties
Governor Counsel and Justices are Sitting upon pain of
Imprisonment

After Silence is Commanded Lett the Cryer make rroclama-
tion Saying; All manner of Persons that have any thing to
do at this Court, draw near and give Attendance; and if any
one have any Plaint to Enter, or Suit to procecute, Lett them,
come forth and they shall be heard.

When Silence is thus commanded, and Proclamation made
opon Calling the Dockett, the Cryer shall Call for the Plaintiffe.

CALLINO TOB THE PLATETTIFVE,
A, B; come forth and prosecute thye Action against C, D. or
else thou wilt be non Suited. And the Plaintiffe putting in his
Declaration, the Cryer shall Call for the Defendant

CAIiLXNO FOB THE DEFUNDAITT,

0. D; emne forth and save thee and thy Bayle, or else thoa
wilt forfeit thy Recognizance.
For proceeding in the said Court

WABBAHT IV BE ISSVES BT THE CLABSE.
* Whosever shall speak in Derogation of the Sentence or Judg-
ment of any Court, shall be fined at the Discretion of the next
Court of Sessions or 'Assizes.

CONSTABI.ES.

That the Constable shall whip or Punish any one to be pun-
ished by Order of Authority, where there is not any other
Officer appointed to do it, In their own Towns, unless they can
get an other person to do it.

That any and every Person tendred to any Constable of this
Government, by any other Constable or other Officer belonging
to any Jurisdiction within this Government, or by warrant

from any Justice shall be presently received and Conveyed forthwith from Constable to Constable till they be brought to the place to which they wore sent, or before some Justice of the peace who shall dispose of them as the Justice of the Cause shall require; All Hue & Cryes shall be duly received and diligently pursued to full effect And where no Justice of the

Digi-jzedbyGoOgiC

Peace is near, Every Constable shall Lave full power, to make Sign and put forth purauites or Hue and Cryes aiter Murtherers Man Slayers Thevea Kobbers Burglurers and other Capital! Oflendere, as also to Apprehend without warrant such as are overtaken with Drink, Swearing, Sabbath breaking, Vagrant persona or night walkers provided they be taken in the manner, either by the Bight of the Constable or by present information from others, As al»o to make search for all such Persons either on the Sabbath Day or other when there shall be Occasion in all Houses Licensed to sell either Beer or Wine or any other Suspected or diaordfred place and those to Apprehend and ke^ in Safe Custody till opportunity Serves to bring them before the Next Justice of the peace to further Examination, Provided that when any Constable is Employed by any Justice for apprehending of any person he shall not do it without a warrant in writing. And if any person shall refuse to Assist any Constable in the Execution of his Office in any of the things aforementioned being by him required thereto, They shall pay for neglect thereof ten Shillings to the use of the Town of which he is Constable To be Levyed by warrant from any Justice before whom such Offender shall be brought And if it appears by good Testimony that any shall wilfully or Contemptuously refuse or neglect to assist any Constable as is before expressed, he shall pay to the use aforesaid forty Shillings And that no man may plead Ignorance for such Neglect or Refusal, Every Constable shall have a Staff of about rix foot long, with the Kings armes on it as a badge oif his Office which Staff shall be provided at the charge of the Town. And if any Justice of peace Constable or any other, npon urgent Occasion shall refuse to do their best endeavours in raising and presecuting Hue and Cryes by foote and if need by Horse after such as have Committed Capital Crimes: They shall forfeit for every such offence

to the use aforesaid forty BhillLngs The Constable and every two Overseers may take Bayle for any Person Arrested within their i^ecincts if not in Execution or Committed' by Special warrant.

That Every Constable within his Jurisdiction, shall on the penalty of five pounds Clear up his Accompts with the High Constable for all flues Amerciaments or what other publique money of the goods he shall receive, one whole month before the expiration of the year of his OfSce, And they and every of the are impowered to press Boats or Carts; for the [the words "better and" here occur in Roslyn copy.] more Speedy Send- ing in of what they have so Collected according to the time appointed, and if any Constable shall not have Collected the said

D,g,;,zeclbyG00gIC

fines and Americaments Coounited to his Charge by the High Con- stalile; during the time of hie Office that lie shall notwithstanding the Expiration of his OflBce have power to Levy by distress all such fines Amerciaments and Le^"yes, and if he bring them not into the High Constable according to his warrant The high Constable shall distrayne such Constables (Joods for the Same.

Constables shall be chosen in all Towns ujMan the first day of April, or Second, yearly, by the plurality of the votes. [" voyces instead of " TOtes " in Roslyn copy.] of the free holders in each Town; that is to say one of the four Overseers, in whose plai'es new ones are chosen for the ensuing year, shall be chosen to OflBciate as Constable within their Town, Whose name and person shall be presented by the Old Constable and Overseers to the next Sessions ensuing there to be Confirmed by the Justices of the peace by taking the oath appointed for Con- stables.

COirVXTANCES DEEDS AKD WBrnNQB.

That henceforth no Sale or alienation of Houses and Lands within this Government, shall be holden good in Law except the same be done by Deed in writing under hand and Spal and delivered and possession given upon part in the name of the

whole by the Seller or his Attorney so authorized und<T hand and seale, TJnlesse the said Deed be Acknowledged and Eecordcd according to Law,

That all Deeds and Conveyances of Houses and Lands within this Government wherein an Estate of Inheritance is to pass, it shall be ^pressed in these words: or to the Like effect (viz)' To have and to hold the said houses and Lands Eespectively to the party or grantee, his heirs and Assigns forever, Or if it be an Estate Entailed, then to have and to hold, &c; to the party or grantee and to the Heirs of his body Lawfully begotten [the words "or the hires made of his jsody lawfully begotten" here occur in tlie Roslyn copy.] between him and such an one his AVife; or to have and to hold to the Grantee for terme of Life, or for so many years. Provided that this Law shall not include former Deeds and Conveyances, but leave them in the same Condition as they were, or shall be in before this Law shall take effect; which shall be from the pub- lication thereof, Provided also That this Law shall not extend to Houses or Lands given by will or Testament or to any Land granted or to be granted by the Inhabitants of a Town.

That no Conveyance, Deed or Promise, whatsoever shall be of -Vallidity if it be obtained by illegal violence imprisonment threatenings or any kind of forcible Compnition called Dures.

All Co^-enants [" Covenous " instead of " Covenants " in Bosljn copy.] or fraudulent XlienatloDB op Conveyances ci

Lc;-,:.tll:yG00gle

liaiKls Tenementa or any lieruditaments aliall be ol no force op vajlidity to defeat any man from his due Debts or Legacies or froui any just Titlie, Claiuie or possession of that which is so fraudulently Conveyed,

That after the time aforesaid no Mortgage, Bargain, Sale or Grant made of any Houses, lands Rents or othei" Hei-editaments where the (iranter remains in possessitm shall be of force against other Persons Except the Granter and hia heirs unless the yame be acknowledged before some Justice of the peace or Superior

Officer in the Government and Recorded as is hereafter expressed. And that no ijuch bargain, tiale or Grant already made in any way of Morgage where the Granter remains in possession shall be in force against others; but the granter or bis Heirs except the same shall be entred as is hero e^-pressed (that is to say) within one Month after the date before mentioned if the party be within this Gouvernment or elsewhere within three Months after he shall returne. And if any such Granter shall refuse being required by the Grantee his Heirs or Assigns to make au acknowledgment of any grant, Sale, Bargain or Mortgage, by him made shall refuse so to do, It shall be in the. power of any Justice of peace, to send for the party so refusing, and •Couunit him to prison without Bail or Mainprize, until! he shall Acknowledge the same, and the Grantee is to enter his Caution with the Clerk of the Court of Sessions and this shall save bis Intrest In the mean time, And if it be doubtful whether it be the Deed or Grant of the party he shall be bound with Sureties, to the next Court of Sessions, and the Cautient shall remain good as aforesaid.

And for the Recording of all such Grants, Sales, and Mort-gages, That every Clarke of every Court of Sessions shall enter all such Grants, Bargains, Sales, and Mortgages of Houses Lands, Rents and Hereditaments as aforesaid together with the estates of the Granter and Grantee; things and Estates granted, together with the Date thereof.

COITNCELL.

Any Person who shall be sworn of the Counsell to the

Govemour shall in any place within this. Government have in

all respects the Power of a Justice of Peace and in any Court

of Sessions may ait as President.

COHDEUITED.
That no man Condemned to die, shall be put to death within four Days next after hiaCondemnation unless the Govemour see Special Cause to the Contrary; or in Cause of Martial Law. And the Person Executed fihall be buried near the Place of Execution.

DgizedbyGoOgiC

DEFAMATION.

Tliat no Action shall be admitted for defamation in aoy Court n'tiere the words are not Actionable & no words eball be Estemed, Actionable, but such as if true might have brought the person to Suffer punishment by Law, any other to be cast out of the Court, and the Plaintiffes to be nonsuited and because offences of this Nature may be Speedily Determined any Justice of the peace is hereby Authorised and impowered to hear . and Determine them and liliewise to bind the Persons so Offending to the good behaviour or if they find not good Security for the Same to commit them to prison till they find it.

DOWBTES.
If any Woman shall Causelessly absent herself from her Husband of which he shall ma^e Complaint to the Court of Sessions If upon certain time given her by the Court, shee shall refuse to return, shee shall forfeit her Dowry unless the Husband shall afterwards upon a New Agreement Confirm the same.

rASTOrO DATES AlfS SATSS OF THAlTKSGIVEINa TO BE OBSEBVES.
Whereas be an Act of Parliament the fifth Day of November is annually to be observed for the Great Deliverance from the Gunpowder Treason. And whereas by one other Act of Parliament The thirtyeth Day of January is annually to be observed with Fasting and I'rayer in all his Majesties Dominions to shew a hearty and Serious Repentance and Detestation of that Barbarous Murther Committed upon the Person of our late King Charles the first, thereby to divert Gods heavy Judgment from falling upon the whole Nation, as also by an other Act of rarliament we are enjoyned thankfully to acknowledge the providence of God upon the Nine and Twentyeth Day of May for his Majesties Birth and Ecsturation to the Throne of his Boj-all Ancestors whereby Peace and unity is Established in all his Majesties Dominions, Every Minister within his Severall Parish is cnjoyned to pray and Preach on these days and all other Persons are also enjoyued to abstain from their Ordinary Laboure and Calling According to the true intent

of both the said Acts.

FEES OF JUSTICES OF PEACE. . ^

BO.
Foe Nominating three Arbitrators when a C^w under

forty ShillingB is brought to him by the Constable 7 6

For warrants of appearance to answer all sorts of
'Actions at the Court or binding over to the Sessions or
the Assizes for the good behaviour or the peace. 2 6

8. D,

Upon plaints of Debt or Damage 1 6

Upon Common Actions, as Slander or the like 1 Q

Upon Subpoena for each Person 0 6

Nothing is to be paid for warrants in Criminal! and Capitall
Oanses.

No Fees for doing his Office, as a Justice upon ye Bench.

The Justices Charges are to be bourne, both at Sessions and
Assizes out of the finea and Amerciaments.

TEES or PETTY CONSTABIJS.

«. D^

For Collecting of the Assesameots Amerciaments and
jfines and paying them into the tigh Constable per pound, 1 0
For Attachments, or Apprlzements of Goods per pound, 0 2
For Assisting upon Common Action, the plaintiffe to
pay his 1 6

No fees are to be paid for executing of Speciall warrants or

apprehending Criminal or Capitall Offenders but are to be done ei officio.

FBEB TOR THE HXQH CONSTABLE AND UNDEK SHEBIPFB.

8. D.

For receiving the Assessiuents Amerciaments & fines from the petty Constable and paying them into the Sheriffe per pound 0 6

For every Judgment in Court or Verdict 1 0

For the Summoning and Empannelling a Jury 0 4

s. D.

The Sheriff shall hare of the Plaintiffe upon all Arrests whether by Bill Writt or warrant 1 8

Vpon every Execution that, shall be served if under one Hundred pounds for each pound 1 0

For what shall be above one Hundred pounds for each pound 0 6

For receiving the Assessments Amerciaments and fines from the high Constable & paying them into the Treasury per ponnd 0 fi

For going into Prison 1 6

For whipping 2 6

For pillory 2 8

■,:.tl by Google

For a warrant of attadunent 1 0

For tbe Sheriffs warrant to SummoD and EmpaoDell a.
Jury for each Cause 1 6

And fof other trouble not here exprest, other reasonable fees
Bhall be allowed by the Court,

roB rE£B or ye clasxs oy tse cotrsT of s^esbiokb who

IB AI.SO CLABEE OF THE WBITTB.

s. D.

For entering eyery Action for Tryall 2 6

For entering and recording a bargain and Sale of Lands

or Houses Inventoryes or Conveyances if under 24 linnes, 2 6
[" ffor every 12 Lines more, Oa. 6d," here occurs ill Roslyn

copy.]

For entering a will or Administration for himself If

under 24 lynnes 1 6 .

If above for every 12 lynnes more 0 6

For the fees of the Offlce-of Record for which "he is to

be Accomptable theire 2 6

For entering a Judgment of Court 3 0

For entering an execution 1 6

For Entering an Order of the Court 1 0

For the Coppy 1 0

For Entering an Attachment 1 6

For Entering A Deposition 1 0

[" ffoT the copy of a Deposition, Is. Od." here occurs in

Boslyn copy.]

For Entering A Petition 0 6

For Entering A Certificate 1 0

For the Entrinp and Recording of any other business

(orphants excepted) for the first and Becond pages 2 6

For every page more 0 6

For licenses to Innkeepers and Victuallers 2 6

TOE FEES OF TBE CLABEE OF ASSIZES.

That all charges of Officers or Attendants upon Causes at the Assizes shall be double to these of the Sessions and to be levied In the same manner.

If any thing shall be done by the Clart of the Assizes or the Clark of the writs of either Court; more than is here expressed, the Justices are to Adjudge them a Farther fee, either at the Sessions or Assizes According to his merritt for greater pains taken.

Digi-jzedbyGoOgiC

SXX8 TOB THE COUB.T.

S. D.

For returning Appeals to the Assizes with all the CirciunHtances whereof the Court of Bessions hath taken Oognizance towards the defraying of Court Charges 6 8

For the Copp; of an Appeal and Causes 2 6

FREB rOB THE CBYEB OV THE COUBT.

S. D.

For Calling the Jury for each Causei 1 0

For swearing every witness 0 4

For A non Suit 1 0

For non appearance of witnesees upon Subpeana. . « . . . 0 4

For every yerdlct 0 4

TEEB OP THE t Afunr ^T.r.,

R D.

Fot reorfving into ward 1 Q

It is to be the Marshalls care to provide a convenient Boom,

or place (or the Jury to retire into.

a. D.

Fop every verdict brought in while the Conrt sits 0 6

If the Jury Stay together all Night before delivery of

the Verdict 2 6

The Marshall le to recdve no Prisoner but such as are Com-
mitted by warrant, excepting only in such present Occasions,
where a warrant cannot duly be obtained Pro\ided that he shall
not refuse any Prisoner brought to him by any known OfBcer,
the said OfQcer obliging himself to deliver in a warrant to the
Marshall for his so doing within twenty four hours.

The ordinary Bate and Allowance for the dyett of every
Prisoner to the Marshall, shall be p diem eight pence and he
shall demand no more Provided always that anv rrisoner for his
better accommodation either for Lodging or Dyett; may agree
with the Marshall upon a further Price.

POBNICATIOK.

If any Person commit Fornication with any Single woman they

■ball both be punished by enjoyning Marriage, fine <» Corporal

ponishment, or any of those According to the discretion of the

Court.

POBGEBY.

If any Person shall forge any Deed or Conveyance, testa-
ment, Bond, Bill, Release, Acquittance, Letter of Attorney,
VP any; writing to prevent Equity & Justice they shall stand

.,,CooqIc

in the Pillory three Severall Courta Days and reDder double
damagea to the party wronged and also be disable to gira any
Evidence or verdict to any Court or Mlagistrate. ,

FIBE OB BUBNINOS.

If any Person or Persons whatsoever shall set on fire any
dwelling House Church or store houses or to that purpose shall
set on flre any Out House, Bame, Stable Stack of Hay, Corne or
wood, or such like Combustible matter, Maliciously and willingly,
He shall be Commited to Prison, there to rwuain without Bayle
till the nest Sessions, where if convinced by proofe ot Confession
of the Crime he shall [In the Roslyn copy the words " remayne
in" here occur, and the words following down to the word
" prison " are omitted,] bo Commited to prison there to remain
without Bayle till the Next Sessions where if convicted by Proofe
or Confession oi the Crime, he shall remain in Prison till the
next Assizes, there to receive Judgment to Death, or full Satis-
faction out of his lands Goods, or Chattells to the party or
parties damnified according to the good Discretion of the Bench.

If any Person whatsoever shall kindle any flre in the woods or
Grounds lying in Common, or in bis own Grounds so as the same
shall runne into any Come Grounds or Enclosures of his Neigh-
boures, he shall be Lyable to pay all Damage; of whatsoever
Sort, and half so much more for a fine; or If not able to pay th

Court shall Adjudge the Person guilty of Corporal punishment not exceeding twenty Stiipes, or do Service to Expiate the

Crime.

FiroznvEs.

Every Apprentice and Servant that shall depart or absent themselves from their Master or Dame without leave first obtained shall be Adjudged by the Court to double the time of such their absence by future Service over and above other Damage and Cost which the Master or Dame shall Sustain by such unlawful departure and whosoever shall be proved to have Transported, oc to 'have Contrived the Transportation of any such Apprentice or Servant shall forfeit twenty pounds to the Master or Dame and be flned flre pounds to the Court, and every ^ Inhabitant that shall harbour or entertain any such Appren- tice or Serrant, knowing that he had absented himself from bis Service, upon due proof thereof shall forfeit to the Master or Dame ten ehilllngs for every Days entertainment or Conceal- ment

If any Master of Shippe or vessel shall Transport or carry away any freeman whether Merchant or householder that is, or shall be Indebted here, without Pass or Licence he shall be

Digi-jzedbyGoOgiC

liable to satisfy tlie Debts of the person so Transported, anlesa the same be otherwaj'es Satisfied or that such Merchant or Householder do return again into this Government, and Appears to Answer in Court within the space of Six Months after such absence.

HOBSSS AND 1CAJIE&

That eyery Town within this Government, shall have a mark- ing Iron 01" flesh Brand for themselvea in particular to dis- tinguish the Horses of one Town from another, besides which, every Owner is to have, and Mark his Horse or Horses with his owne Particular flesh Brand having some diatinguiahing mark,

that one mans Horses may be'known from anothers.

And that In every Town there be an Officer Appointed by the Constable and Overseera to recoa-d every Mans particular mark and to see each particular Mans Horse Mare and Colt Branded; and to take notice and Record the age of each of them as near as he can, with the Colour and all observable marks whether naturall or Artificial and what Artificial marks it had before the Branding whether on the Eare or Else where with the year and day of the Month when Branded And in Each Town the OlBcer for his Care and paina to have Six pence of the owner of each Horse, Mare and Colt so Branded and Beoorded, And that Every one who hath any Horse or Horses of what Age op kind soever, do duely observe this Order at his perill.

And when any Horse Mare or Colt is to be Sould to any other Town, the Purchasers shall Cause the Town mark of the place where he Inhabits, besides his owne particular mark to be sett on, op over the mark of the Town from whic;h he bought tbem.

The OflBcer also is to require as Satisfying Evidence of his Bight who iK-esents any Such Horse Mare or Colt as may be had; Or to Record any defect of due Evidence that a way may be open to other Clairaes.

No Mpares Shall be Transported out of this Goveniment either to Barbados, Virginia or any other remote or forraine Planta-tions without Special Licence under the penalty of the forfeiture of the Maare, or Maares So Shippt for Transportation.

To prevent the frequent abuse of Selling and killing other Mens Horses or Cattle, whereby the true owner Seldome or never know what Is become of their Horses or Cattle No man of what quality soever he be shall Sell Truck or give away any Horse or Mare, Cow, Oxe, . or Bull not markt as else where directed unto any other person whatsoever, under the penalty of five pounds to be paid by him that Sells, and also five pounds (or htm that Buves; which Horse, Mare, Cow, Oxe, or Bull though markt, shall be Regestered In the Town where the prop-

II., Google

ertj" is Changed, within twenty four houres, with the name of the Persona and places of their Habitation, under the penalty of ten pounds to be paid by each party concerned therein as Buyer or Seller.

Neither shall it be Lawful for any man to kill any Cow Ox or Bull, or Such like Cattle, either for Sale or for his private use, before he give Notice thereof, to the person appointed for that Town to Kegieter such matter and a due entry he made thereof; with the Name of the Owner the mark of the Cattle, under the penalty of forfeiting the whole Cow Oxe or Bull, & sty found the one half thereof to the informer, the Other half to the Con-stable and OverseerB.

That in all Publique workea for the safety and defence of the Gouvemment or the Kecesaary conveniences of Bridges Highways and Common passages, the Governour or deputy GoTernour and Counce)! shall send warrants to any Justices and the Justices to the Constable of the neftt Town or any other Towne within that Jurisdiction, to send so many Labour-ers and Artificers as the warrant shall direct, which the Con-stable and two others or more of the Overseers which the Constable shall choose shall forthwith Execute, and the Con-stable and Overseers shall have power, to give such wages as they shall Judge the work to deserve, provided that no Ordinary Labourer shall be compelled to work from home above one week together No man shall be compelled to any publique work or service unless the Presse be grounded upon some knowD Law of this GovemmMit, or an Act of the Governour and Councetl Signifying the necessity thereof, In both which Cases a reasonable Allowance shall be made, Nor shall any man be Compelled in Person to any Office, work, warres or other publique service that is necessarily and Sufficiently exempted by want of years greatness of years defect in mind, falling of senses or Tmpotency of Limbes, or by the Quality of the office which i3 else where exprest.

No man shall be compelled to go out of this Jurisdiction upon any Offenrive warra, but only upon such vindicative and defensive wars as in our own behalf or in the behalf of our Nation, against a Common Encmie shall bo enterprized by the Govemoup with the Advice of the Coimoell or by Authority Derived from the same Neither shall any mans Cattle or. Goods

of what kind soever; be pressed or taken for any such publique nee or Service, T'nless it be by warrant grounded as aforesaid nor without such reasonable satisfaction as the ordinary rates

Digi-jzedbyGoOgiC

of the Cooatry doth afEord and in case either Cattle or gooda Bhall perish or be damaged in such Service the owner shall be recompenced.

INHEE£FXB ft OSJUJUAJLTEB.

No Person or Persons shall at anjr time under any pretence OK Colour whatsoever undertake to be a Common Victuler keeper of A Uooke sbopp, or House of Common entertainment, oi publique Seller of wine Beare, Ale or strong waters by retail or a less quantity than a quarter Caske, without a Certificate of his good behaviour from the Constable and two Overseers at least of the parish wherein he dwells and a Lycence fired obtained under the hand of two Justices of the peace in the Sessions upon pain of forfeiting five pounds for every such offence, or Imprisonment at the discretion of the Court.

Every Person so licensed for Ccnmion entertainment shall have some Ordinary signe obvious for direction of strangers, within three Months after the Licence granted under the penalty of twenty ShillJugB,

Every Person Licensed to keep an Ordinary shall always be provided of strong and wholesome Beer, of four bushels of malt, at the least to a Hoggshead which be shall not Sell at above two pence the quart under the penalty of twenty Shillings, for the first Offence, forty shillings for the Second, and loss of his Licence, It is permitted to any to Sell Beer ■ out of Doores at a penny the Ale quart or under.

No licensed Person shall sulTer any to Drink excessively or at unseasonable hours after Nine of the Clock at night in or about any their houses upon penalty of two shillings sis pence for every Offence if Complaint and proofe be made thereof.

If any quarrel or disorder doth arise from intemperate per* sons within their house, the Person so licensed for not imme- diately Signifying the same to the Constable, or one Overseer at the Least, who are Authorized to cause the peace to be kept, shall for every such neglect forfeit Tenne Shillings and every person found Drunk in or about any of their houses shall forfeit two shillings Six i>encp, And for being the Author or accessary of the breach of the Peace and disorder or for Tlpling at unseasonable hours shall forfeit ten Shillings and for want of payment or in case they be Servants and neglect their Masters occationa They shall be sent to the Stocks one hour at the least, It shall be lawfull notwithstanding for all Licenced Persons to Entertain Land Travellers or Seafareing men in the night season when they Come on shore or from their Journey for theire necessary refreshment or toward theire preparation for

Digi-jzedbyGoOgiC

thedre Voyage or Journey, And aieo all Strangers, Lodgers or other Fersons may freely Continue in such Houaee, when theire Lawfull OccatioDB and business doth require. Provided there be no disorder amongst them.

Every Person so Licenced for the Entertainment of strangers with their Horses, shall provide one or more Enclosure for Summer Hay and Provender for winter with convenient stable roome, And attendance; upon I'enalty cf two Shillings Sixpence for every days default, and double Damage to the party thereby wronged.

No Licenced Person shall unreasonably exact upon his Quest for any sort of entertainment, and no man shall be compelled to pa^y above eight pence a Meale, with small Beer only unless the Guest shall make other agreement with the person so lycenced.

No Licence shall be granted by any two Justices in Sessions for above the terme of one year, but every person so Licenced before the expiration of the said Terme shall and are hereby enjoyned to repair to the sessions of that Jurisdiction for rMiew- ing their Several Licenses for which they Rh_all pay to the Clarke of the Ses^ons two Shillings Six pence, or else they shall forfeit

five pounds as unlicenced persons.

All Offences committed against this law, shall be determined

by the Constable with two or more of the Overseers, who are

tmpowered to Collect and receive the Severall fines or distrayne

■ in Caae of non-payment rendring accompt thereof ae is else where

required.

nroiAiTS.

No Purchase of lands from Indians After the first day of March, 1G64, shall be Esteemed a good Title without leave first had and obtained from the Governour and after leave so obtained, The Purchasers shall bring the Sachem and right owner of such Lands before the Govcrnoure to acknowledge satisfaction and payment for the said Lands whereupon they shall have a grant from the Governoure And the Purchase so made and prosecuted is to be entered upon record in the Ofllce & from that time to be valid to all intents and purposes.

All injuryes done to the Indians of what nature whatsoever shall upon their Complaint and proofe thereof in any Court have speedy redress gratis, against any Christian in as full and Ample manner, (with reasonable allowance for damage), as if the Case had been betwixt Christian & Christian.

No person shall sell, give or Barter directly or indirectly any Gun or Guns, Powder, Bullet, shott, Lead nor any Vessel of Burthen, or Row Boate Canooes only excepted Without Licence first had and obtained under the Governours hand and Seal, to

Digi-jzedbyGoOgiC

any Indian whatsoeTer, nop ti> any person Inbabiting out of thia Goverment, nor shall amend or repair any Gun belonging to any Indian, nor sliall Sell any armour or weapons, upon penalty of ten pounds for every Gun, Armour, weapon, Vesaell, or Boat,

80 Sould given or Bartered, five pounds for every pound of powder, and forty Shillings for every pound of Shott or Lead and propoptionably for any greater or lesser quantity.

No Person Shall from and after the first day of Beptember 1665 Directly or Indirectly Trade with the Indians for any sort of furrs without Licence first had from the Govemoure which licence is to be renewed every year at the Governoure pleasure, or remained if he shall find just Exception.

No Person whatsoever from henceforth shall Sell, Truclt, Barter, give or deliver any Strong Liquores to any Indian directly or indirectly, whatsoever known by the name of Rum, Strong waters. Wine Brandy Bpirrits or any other Strong Liquore under any other Name whatsoever; Under the Penalty of forty Shillings for one pint and Soo proportionately for greater or lesser quantities so Sould, Bartered, given or delivered as aforesaid, One third part of this penalty to be to the informer, Provided always that it is and shall be Lawful) by way of reliefe and Charity to any Indian in Case of sudden extremity sickness faintnesB or weariness to sell or give to such Indian or Indians the quantity of two drames and no more of any such Strong liquors as are aforementioned Provided also that the Gov- emoure by Licence may Authorize any person or persons to sell any or all Such Strong Liquorea to Indians upon Security taken from the person Licenced for his or theire good behaviour.

In all Places within this Goverment the English and all others shall keep their Cattle from destroying the Indians Come in any ground where they have right to plant and if any of theire Come l>e destroyed for want of fencing the Towne shall make Satisfaction, and shall have power amongst them- selves to lay the Charge where the Ocoation of the Damage did arise.

Provided that the Indians shall make proofe the Cattle of such a Town faraie or Person did the Damage And for the Indians Encouragement towards the fencing in theire Corn fields, such Townes farmers or Persons where Cattle may annoy them that way shall Direct, Assist and help them in felling of trees riving and Sharpening Baylee and holing of Poasts; allow- ing one English man to three or more Indians and shall also draw the fencing Into place for them, and allow one man a day or two towards the setting up of the same, And either sell or lend them Tooles to finish It Provided that such Indians shall

LdizedbyGoOglc

fence tlieir Cornefielda op Ground art their own Charge, And if any Indians shall refuse to fence their Come Grounds (being tendred help aa aforesaid,) in the presents and hearing of Sufficient witnesses They shall keep of all Cattle or loose their Damage.

And if any harme be done at any time by the Indians unto the English in theire Cattle, The Gonvemour or Deputy Govemour with two of the Councell, or any Court of Sessions or Assises may order Satisfaction according to Law and Justice.

No Indian whatsoever shall at any time be Suffered to Powaw or performc outward worship to the Devil in any Towne within this Goverment.

jrtlBOBS AND JUBYES.

Tiiat the Clarke of the Seseiona sh all in ConTenient time before the Sitting of the Court give a Certificate to the Sheriffe or under Sheriff of what and how many Causes are entered for their hearing the next Sessions to the end the Sheriff or under Sheriff may (and are hereby required) Immediately to Isaue forth warrants to the Constable of the Severall Townes of the Jurisdiction of the Court or Jurymen proportionable to the Causes with regard to the equality of tiie numiwr from each Town and according to the warrant The Constable shall warn so many of the Overseers to attend as Jurrmen and return their names to the under Sheriff, And if such Number of Jury men so required, prove not Sufficient for Carrying on the business with dispatch to the Sessions The Justices may require the Sheriffe or under Sheriffe, to Supply their number with ao many able and discreet men as shall either attend the Court npon other occations, or shall happen to he Inhabitants of the Towne where the Court shall be held.

All Juryes so Chosen shall be Empanelled and Sworn truly to try between party and party and shall find the matter of fact,

with the Damages and Coats according to the Evidence; where upon the Justices in the absence of other Superior OfQcers, shall pronounce the sentence directing the Jury in point of Law, and if there bee matter of apparent equity upon the forfeiture of an Obligation, breach of Covenant without damage op the like, the Bench shall detennine such matters of equity.

Every Juryman shall be allowed three Shillings Six pence per Diem for the Charges of their Attendance out of the fees and profits arising In each Court where they do Service, or by th(> Country if those fall Short,

No Jury shall exceed the number of Seaven nor be under Six unless In Special Causes upon Life and Death, The Jnsttces Bhall thlnke fitt to Appoint twelve.

DgizedbyGoOgiC

In all Caeea wherein the Law is obscure, ao as the Jury cannot be Satisfled therein. They have Libeiiy to present a special verdict (viz) If the Law be so In such a point, We find for the PlaintiEEe but if the Law be otherwise. We find for the Defendant, In which Case the determination doth properly belong to the Court, And all Juryes shall have liberty in matter of fact, if they cannot finde the maine Issue, yet to find and present in their verdict eo much as they Can.

Whensoever any Jury or Jurores are not Clear in their Judgements concerning any Case, they' shall have liberty to open Court (but not otherwise) to ad^-ice with any particular man upon the Bench, or any other whom they shall think fitt to Resolve and direct them before they give in their verdict.

The '\'erdict shall bee given iu by ye foreman of ye Jury.

A Verdict shall be so esteoned, when the Major part of the Jury is agreed, and the Minor shall be concluded by the Major without allowance of any protest by any of them to the Con-trary; Except in Case of Life and Death where the whole Jury is to be unanimous in their Verdict.

The Bench is briefly to snme up the Evidence by way (rf Information to the jury.

To be Father, Brother, Uncle, Nephew or Cousen German to the party or Parties Concerned, shall be a Lawful Ex^np- tiott against a Jurore before he be Sworn & not after.

An; one that shall presume to reveale the dissenting votes of a Jury or Arbritration, shall forfeit ten Shillings for the first offences and for farther breach of this Law The netit Court of Sessions, or Assizes shall impose a greater fine on the Offender according to the Meritts of the Cause.

JUSTICE OF PEACE.

The Justices of the Peace or Sheriffe or either of them shall have Power to Issne ont writts or warrants according to the nature of the Plaint.

The Warrants of any Justice of the Peace, shall be of force and is to be Executed by any infenour OfBcer in any of the Ridings, as fully and Effectually, as if the Justice were an Inhabitant within that Biding, Provided always that the Plaintiffe, or Cause of Plaint do arise within the Biding where the Jnstice doth dwell. The like rule is to be observed in Hue and Cryea.

The eldest Justice of Peace In the absence of the Governor Deputy Goremonre or Someoneof theConncell shall pronounce the Decrees or Sentence of the Court, Except in Case of Natural

1 1., Google

Imperfections, or agreement amongst the Justices themaelveB, It be otherwise determined to any other Person of them, In neither of which Cases the* Justice shall Eefuse to do his OfBce, or Enter his deaent to the prejudice of the Court.

Any Justice of the Peace, may if he please, or see cause tor it Preside as Cheife in any of the Towne Meetings within the Jurisdiction where he dwells.

LANDS.

!All Lands and heritages within this Goverment shall be free from all fines and Licences, upon Alienation and from all Heriotts, Wardships Liveryea Primier Seizins year day and wast, Escheats, and forfritures upon the Death of Parents or Auncestors Natural, unnatural, Casnall, or jodiciall, and that for ever (Cases of high treason only Excepted.)

To the end all former Purchasers may be ascertained to the present possessor or right owner They shall bring in their former Grants, and take out new pattents for the same from the present Governoure in the behalfe of his Boyall Highness the Duke of Yorke.

All Purchaseres of implanted Landa shall of their Cost and Charge, Cause a Bur\-ey and Draught thereof to be made within one yeare after such Purchases and deliver the Same into the OCBce of Records, whereby the bounds and Limits thereof may bee justly distinguished, and if the purchasers shall not within three years after the Surrey plant Seat or Inhabit upon the said purchasse they shall forfeit their Kght, Title, and Interest therein.

Every Purchaaor in acknowledgment of the propriety of such lands belonging to' his Royal Highness James Duke of Torke, shall upon Sealing of the Pattent Pay unto the Governoure So much aB they shall agree upon; Not exceeding for every hundred Acres.

And upon the Seating of a Towne two Towne Lotts shall be reserved by the Purchaser to the use of the Gouvernoure (Gratis) to dispose of to such as he shall thinke fitt.

LAWS8.
In regard it is almost impossible to provide SoflScient Lawes in all Cases, or proper Punishments for all Crimes the Court of Sessions shall not take further Cognizance of any Caae or Crimes, whereof there is not provition made in some Lawes bat to remit the Case or Crime, with the Due Examination and proof to the Next Court of Assizes where matters pf Equity.

Digi-jzedbyGoOgiC

ahall be decided, or PuniBhment awarded according to the discretion of the Bench and not Contrary to the known Lawea of £agland.

LYUia Am) FALSE NBWE8.

Every Pereon of age of discretion which shall be reputed of fourteen years op upwards, who shall wittingly and willingly forge or Publish false newea whereof no Certain Auther nor Aathentique letter out of any part of Europe can be uroduced, whereby the minds of People- are frequently disquieted or exasperated in relation to publlque Affairs, or particular Persons Injuried in their good names and Credits by such Common deceites and abuses Upon due proofe made hy Sufficient witDesaes before the Govemour or any Court of Besaions the Person BO offending In ordinary Gases shall for the first offence be fined fen shillings, for the second offence twenty shillings and for the third offence forty Shillings and if the party be nnabla to pay the same he shall be Sett in the Stocks so longe, or pnbliquely whipt with so many stripes as the Governor or any Court of Sessions shall think fitt not exceeding forty stripes; or four houres Sitting in the Stocks, and for the fourth offence he Hhall be bound to his good behaviour, paying Cost or Service to the Informer and witnesses, such as shall be judged reasonable Batttsfaction, But in Cases of high natnre and pnbliqne Concemes, the fine or punishment, shall be increast according to the discretion of the Governor anct Council onely.

SCABBIAQES.

Whereas by the Law of England no Marriage Is Lawfully Consummated without a Minister whose office it is to join the parties In Matrimony after the Banes thrice published in the Chnrch or a Lycence first had and obtained from, some person therennto Authorized, All which formality cannot be duly practiced in these parta

Yet to the end that a decent rule therein may be preserved It is Ordained that from henceforth the names and surnames of each Party who sue for Marriage, shall be Publiquely read In thefe Parisli Church or place of nsuall Meeting, where they both Hieti Inhabit three several! Lords days successively.

And where no Chnrch or Meeting place shall happen to bee, a publication in writing . shall be first fourteen Pays before Marriage upon three doors of each parish whereof the partyes Inhabit (vizt) one on the Constables the other two upon any two Doors of the Overseers of the Parrish Fnless they produce a Lycence from the Goremour in both which Cases, and not

DgizedbyGoOgiC

otha-wise, it shall be Lawful! for any Minister or for any Justice of Peace to joyne the Parties in Marriage, Provided tliat the said Partyea do purge themselves by Oath before the Minis-ter or Justice that they are not under the Bonds of Matrimony to any other Person Living, and if it shall be after proved, that either both of the Parties are perjured, and thereby attained a Double Marriage for the said perjury the party or parties ofEending shall bee beared through the tongue with a red hot Iron and moreover proceeded against aa in Case of Adultery is provided; But if either Party be apiffoved Innocent as to him or her Self and Ignorant of the others wicked fraud the inno-cent Person shall recover damage against the nocent; and be sett at Liberty as if no such Marriage had been made.

No man shall harbour, conceal or detain Contrary to the concent of the Husband any Married woman, upon penalty of five Shillings for every hour that such Married woman remains under his Roof; after demand made by her Husband at the Dwelling house where his wife is harboured concealed or detained.

Provided always that any woman flying from the barbarous Cruelty of Her Husband to the House of the Constable or one of the Overseers of the same Parish; may be protected by them in the manner as is Directed for Servants in such Cases and not otherwise.

IN WSAT CASES IT SHAIX NOT BEE FtrNTSHAXI.E TO BE HABST.

If either the man or woman shall be Convicted to have falsified

their Oath to the Justices of Peace or Minister the other Is free to Marry.

If Sufficient Certificates be brought friMn any forraigne parts agreeing with allowable Circumstances that the man or the woman are dead, the time, place, and manner specified under the hand and Seal of some Creditable person and known Magistrate the other is free.

If either the man or woman Travelling by sea or Land into any forraign Parts, which voyage by Common computation may be perfected in one years time or Less or in few days, of whom no Certain knowledge or news shall be had within five years after his or her departure nor of any that accompanyed him or her in the voyage it may be justly presumed such Person is Dead, and after the expiration of five Compleat years the other is free to Marry.

Provided always that if either the man or the woman shall at any time after the Expiration of five years Beturne and bring full

Lc;–,:uJbyC00gIC

Testimony that liee or shee have divers wayes endeavoured by writings or Messages to nmke known to liis wife, or her Husband, that Shee or hee were then living, or that they were by Imprison-ment or Bond Slavery with the Tui'ks or other Heathen, Law-fully hindered from giving such information It shall and may be lawfull for the said man or wtunan to Challenge his or her promarriage, and obtain an order for their Cohabiting as formerly, but if neither shall sue for such an order, They may by niutuall agreCTuent Enter a Eelease to each other in the office of Records, and both remain free from their former obligations The father onely of the Children as are begotten in Lawful! Harriage is to provide for such Children as shall be adjudged iu the Court of Assizes only.

If any man shall hereafter presume to Marry contrary to these lawes prescribed the Person offending shall be proc(;eded against as for Adultery or fornication according to Evidence the Children – bo begotten shall be Reputed Bastards, And the

Parents Suffer such pa,ines and penalties by fines or Punishment as they have desen-ed.

If any Justice of Peace or Minister shall presume to Marry any Daughter, Maid or Servant; without the known Consent of the Parents (if any be living) or the known Consent of the Slaster or Dame of the Servant, or any other Person who have not been thrice asked in the Church or usuall meeting place or otherwise Legally published, or without a special Licence for bis so doing, under tie hand and Seal of the Governour, The Justice or Minister shall forfeit twenty pounds, and be put out of his ofBce.

KASTEBS S£BT ANTES AND LABOtTBEB.

No Servant either Male or Female shall either give, sell or Truck any Commodity whatsoever, dureing the time of theire Service, under the penalty of fine or Corporal punishment, by warrant under the hands of two Justices of the Peace as the Offence shall 'meritt, And whatsoever Person shall either Buy, receive or Truck with any such Servant Contrary to this Law they shall be compelled to restore the said Commodityes to the Master of such Servants or Servant, and forfeit the double value thereof to the poor of the Parrish where they shall Inhabit.

All Labourers and Servants shall work in their Callings being thereunto required, the whole day, the Master or Dame allowing them convenient time for food and rest.

If any servant shall run away from their Master or Dame or any other Inhabitants shall privily convey them away or upon Buspicion of such their evil Intentions Every Justice of the Peace or any Constable with two Overseers where no Justice U

iivGoogic

at hand Have power to press Men, HaraeB, Boats, or Pinnaeefl, at the Pahlique Charge, to pursue such Persons, both by Sea aad Land and to bring them bauk by force of Armea, to Clear them-eelvea of such Crimes or Suspition thereof,

No man shall refuse for Service or worke done, his Payment

in Come at the usual Rate, Provided that the Corne be Merchantable, Provided also that no Speciall agreement was before band made for any pertlculer payment if so then to be paid in the same Specie agreed upon or Consideration for default thereof by Arbutration.

If any Masterc or Barnes shall Tyrannically and Cruelly abuse their Servants, upon Complaint made by the Servant to the Constable and Overseers, they shall take Speedy redress therein, by Admonishing the Master or I>ame not to provoke their Servants, And upon the Servants Second Complaint, of the like usage It shall be Lawful for the Constable and Overseers to protect and Sustaine such Servants in their Hooisee till due Order be taken for their Reliefe in the ensuing Sessions Provided that due Notice thereof be Speedily given to Such Masters or Dames, and the Cause why such Servants are Protected and Sustained, and in Case any Master or Dame by such Tyranny and Cruelty, and not CaHuaHy, shall smite out the Eye or Tooth of any such man or Maid Servant, or shall otherwise Maime or disfigure them such Servants after due proof made shall be sett free from th^ir Service, And have a further allowance and recompence as the C<>urt of Sessions shall judge meet.

But in Case any Servant or Servants shall causelessly Complain against their Master or Dajne If they cannot make proofe of a just occation for such Complaints such Servants shall by the Justices of the Court of Sessions be enjoyned to serve three Months time extraordinary (Gratis) for every such undue Complaint.

No Servant, except such are duly so for life, shall be Assigned over to other Masters or Dames by themselves their Executors or Administrators for above the Space of one year, unless for good reasons offered; the Court of Sessions shall otherwise think fltt to order. In such Case the Assignment shall stand good Otherwise to be void in Law.

All Servants who have served Diligently; and faithfully to the benefit of theh- Masters or Dames five or Seaven yeares, shall not be Sent empty away, and if any have proved unfaithful or negligent In their Service, notwithstanding the good usage of their Masters, They shall not be dismist, till they have made satisfaction according to the Jndgment ot the Constable and Overseers of the parrish where they dwell.

Lc;-,:.tll:yG00gIC

MTLITABY AE7A:
For as much as the good Managemeut of the Militia is the SuppOTt of all Goverments in Peace and Safety, to which all Peisons of what quality soever are obliged in duty & Conscience in their proportions to be Aiding and Assisting to this good end these following Lawea are to be observed.

1 First, that every Male Person above the age of sixteen years Except, Justice^ [The word " high " here occurs in BOBlyn copy.] Sheriffes, high Constables and under Sher- riffe Petty Constable Ministers and professed Schoolmastera, Physicians and Cliirurgeoos, allowed of by two Justices, ClarlLes of Assizes or Sessions Publique Notaries, Masters of Shipps or vessels above Twenty Tunna^ Constant heardsmen or each as ^ave bodily Infirmity or old age shall be excused by the Justices In any Sessions, as also one servant of each Justice or high Sheriff shall duely attend all Military Exercises and Service as Trayning watching and warding, when they are thereunto required and warned by their Officers under tlie penalty of five shillings for every Dayes default.

2 Every Town shall be provided of a Sufficient ware ["ware" is "watch" in Hoslyn copy.] house and a Safe convenient place thereunto Adjoyning for keeping Pow- der and Ammunition; under the penalty of fen Pounds and the Constable and Overseers shall provide and maintain for a General Stock to the use of the Town in Case of necessity, one Barren of good Ponder, English weight one hundred and fifty Pounds of Muskett or Plstell Bullets Thirty Pounds of good Match; which they shall carefully renew from yeare to yeare, ["yeare to yeare" is "tyme to tyme" in Roslyu copy.] or time to time as shall be needful under the Penalty of five pounds, for The want of such proportions of Bullets, Ponder, or Match as beforementioned ; And where there are Artillery forts or Batteryes in any Town, The Constable and Overseers shall Mount such Guns, and fltt them with Appurtenances for Service, and the Constable and Overseers are hereby authorized to Assess Levy or destrain upon the Inhabitants for bnilding

provldUig doing and maintaining the particulars before recited.

H Besides the Generall stock of each Town Every Male within this Government from Sixteen to Sixty years of age, or not freed by public Allowance, shall if freeholders at their own, if sons or Servants at their Parents and Masters Chai^ and Cost, be furnished frran time to time and so Continue well furnished with Armes and other Suitable provition hereafter mentioned: under the penalty of five Shillings for the least default therein Namely a good Serviceable Gun, allowed Sufficient by bis Mill-

. Google

tary Officer ta be kept in Constant fltDess for present Service with a good sword bandeleers or home or worme a Bcowerer a priming wire Shott Badge and Charger one pound of good powder, (our pounds of l^istol bullets or twenty four bullets fitted to the gunne, four fathom of Serviceable Match for match lock gunn four good flints fitted for a flre lock gunn, And all Captains or Military, Officers are hereby required to give in or send an Aec(Mnpt yearly, to the Govemour and Councell how the Inhabitants are flrnished and provided, That due Supply may be ordered.

i That the Constaltle and Overseers shall in behalf of their Town present to the Governour three names of the most flti persons in their Towne to be Captaine Lieutenant and Enaigne to whome the Governour shall Issue forth Commis^ons accord-ingly, unlesse hee have Sufficient Exceptions against either vt them In which case the Constable and Overseers, shall proceed ta a new Election, which is to bee by the plurality of voycea of the Soldiers.

5 No man Elected into any Military Office, shall refuse to accept thereof, or discharge his trust therein under the penalty of five pounds whereof one half to be paid to the Goremour and the other haife to him that is chosen in his place, and accepts thereof.

6 The Captaine or Chiefe Military Officer in each Towne is impoured once in three Months at least every yeare or oftner if

they see good, to take a Strickt view, how every man is furnished with Armes and Ammunition according to Law and where any are found faulty They are required to make presentments thereof to the Constable and Overseers of the said Towne, That the fines and jjenaltiea may by them from tyme to tyme be duely Levied, and if this view of Armes and Ammunition, shall at any time be neglected or the defects not duly presented, The Captaine or Chiefe Military Officer shall pay forty Shillings for his Neglect, which flue shall be Levied by the Constable and applyed to the maintenance of the Publiqne Stock of the Towne,

7 All flues for the Neglect of Townes or Captains and Chief Oflcers in Military affairs, shall be imposed by the Court of Sessions only and not otherwise, b"t for the neglect of particular persons by the Constable and Overseers.

8 Every Town within this Government shall have every year four Days of Trayning amongst themselves and theire shall be also in each Ryding once in the yeare a General Trayning of all the Townes within that Jurisdiction which may take op three dayes time, the one in Coming to the place appointed, the next for the Trayning, and the third for every one to Beturne to theire Habitations.

DgizedbyGoOgiC

8 There sliall be likewise once in (wo years a General Trajning for all Souldiers within this Government, The time and place to he at the Nomination of the Governor.

In the eeverall Traynings All Males above sixteen Yeara of age who are not freed from that Service, are to be taught and Instracted in the Comely handling and ready use ot their ArmeB, ■In all postures of Warre to understand and attend all words of Command, And further To fltt all Such ae are w shall be in Some measure instructed for all Military Service, against there be occation under the penalty of forty Shillings to be Levpyod upon the Military OfiScers, as upon Examination they shall be found more or less faulty and with respect to their place the greater trust paying the Greatest fine for neglect And the dayes to be appointed for private and G«ierall Traynings shall be at the

most Convenient times of the Year for Traynings, but not within fourteen dayes ooe of another, Moreover every such Trayning Day the Major Generall or Chief Military OfiBcer present shall cause the names of all the Souldiers to be read in the forenoone and in the afternoone also if hee see Cause And Whosoever in any Trayning day shall be totally absent, shall pay five Shillings for every such default, whoever shall at any time of the day withdraw himself from the Service without leave from the Chiefe Military Officer present hee shall pay either as for total absence, or a greater or less fine as the Offence considered in all Circumstances may require And whoso-ever shall come late, shall pay for each such default one Shilling & for any other disorderly offencive Cariage according to the Nature and measure of it Nop shall any Town suffer their Inhab-itants to Neglect or grow Slight in a service of such importance And what fines shall be levjed by virtue of any neglect or Mis-demeanor at the General Trayning of such Jurisdiction The Major General shall have the one third and the other Officers two thirds. [In the Roslyn copy the words " but what fines shall happen to bee att the general trayning, for the who'e govern-ments two-thirds shall bee payed to the Major Generall and [onerthird to the officers," follow,]

9 All fines arising upon this accotnpt, and not exprest here," [they shall be disposed of are to be Employed in the Buying

Drumes, Colours, Halberds and other necessary Charges relating ;to the Militia,

10 The Governor and Councell shall send warrants to the Major General, the Major General to the Oaptaines and Chief Officers, to draw their Severall Companies to a Certain place mentioned in the said warrants. Blowing fourteen Dayes warn-ings in time of peace. But if at any time there shall happen within this Govennent any Forraigne Invation or any l^bliqoe

[. _....i..l.o<>glc

attempt or annoyance from a Ccanmon Enemy, whether Christian or Pagan or other Insiirrection op KebelUon against the Lawful! AuthcHity In such Case the GoTernor by warrant to the Major (Jenerall the Major Generall to the Sheriffe, the Sheriff to all

OfBcera both Cirill and Military shall Immediately despatch Orders Warrants or presepta to all other Persons whatsoever, that npon their utmost perills of fine and Imprisonment, hy the Governor & Councell they nor any of them do fail to meet npon a Certaine day and place in the warrant to be expressed with their Annes and other Military provitiona, where the Sheriffe in person is also to appear and attend there to receive further Order from the Governor and Council.

Match Locks accepted against omitted, which was the 11.
[In the Boslyn copy the Bubdi\'i8ion 11 is inserted as follows:

11 One-third of Every ctHnpany of what number soever, shall oonsist, is to hee trayned to use of a match locke mnskitt which no man thereunto appoynted, by the Captaine ahali refuse under the penalty of Twenty Shilling but on the contrary shall appeare and Exercise with the same, at all traynings whatso-ever; undw the aforesaid penalty.]

12 The three Chiefe Offlcers of each Company have power to pimish any Bouldier or Souldiers that shall commit disorder or or Contempt upon any day or time of Military Exercise within their Tawne or npon any watch or ward, by Stocks Biding wooden Horse or other Military punishments or hy fine not exceeding ten Shillings or may Commit such offenders to the Constable, to bee carried before smne Justice of the peace who may bind him over to the next Court of Sessions, or Commit him to prison if the Cause so require.

13 Offences of Contempt or disorder at any General Trayning shall bee heard and Adjudged by the Major General and the Captaines onely, who have power to double the fine or Treble the punishment upon the Offenders, though not to alter the manner which is directed to the Chiefe Military Officers in ,TV»wne Traynings.

I 14 If any person cannot procure Armes or Ammunition with JBuch pay or meanes as hee hath. If hee bring to the Captaine so jnuch Corne as by the apprizement of the said Captain and two other Indifferent men whereof one to bee Chosen hy the party, .shall bee adjudged of greater value by a fifth part, then such _Arme8 and Ammunition Is of hee shall hee excused of the penalty for want of Armes nntill hee bee provided, and the Captaine shall Endeavoure to furnish him so soone as may bee by Sale of such goods so deposited, rendring the Overplus to

Digi-jzedbyGoOgiC

the party, But M any person shall not bee able to provide him-self Armes and Ammunition though meere poverty, if bee be Single he shall bee put to Seirice by the Constable and Over-, seers of the place where he dwelleth, or they shall proride him Armes and Ammunition, and shall appoint him when and witli whom to worke it out.

15 Upon any Expedition upon occation of any Enemy or any present Military Service to be done. All Smiths and other need-ful workmen shall immediately repaire such Armes and other Kecessaries as shall be brought to them for that end, for which they shall not refuse such pay as the Countij affords, upon the penalty of five pounds for every Such default, and for any Such 2feg]ect at any time, other time more than ten dayes, shall forfeit for every such Offence ten Shillings.

16 Ko man shall be Compeld to bear Armes op wage war by sea or Land, without the bounds and limits of this Oovern-ment, But from Defensive warrs noe man shall be exempted.

17 All defensive or vindictive Warrs upon Indyans shall be maintained by a Generall Assesment proportioned on each Towne according; to the pay and Custome of England to Souldiers and half pay to Officers.

18 Ju respect of the mutual!, and Brotherly Assistance whicu wee ought at all times to Cherish and improve, for the belpe and Support of our English Neighbours In other his Majestyes Colonyes The Governour and Councell may at all tymes and in all places, by beat of Drum or otherwise, Call together list, raise Armee and send forth out of this Goverraent [The words "to the releife of any other neighbour colonyes" here occur In Boslyn copy.} all such, or so many men as shall volun-taryly present themselves to the Service whether Ser-vants or freemen, with this distinction onely, that if any Servant making use of that pretext, to Escape from his Master, shall flee and absent himself from his Colours, and not returne, if living with his Officers; such Servant so offend-

ing, shall be lyable To bee punished by Death, according to the dlssipline of warre and the master of such Servants shall have reasonable satisfaction allowed him by the Governour for such Damage And to all Voluntary Souldiers so Levied, shall be Allowed one Moneth pay and made good by a General! Assess- ment proportioned to each Towne, all further Charges are to Ijee defrayed by the Colony to whose Assistance they are Employed, And all Justices of Peace Sheriffs high Constables and other Offlrers are impowered and required to Suppress and hinder all Levyes of Souldiers by beat of Drome or otherwise to

Digi-jzedbyGoOglC

be cwnposed [" composed " is " compassed " in Boslyn copy.] But such as sliall be AuiUorizcd by liia Majtisties imtoediate warrants, or the Governor and CounceU here Established.

"19 AH inferior Military Oflleers shall punctually obey the Orders of their Superiors iu their Marches Quarters, and watches without murmuring and repining under the penalty of bt;ing fined at the Discretion of the 3Iajor General and Captains, from whose Sentence no appeal shall bee made to any Inferiour ("oiirt, nor abatement granted, except by the Governor & Councell.

20 All Bouldlers shall bee respective to their Officers and Obedient to their Commund in their Marchings Quarterings and watchlngs as well as Trayninga, whilest they are required to attend the Senice, under the penalty, (for their Disobedience in ordinary occafions) of five shillings but in Case of such Dis- obedience happen before the face of an Enemy; or when it is reasonably expected that an Enemy is at hand, to make an assault in such Cases the OfBcer or Officers shall commit such person or persons into Custody and at Convenient time either to Sentence the Offender to some grievous punishment by a Court Marshall, or remitt the Tryal thereof to the Court of Assizes who are impowered to bear. Examine and Determine the Cause and what fine or penalty that Court shall thinke to Impose upon the offender.

21 If any man appointed to stand Centinell, shall bee found aleeillng during that duty, whereby the lives of others are in

Danger, hee- shall pay forty Shillings or suffer other Military Punishment, but if bee shall come off from being Centinel, without being relieved bee shall forfeit five pounds.

22 Every man that absents himself from the watch without leave from his Oflflcer, shall pay five Shillings, and with leave shall hire another; in his place, But if any man shall depart from the watch without leave of his Oflflcers he shall forfeit ten Shillings or more, with other paines and penaltyes, accord- ing to the measure of the Danger that may ensue thereupon.

23 That no Troope of Horse shall exceed the Number of fifty Troopers besides officers (viz) A Captaine, a Lieutenant, A Comet, a Quarter Master, three Corporals, whicl" Officers and the private Troopers are to observe the same times for Muster and Exercise in Military discipline with all other Cir- cumstances enjoyned upon the foot Officers and Souldiers respectively, Mutatis Mutandis as foUoweth.

24 Every Trooper listed in any Troope of Horse shall keepe and malntaine a gcod Horse Fitted with Sadie, bridle. Holsters, Pistolls or Carbine, and a pood Sword under the penalty of ten Shillings for the least default

DgizedbyGoOgiC

Neither is it lawful for anj Trooper to sell or Cliange hia Horse without his Captoine's concent under je penalty of five pounds.

And for non appearance upon dayes of Muster and Exercise ten Shillings a day.

Neither is it Lawfull for any listed Trooper to disband him- self, but with leave from his Captaine under the penalty of fifty Shillings.

All Officers both of Horse and foote shall from time to time Obey their Superiour Ofiicers in all things Relating to the Military affaires of this Government.

All other Penalties for defaults in other Officers or Souldiers

- frf a Tniope of Horse, shall bee ii^e same and Levied in the

same manner, and applyed to such uses as are else where

directed and Ordained in Relation to the foote OtQcers and

Souldiers.

OFFICEBS AND 0PFICE8.

AH Sheriffs under Sheriffs or High Constables and Constables shall be Changed every jeare, only the under Sheriffes or high Constables, by Speciall warrant may continue in their Office.

Justices of the Peace are to continue in their Places dureing , [The words "their good beliavior and "here occur in Boalyn copy.] the Govemonra pleasure.

Claries of Courts, Cryers, and Marahalls, are to continue in their places dnreing their good behaviour for breach of which , they are punishable by the Loss of their places, and fine at the Discretion of the Court.

That the Govemour and Conncell may by Special warrant displace any Officer made or Chosen within this Government for Neglecting of his Office or other Notorious misdemeanor; and misbehaviour, In which Case the Counstable and Overseers of any Towne shall proceed to a new Election, to Supply the vacancy as if the said Officer were Dead, According to the Rules prescribed for Election of Town OfHcws.

Overseers shall be eight in number, men of good fame and life, Chosen by the plurality of voyces of the freeholders in each Town, whereof foure shall remain in their OfBce two years Successively, and four shall be Changed for New ones every yeare, which Election shall preceed the Elections of Con- stables, in point of time, In regard the Constable for the yeare' ensuing. Is to be Cliosen out of that Number which are dismlst from thei'- Office of Overseers.

Digi-jzedbyGoOgiC

The New Chosen Overseers are to bee presented by the old Constable, and Orerseers, to bee Confirmed by the Justices of the Peace at the next Sessions ensuing by taking the Oath appointed for Overseers.

Any one Overseer upon any sudden and necessary occation (the Constable being not at hand, or not in health to performe his Office) May take upon him the Authority of a Constable, Provided that he carry with hian. the staffe of the Office, which shall be a sufficient warrant to any such Overseer to Act by virtue thereof, and in his Majesties name as any Constable might or ought to do.

0BPHANT8.

That all Persons who now have or shall have any Estate of Goods, Chatties or Lands; in their possession, belonging to any that are under age shall exhibit an Inventory and Accompts of that said Estate within three Moneths next after Publication of this Law, to the respective Courts of Sections where such Estate shall be and afterwards yearly; And in Case such Person or Persons who have such Estate, in their hands, do not at the time and place aforesaid pres^it the Inventory and Accompts of such Estates aa aforesaid; Then that the whole b'uinesse be sent to the next Court of Assizes where the Offender shall be lined for Neglect of Exhibiting as aforesaid; and if any good Improvement hath not been made of the Estate; yet if it shall be thought Convenient to Continue it in the said Persons hands hee or they shall give better Caution and security or else it shall bee removed into the hands of srane other able & discreet Person or Persons as the Court shall appoint upon the Cautions afMreeaid.

PATHEITTS.

All Payments upon Contracts & Engagements shall hee Satifr fled in kinde according to Convenant, Proivided that in such Coses where payment in kinde according to Covenant is by Some inevitable accident hindred which could not be foreseen..

All just Damages may hee Satisfied, together with the Debt by Arbitration, but in no Case shall any Creditor be forced to

relinquish his just pretence to bee Satisfied in kind according to his Covenant.

PIPE STAVES.

That the Constable and Overseers in all Townes within this Goverraent where pipe Staves shall bee shipt, do from time to .time as need shall require; Nominate two men of each Town, Skilfull in the Commodity, And such as can attend the service, to be viewers of Pipe Staves, who so chosen shall be by the Constable convented before some Justice of the Peace to be Sworn,

Lc;-,:uJbyC00gle

diligently and faithful]; to riew & aearch all euch Pipe Stares as are to be tranaported and to be used for making of right Caske who shall cast by all such as they shall judge cot Merchantable, both in respect of worme holes, and due Assize (viz) That are not in length four foote and a halfe in breadth three Inches and a halfe without sap, in thickness three quarters of an Inch, and not more or less than an eighth part of an Inch, then three^ quarters of an Incli, well and even hewed and SutBcient for use, And they or Some one of them shall at ail times upon request give attendance, and they shall enter into a Booke the Xumber of all such Merchantable Pipe Staves as they shall approve, and for whMne, And if any man shall put abord any ship or any other vessel, any Pipe Staves other than shall be so Searched and proved, to the end to be transported to any other place, Except they should be shipt for dry Caske, he shall forfeit the same whole percell or the vallue thereof. And the viewers shall be allowed two Shillings for every thousand of pipe Staves which they shall so Search; as well as the refues, as the Merchantable to bee paid by him that set them on work; And if any master or other Officer of any Ship or other vessel shall Eeceive into such Ship or "Vessell any percell of pipe Staves to be Transported as aforesaid which shall not be Searched and allowed as Merchantable and so Certified by a noate under the hand of one of the said Viewers, Such Master shall forfeit for every thousand of Pipe IStaves so unduely received five pounds. Except he can procure one of the said viewers to come on Board And Search such Staves, as they shall bee delivered into The shipp Provide-d'Cast

or refuse Staves, or other Eed Oakc Ktaves tuay be transported into those parts which may be of good use for Dry Caske, so as the same bee Carryed in distinct percells and not intermixt with Merchantable Staves. [In the Roslyn copy the title of " Pounds, Prisons and Stocks," post., is inserted here.]

Every Person or Persons that hath either himself, or by his Grantee or Assignee possest or Occupied any Lands or Houses as his or their owne proper right iu fee Simple within this Government and shall so continue; whether in their owne Per- sons, their heirs or Assigns, or by any other Person or Persons, from, by, or under them in possession aa aforeanid, without dis- turbance Let Suite or deninll I^eagally made to such Lands, or Houses for the tearme of four yeareg last past, and- shall so remaino without any Claime legally Entred hgainst the pos- sessour before the first day of September, which shall be in the year of our Lord 1665, Shall from and after the first day of gep-

Digi-jzedbyGoOgiC

tember and for ever enjoy the same without any Lett, Suit dis- turbance or denyal, any Claim or pretence of any Person or PerBons to the Contrary notwithBtanding Provided That it shall be Lawfull for any Person that shall find himself aggrieved herein to make his Appeale to his Majesty.

PtTBLIQUE ATFAIBES.

Whereas this Government may in nmny Occations be dis- appointed of speedy and true lofonuation of Publique Affairs out of Engluud, as well as out of our Xeighbours Colonyes To thf: remidy of such future inconveuiencies, Every Constable to whom any letlere shall come Directed to the Govemour Attested on the Backe side the letter with the Name of one of his Majesties principall Secretaryes of State, or with the name of any one of the Governours of any of his Majesties Colonyes of Kew England; or any Letters Sent from the Governour to the Sheriffe or any of the Justices of York »hire upon Long Island and 80 Attested as abovesaid, shall be dispatcht by every such Constable within three hours at the furthest, after the receipt

thereof to the next Comatable and so forwards as the letter directs t'pon the penalty of forty SbillinRs for every hours delay And in such cases all Constables are Impowered to Press a Bufadent horse and Man to that purple Allowing for the Man .and Horse Satisfaction Sis pence for each Miles travill which shall be discounted to each Constable in tlie Publique Bates.

PACEEBS, CASES AND COOPEB. QAQEB.
That all Caske used for any Liquors fish, Beefe, Porke or other Conmioditiea to be put to Pale shall be of London Assize and of Sound and well Seasoned Timber and that fltt Persons shall from time to time be appointed in all places needfull to Gage all such 'S'essels or Caske and such as shall be found of due Assize, shall be marked with the Gagers marke; who shall have foure pence per tunne; And every Cooper shall have a distinct brand marke on hisowne Caske; upon the penalty of for- feiture of Twenty Shillings, And whosoever shall put to sale any new Caske being defective either in workmanship, Timber or Assize as aforesaid; upon due proofe made thereof before any of the Country shall forfeit ten Shillings per Tunne and so proportionably for greater and lesser Caske; jVnd because there may be no Neglect in the chovce of a Gnger or Packer That Every Tbwne within this Jurisdiction; wherein any Caske are made, shall yearely make Choice of a fltt rann for that Imploy- ment, who beini; prefered by the Constable witWr one Moneth after the Choice made; before the nert Jnstice of the peace,

Digi-jzedbyGoOgiC

■hall there take his oath belonging to hiB place, which if bee shall refuse hee shall pay the sununo of forty Bhillinga and another shall be Chosen in bis Boome, Also the Towne or Cou- atable shall either of them suffer the Lilte penalty, for their Neglect of this order, And every Gager or I'acker shall eee that all Caske he Packs, Beefe, Porke, Mackepell, fisb or other Goods, Conunitted to his Care, bee of true and full Assises and that hee packe the same in no other Caske whatsoever, on the penalty of ten Shillings for every Caske by him Packed, that is or shall be defective in that respect, one halfe to the Informer, and the other halfe to the Governour.

That in every Towne where any snch goods are Packed up for Sale, the Gager op Packer of that Towne, or if the Towne ■where in it is put to Sale or Shipped shall see that it be well and orderly performed (viz) Beefe, and Porke the whole halfe or Quarter and so proportionally, that the best he not left out, and for fish that they be packed all of one kind, and all CasAe see packed be full 8ound and well Seasoned, Setting his Seal on all Caske so packed, and hee shall receive of the owner for so packing and Sealing four Shillings per Tuune, But if the Gager do but only view them, and find them good and Soflicient, he shall sett his Seal on them, and have one Shilling per Tunne, for so doing, and if such Goods so packed shall be put to Sale without the Gagera Maiie, hee shall forfeit the said goods that so put them to Sale, the one halfe to the Informer the other halfe to the Governour.

FOUNDS, PRISONS & STOCKS.

Er-sry Towne shall at their charge provide a paire of Stockes

for offenders, and a pound for the impounding of Cattle; and

Prisons and Pilloryes are likewise to be provided in these

Towns where the Severall Courts of Sessions are to be hotden.

PtTBLICKE .CHARGES.
That every Inhabitant within this Government shall Con- tribute to all charges, both in Church and Coloney; whereof he doth or may receive benefit, and every such Inhabitant that doth not voluntarily Contribute proportionably to his Ability. with the rest of the same Towne to all Common Charges both Civil and Ecleslasticall, shall he compelled thereunto by Assess- ment and IMstress to be Levied by the Constable as in other caees, and that the Lands and Estntes of all Men wherever they T>weU shall be Rated for all Town Charges, both Clvlll and Ecclesiastteall fas aforesaldl where the Lnnds and Estates, shall Lye, and thdre Person where they Dwell.

Digi-jzedbyGoOgiC

That the high Sheriff, for the time being shall from yeare to jeare after the firat day of June 16(15 send forth hie warrants to the Constable of every Towue; within this Jurisdiction, requiring the Constable to call together the Overaeers of the Towne, who shall within four Moneths after the said first day of June, make a Liat ftf all the Male I'tirsons in the same Town, from Sixteen years old and upwards, and a true Estimation of all peraonall and Eeall Estates, being, (or reputed to bee,) the estates of all and Every Persons in the same Towneor otherwise under their Custody or Management according to Juat valuation, and to what I'ei-sons the same belong whether in their owne Towne, or other where, so near as they Can by all Lawful!' nieanes and wayes, which they may use (viz) of warre Houses, Lands of all sorts as well unbroken up as others Exceprt such as Doth or shall Lye common for free feed of Cattle to the use of the Inhabitants in Generall whether belonging to Townes in General or perticuler I'ersons, but not to be kept or bearded upon to the Damage of the Proprietors, Mills, Shipps, and (dl small vessels, Merchantable Goods, Cranes, wharfs and all sorts of Cattle, and all other known Estate whatsoever, as aliio all visible Estate either at Sea, or on Shoar, all which Persons and Estates are by the said Constable and Overseers to be Assessed and Rated as here followeth (iHz) Every Person aforesaid. Except such as by I^w are Excepted eighteen pounds, and for a more Certaine Rule iu rating of Cattle, Every Cow of four yeara old and upward shall be vallewed at five pounds, Every Heyfer and Steere between three and four years old, at four pounds and between two & three, at fifty Shillings, and between one and two years old thirty Shillings, Every Oxe and Bull of four years old [The words " §nd upwards" here occur in Eoslyn copy.] at six pounds, Every Horse and Mare of four years old and upwafd at twelve pounds, of three years old Eight pounds, between two and three years old five pounds of cue year old three pounds, Every Sheep of one year old Six Shillings eight pence Every Goat above one year old Eight Shillings, Every Swine above one year old twenty Shillings; And all Cattle of all sorts under a year old are hereby exempted as also all Hay and Corne in the Huabandmans hands, because all iteadow, Arable Ground, and Cattle are Eateable as aforesaid. That such Persons as are disInablcd by Sickness Lajnenoss or other infirmities, shnll be exempted and for such Children, and Servants aa take not wages, their Parents and Masters shall pay for them but such as take wages shall pay for themselves.

Digi-jzedbyGoOgiC

That the Constable of each Towne da bring into the high Bheriffe fairly writen the just NumberB of all Males Listed as aforesaid, the Assessnients of Estates, made in their tSeverall Townes, according to the Rules & directions expressed and that the said high Sheriffe ahaJl duly and carefully Examine all the said lists and Aasessments of the Severall Townes and shall Correct and perfect the same according to the true intent hereof, and the same so perfected to Transuiitt under his hand, before the Expiration of his OSBce, to the Governour.

That every one shall pay their Rate to the Constable of the ToM'ne where he shall be Assessed, nor shall any land or estate be Bated in any other Towne, but where the same shall lye, ia or was improved to the owners; reputed owners or other pro-priators, use or behoof, if it be within this Govermeut, and for all peculiers (viz) such Places as are not yet layd within the Bounds of Any Towne, The said person with the [The word " same " here occurs in Boslyn copy, and the words " said person with the " preceding are omitted,] Lands with the Persons and Estates thereupon shall bee Assessed by the Rates of the Towne next unto it; the measure or Estimation shall be By the Di^nce of the Meeting House.

And if any of the Constables and Overseers or high Sheriffe shall willingly Neglect or faile to performe the Trust Commited to them in not making Correcting perfecting or Transmiting the said Lists or Assessments according to the true Intent of this Law Every Such Offender shall be fined forty Shillings for every such Offence or so much as the Country shall be damni-fied thereby, so as it Exceed not forty Shillings for one offence Provided that such Offence be Complained of and prosecuted in due Course of Law, within Six Monethe That upon all dis-tress to be taten for any of the Rates or Assessments aforesaid the Constable shall distraine Goods or Chatties if they may he had and if no Goods, then Lands or Houses If neither Goods nor Lands can be had within the Towne where such distress are to be taken. Then upon such returns to the Sigh Sheriffe, he shall give warrant to Attach the Body of such person to be

carried to prison there to be kept till the next Court of Sessions Except they put in Serurity for their Appearance there or that payment he made in the mean time.

That the Prices of all sorts of Come to he Received upon any Rates shall be such as ia already appointed and that all Towne Bates shall he made after the same manner and by the same rule as the country rate, That if any Constable shall not have gathered his Bates or Levies Commited to his charge by the

Digi-jzedbyGoOt^Ic

high SheHfle then being, dureing tlie time of liia OtBce, That he shall notwithBtanding the expiration of his OflBce hare pow^- to Levy by dietress all Buch Kates and Levies, And if he bring them not into the former high Bheriffe according to his war- rant The said High Sheriffe shall distniine the said Constables Cioods for the same, And if the high Sheriffs shall not so dia- traine the Constable hee shall be Answerable for the same.

And if the Constable be not able to make payment it shall be lawfull for the High Sheriffe old or New respectively to dis- traine any man or men of that towne where the Constable were unable, for all Arrearages of Levies and that man or men upon Petician to the Court of Assizes, shall have Order to Collect the same againe equally of the Towne, with just damage for the same.

That the Constable shall appoint a day and place and give reasonable warning to the Inhabitants to bring in their pro- portions upon which every man so warned, shall duply attend t» bring in his Rate, or upon neglect thereof shall forfeit two pence the Shilling for what he falls short, and the said Constable shall have ■ Authority hereby to distress the deliaqueuts, or be accomptable themselves for the Bates and penalties so neglected by them.

That all the plantations within this Government after the publication hereof, shall be fully Camprehended in this Law.

BECOBDS.

All Records of Bargaines and Sale, or any other Conveyances Administrations or Probates of will within the North and West Siding, shall be Transmited to the Office at New Yorke, with the f<H'3 Ordained for the Records, within one Moneth after the Record shall be made in the Courts, If in the East Biding withio two Moneth B.

To prevent many miscarriages which are frequently cmnmited by Saylers, by their immoderate Drinking and other vaine expences in Ordinaryes, whereby the Master and Owners of the vessels to which they belong may be prejudised, b> Arresting and detaining such Saviors for Debts when their Shipp are ready to sett Sayle, No "\'iotnaller8, Innkeepers, or other Sellers of Wine, Reare or other Strong Liquors shall after the flra,t day of March, 1G64, Arrest, Attach or recover by Law any Debt or Debts to bee made by any Sayler or Saylers in Pay and whose dwellings are not within this Jurisdiction Except the Master or Owner of such Shipp or Vessel! to whom such Saylers belong, have ^ven under his hand to Discharge the same.

Digi-jzedbyGoOgiC

LAWS OF THE COLOXY OF XEW YORK.

The high Sheriffe shall have power to issue forth any writte or warrant according to the Xature of the plaint:

That the High Sheriffe may if he please or see cause for it preside aa Chiefle in any of the meetings of that Towne where hee dwells.

That the High Sheriffe shall have the nomination of the Marshall in each Riding, and is to take Security from them.

Each Biding shall have their Tarne in haveing a Sheriffe Chosen within their Jurisdiction Successively And the Justice in the last Sessions hefore the Expiration of the Office of the then Sheriffe, shall present to the Govemour, in writing, the names of three persons within their Jurisdiction, out of which the Govemour may make Choice of one to be Sheriffe for the Yeare ensniDg.

TOWNSHIPS.

"Whereas In perticuler Townea many things do arise, which con-cerne onely th^nselves, and the well Ordering their Affairs, as the disposing, Flantiag, Building and the like, of their owne Lands and woods, granting of Lotts, Election of Ofiicers, Assessing of Bates with many other matters of a prndentiall Xature, tending to the Peace and good Goverment of the Bespect ive Townes the Constable by and with the Consent of live at least, of the Overseers for the time being, have power to Ordaine SDch or so many peculier Constitntions as are Necessary to the welfare and Improvement of their Towne; Provided they bee not of a Crindnall Xatore, And that the Penaltyes Exceed not Twenty Shillings for one Offence, and that they be not Repugnant to the publiqne Lawes; And if any Inhabitant shall neglect or refuse to observe them The Constable and Overseers shall have power to Levie such flues by distress.

If any man shall behave himselfe offensively at the Towne meeting towards and before the Constable and Overseers they shall have power to Sentence him for such offences, the penalty not exceeding twenty Shillings, Provided alwnyes that every such peculier Constitution be conflrmed by the Coiui; of Sessions, within foure Mouetha after the making thereof, Otherwise to bee Toide and of none effect.

Whereas it is formerly ExpreSt, That small Causes shall be Arbitrated in Townes; It is to bee understood That the Constable and Overseers in theire Towne Court are first to take Cognizance, if under the value, and then to proceed either to Judgement, if the Case bee Cleare, or propose Arbitration, if above'the value,

Digi-jzedbyGoOgiC

VOTES, »

All Totee in the private affaires of Particular Townea shall 1)0 given and Determined by the InhabitantB freeholders, House-holders, and io matters Cotomitted to Arbitration, or att Ses-sions, either as to Juryes iu all Cases or to Justices on the

Bench, where the Law is not Cleare shall bee Carried by the Major part of the Suffrages, The minor to be concluded by the vote of the Major. [The words "plurality of voices" here occur in Roslyn copy.]

WEIOHTS AND KEASTTRES.

That the high Constable in each Riding shall provide at the I'ublique charge Several] Standards of weight and Measures, which shall be sealed with a Common seale appointed for that purpose, that they may be uniform and Certaine (viz) for weights a Sett of Brasse weights to four pounds with the less weights included according to the Averdupois pound, consisting of Sii- teene Ounces, with a good Beam fltt to weigh and try them for Come measures That there be one Bushel one Peck, and one halfe Tecke to be fitted to Winchester Pleasure in England; and Measures for Liquids as the Ale quart Wine quart, wine Pint, and halfe Pinte, And that there be one Ell, and one yard, that all and each may be according to the General Cue- tome of England; And in Goods sonld by the Hundreds weight five score and twelve to bee allowed Except in Iv'ayles sould by the hundred to which Six Score is to be allowed to the hundred, And in goods sould by the Elle and yeard one Thumbs breadth be allowed to the Length cf the Elle and yeard, and the High Constable is to take Cognizance, that the Constable and Overseers of every respective Towne do also provide at their Townes Charge the like weights and Measures Suitable to the Standard and the Constable and Overseers shall Choose some fltt man in each Towne to be Sealer of such weights and measures; which man so Chosen, they shall present to the next Court of Sessions And theire to be Sworne to the faithfull discharge of his duty And bee shall have power to send forth Eis warrants by the Constable to all the Inhabitants of their Towne, to bring in all such weights anS measures as they make use of, once every year at such time and place as he shall appoint and then to fltt them to the standard afore- mentioned, and marke them with the Town mark And the Sealer shall have for every weight and measure from the owners thereof two pence at the flrst Sealing, and for viewing and resealing them yearly after one penny. And all such weights and Keasares as cannot bee brought to their jaet Btand-

Digi-jzedbyGoOgiC

ard lie shall deface or destroy them; ADd if any high Constable, Overaeera or Bealer shall Neglect his or their Duty and trust he or they shall pay as a fine to the Town forty Shillings, And every person that after due notice given shall Neglect to bring in his weights and Measures, he shall pay three Shiliinga four pence for every such default, the one half to the Sealer the other to the Towne, And if at any time any Person within this Goverment shall buy or sell by any false or unallowed weight or Measure to the Damage of his neighbors, he shall forfeit (besides Correction) Treble the value to the Towne.

WITNESSBB,

No man or woman shall be put to Death, without the Testi-mony of two or more witnesses, the Confession of the Party, or other Equivalent Circumatancea

In all Causes (whether Cirill or Criminall but not Capital) property falling under the Cognizance of a Oonstable and Oveiv seer, it shall bee lawfull for the Constable to require and take the Oath of any witness above the age of fourteen years and uf Sound understanding and make a record therecrf, that if any Court of Assizes or Sessions, shall at any time make a review of such Cause, the evidence Also may Appeare.

Every Witness, in any Action may require as due to him from the Party at whose Suite hee appears two Shillings for every Dayes attendance, but unless a witness bee Served with a Subpena to give in Testimony, it is his Choice to appear or not but after a Subpena Served, he shall have onely eighteen pence per Diem.

It is always to be understood That the Party Delinquent or Cast, whether in Civill or Criminall Cases, shall pay all Charges of what kind soever which arise from the prosecution

WOLVXS.
If any Person either Christian or Indian, shall at any time bring the head of a Wolfe or Wolves to any Constable upon Long Island, the said Constable is required to Call two of the Overseers to him and then and their to pay and Satisfie such person or Persons to the value of an Indian Coat; to be allowed out of the publique Charge in the Towne Bate Provided alwayes

that the Constable and Overseers shall require the Oath of such Christians, that bring the head of a wolfe or wolves, that he killed the said wolfe or weaves, with the time and Circum- stances and upon Long Island only, Provided also that the Constable and Overseers have due regard to such wolfe or wolves brought by the Indians, that they appear to be fresh
9

Lc;-,:uJbyC00gIC

and newly killed, with Circumstances that they are killed upon Loug Island and not else where; The CoDStahle and Overseers art' to cause the heads to be nayled over the doore of the Con- stable their to remain, aa also to Cut of both the Fares in token that the head is bought and paid for.

WBECKS or THE SEA.

If any shipp or vessel belonging either to friend or Enemy shall at any time Suffer Shippwrack upon any of the Coasts of GOTerment There shall no violence or wrong be offered or done to their Persons, or Goods; hut their Permons shall bee har- boured and relieved, their Goods preserved from spoile and Embezlement, And all Justices of the Peace, Mayers Sherriffes, high Constables, Petty Constables, and Overseers, are Strictly Charged and required to be vigilent therein and upon notice of any such ill accident within their precincts, to repalre ta the place and give good Order therein for the reliefe of the persons and Security of the Goods, untill notice thereof be given to the Govemour and Councell who will proceed therein According to the law of England and Cause full Satisfaction to be given to such aa have Employed their time and Labour to the preserya- tion of the persons and Goods.

[The following paragraph is not in the Roslyn copy.]

The goods of friends are by Warrant from the Governour and Councell to be restored to the Owners, if any Canne he found or knowne.

Also any whale or such like great flsh cast upon the Shoare of any precinct, shall be taken into the Care of any of the

Offlcers above mentioned to bee kept, or improved where it cannot be Kept, and by such Officers onely, untill the Gov- ernour and Councell (after notice sent) shall give farther Order therein.

And the Acknowledgement which shall be received for Whales, or such Like great flahe Cast upon the shoare of any precincts shall he the fifteenth Gallon of Oil.

WABBANTS, SFECIAI.L WABBAITTB Aim SPECIAUj UCEHCBS.
All writings warranted or Licenced under the Govemour his hand and Seale, shall be esteemed and Observed as Speciall Warrants, Licences to all Intents and purposes.

OATHES,
Whereaa yon are Chosen and appointed by the Governour and Councell, Established under his lioyall Highness the Duke of Torke to be a Justice of the Peace over the Jurisdiction of the

.., C A.>(.>glc

W, N, E, Biding of yorkshire upon Long Island, Yon do Sweare by the Everliving God, that jou will truly Eudeavour, to the best of yonr Skill, with a good Conscience and according to the Lawea of this Govennent, Dispence Justice Equally and Impartiaily in all Caaes and to all persons whereunto by virtue at your Office you are impowered. So help you God.

Whereas you are Chosen and appointed by the Q^>Ternour and CouDcell, Established under his Boyall Highness' the Dake of Yorke to be High Sheriffe for this present year, 166 — . Over Yorkeshire you do Swear by the Everliving God, that you iiill discharge the Trust reposed in you, with a good Conscience and diligence and without partiality to Persons, you will by your Belfe or your SuGBcient Deputy Issue forth all such writts, feierve Attachments, Executions, Judgments as properlly belong to your Office, and punctually observe all warrants to you directed from any Court or Superior Authority of this Govennent, you will from time to tkne Call the high Constable of each Biding to nn Accranpt for all fines. Levies^ Assessments and all other publitjue Moneys in their hands, and retume the names of such .is full in

their Duty to the Govemour and Counoell using your best Endeavour for the Collecting and bringing the said Humes to the Governour and Councell at New Y'ork, you will also render yearly s. true Accompt and make good payment thereof, And will in all things behave yourselfe according to the quality of your Office, and the trust reposed in you So help you God.

Whereas you are Nominated and Confirmed by the Governour & Councell under his Boyal Highness, the Duke of York, in the Office of high Constable within the Jurisdiction of X, W, E, Biding of Y'orkeshire upon Long Island, you do Swear by the Ever living God, That you will discharge the trust reposed in you, with a good Conscience and diligence in all things where-nnto yon are empowered by Law ; you will fully execute and per-forme all manner of writts Summons, warrants, or the like, which shall be to you directed from the Govemour and Councell, the JastJces of the Peace within this Biding or the high Sheriffe of Yorkeshire, you will diligently and truly take the .iccompts fran each petty Constable and them deliver to the high Sheriffe «ith the name of the Constable or Constables as Shall fail in their Office in not Collecting and bringing to you such sum or sums as are due to the publique, within their Eespective Towiies So help you God.

Whereas you are Chosen in your Towne, and Confirmed by the Justices of the peace of the East Biding to be Constable of East Hampton Towne for one year, and untill another bee Sworn in yonr place, you do Swear by the Everliring God That you will care-

1 1., Google

fully endeavour the preserving of tlie peace and tbe discovery and prevention of all Attempts against the same j-ou will duly Execute all Speciall warrants which shall be sent unto you from the Govemour and Councell EHtablisbed nnder his Royal high-ness the Duke of York and faithfully Execute all such wan-ants and Orders of what nature soever from the 1,'ourts Established by Law with your utmost care and diligence Impartially yon will faithfully and With what speed you Can Levy all such tines Bates and Sumes of Money, due to the publique, in such moneys or Goods valuable for which you shall have Sufficient wan-ant;

rendering accompt thereof and the defaults to the high Con-
ttables and with like faithfullness, speed and Diligence will
nerve all Attachments Executions, distresses in private Causes,
Betwixt party and party according to the Sentences of Court, and
make i-etums thereof duely where they are returnable into the
same Court, And further you will frequently, Advise and Counsel
with, and when any difference ariseth, within your Towne and
limits by small Actions or otherwise as is by law appointed, you
will Assemble a convenient Number of the Overseers of the
Towne and Limits to sitt as a Towne Court, for the Hearing,
determination or Composing all matters pertaining to your
Cognizance. And in all things behave yourselfe, as becomes
the Offlce of a Constable and your duty to the Lawes of this
Goverment, So help you God.

Whereas you are Chosen and appointed an Overseer in the
Towne of Southampton you do Sweare by the Everliving God
that, that you will faithfully and diligently discharge the trust
reposed in you, in Relation to the publique and Towne affaires,
according to present Lawes Established, without favour
affection or partiallity to any Person or Cause which shall fall
under your Cognizance as an overseer. And at time, when you
shall bee required by your Superiours to Attend the private
differences of Neighbours, you will Endeavor to reconcile them,
And in all Causes Conscientiously and according to the best of
your Judgment deliver your voyce in the Towne meetings of
Constable and Overseers So Help you God.

You do Sweare by the Everliving God; That you will Con-
scientiously deliver your Verdict in the Cause, between A, B,
and C, D, in this Court; According to the Evidence given you,
and the Lawes of this Government, So help you God.

You do Sweare by the Everliving God; That you will Con-
scientiously try and truly deliver your verdict Between our
Soveraigne Lord the King, and the Prisoner att the Bane
According to yonr Evidence, and the Lawes of this Goverment,
So help you God.

Digi-jzedbyGoOgiC

Yon do sweare by the Everllving God, that the evidence you shall give into this Court, C<«iterning the Cause or TersOD now In question, shall be the truth, the whole truth, and nothing but the truth; So help me God,

Whereas you are Chosen Apprizer of such Goods Lands Houses or Catties which are now under your Consideration you do here Sweare by the Everliving God, That all partiality, prejudice, or any Sinister respects laid aside; you will Apprize the same, and every part thereof according to tie true value thereof at the prise now Currant according to your best Judgment and Conscience So help yon God.

Whpreas you are Chosen and appointed Marshall for this Jurisdiction; you do Sweare by the Everliving God to be true and faithfull in your Office, not to suffer wittingly or willingly any Prisoner committed to your Charge to Escape, nor to sett any Prisoner at Liberty without a Legall warrant for his deliverance, aa also that yon will not exact Elxtravagant prices, but conform your Selfe to the Bates allowed for the Lodging and dyat (rf Prisoners without fraud or corruption So help you God.

'Whereas you are Chosen and appointed viewer of pipe

Btavea, within the Towne of you do Sweare by the

Everliving God, that at all convenient times whilest you shall be in place, or shall be required to Execute your OfQce you will dnely and diligently attend the same and without favour Affection or Corruption Sort all Pipe Staves presented to yon rejecting such aa are not Merchantable, and make a true entry thereof according to Law, So help you God,

You do sweare by the name of the Everliving God that in the office of a Surveyor, you will according to the best «* your skill and abilitys, diligently and faithfully discharge the trust Commited to yon, without fraud or corruption So help you God.

Yon do Sweare by the name of the Everliving God That in the Office of a publique Xotary, you shall demeane your Selfe diligently and faithfully, according to the duty of yonr Office, And in all writings. Instruments and Articles that you are to give Teatamony nnto, when vou shall bee required; you shall performe the same truly and sincerely according to the nature

thereof without delay or Covin, And you shall Enter and Iteep a true Regester of all such things aa belong to your Office So help yon God.

Whereas you A, B, are Ohoaen Packer of Beefe, Porke and

other things foT the Towne of you do hereby Sweare

by the natne of the Everliving God, that you will well and traely Pack all Beefe, Porke and other things whea yoa ahall

Lc;–,:.tll:yC00t^lc

be thereunto required, you shall Pack no kinde of Gtooda but such aa are good and Sound nor any Goods in any Caske, that IB not of a JuBt and full Gage; yon sEall also sett your particu–lar marke upon all Caske Packed hy you; And in all things proper to the place of a packer you shall faithfully discharge the same from time to time, according to your best Judgment and CouBcience, So help you God,

You being Admitted of the Oouncell of the Gouvemoor under bis Royall Highness the Ihike of Yorke within these Territoryes Comprehended in his Majesties Letters Patents, do Sweare that you will to the best of your Judgment, and at all times freely give your advice to the Govemour for the good Manage–ment of the Publique Affairs of this Government, and that you will not Reveale directly nor Indirectly such matters as shall be debated in Councell, or committed to your Secrecy but will in all things be a true and faithful Counceilonr when jou are thereunto required, So help you God.

FBECIDENTS A2TD FORHES.

To (A B.) of C, Carpenter, you are required to appeare at

the next Court holden at I>, on the Day of the Moneth of

next ensuing, to answer the Complaint of E; F: for withholding

a debt of I>ue upon a Bond or Bill, or for two Hoifers

and Sould unto you by him, or for worke, or for a Trespasae done him in his Come or Hay, by your Cattle or for a Slander you have done him in his Name or (or striking him or the like, and hereof you are not to fail at your perlll; Dated the day cf tlie Moneth, and the year of our Lord.

To the Justices, high Sheriffe, under Sheriffe high Constable. Constable of (B), or their Deputyee you are required to attach the Body and Goods of (G. H,) and to t!il;e Bond of him to the value of with sufficient Surety or Suretyes for his appear-

ance at the next Court holden at (S,) on the day of the Moneth of Then and there to Answer the Complaint of (T M,>

[The words "for Attachment" here occur in Koslyn copy.] &c as before and to make a true Eeturne thereof under your band Dated the Day &c.

Know nil men by these presents that we (A B.l of C yeranan, and (O P,) of the same Carpenters do bind ourselves, our heires and Executors to (B F,) high Sheriffe or (M 0,1 Constable of D: aforesaid &c, in pounds upon Condition that the said

(A B.) Bhall personally Appeare at the Next Court of S to Answer OL M) in an Action of and to abide the Order of

the Court therein. And not to depart without Lycence.

Digi-jzedbyGoOgiC

The Jastice, higli Sheriffe, under Sheriffe high Conatable Con-Btable of or their Deputyes you are hereby required to

Beplevln three Heifere of (T r,) now distreined or ImpouDded by (A B,) and to deliver them to the said (T P,) Provided he give Bood to the value of with Sufficieot Surety or Sureties,

to Prosecute his Replevin at the nest Court, holdeo at B, and 80 from Court to Court till the Cauae bee ended and to pay such CoBt and Damages, as the said {A B.) shall recover by

Law against him, and So maJ^e a true retume thereof under your hand Dated: &c.

[The markes for horses are omitted from Roslyn copy.]

The Markes for Horees of Every Towne upon Long Island.
A East Hampton K West Chester.

B Sonthampton L New Towne

C Southold M Bushwick

D Beatalcott N Brookland

E Huntington O Flat Bush

F Oyster Bay P Flat Land

G Hempsteed Q L'tricht

H Jamaica B Oravesend

I Flushing

FINIS.

[The following recommendations are not in Roslyn copy.]

HAVING received Information that at ye late Sessions held in the Severall Ridings of Yorkshire upon Long Island divers inconveniences were found in some particular Lawes and other things needful to be incerted therein have beene omitted; I have thought fltt to Send unto yon these following Amendments and additions which you may Communicate for the present to the Severall Towns within your riding and at the Assizes they may receive further Conflnnation or alteration as shall be found most Expedient.

I do recommend unto you that to prevent the trouble of to frequent holding of towne Courts, a Court may be held in each respective Towne at some Convenient certain tyme either once in two three or four weekes as you shall Judge most fltt; And if any one shall desire to Call a Court any other tyme that he pay for the trouble and charges thereof as it shall he reasonably adjudged by the Court.

That henceforth the payment of the Jurymrai and wtttiesses who shall attend the Court of Sessions or Assizes be from the tyme of their going from home to their returne. That a witoess shall be allowed 2s, per diem where he gave in his evidence voluntaryly or being served by subpena. That the genera]

Digi-jzedbyGoOglC

trayninge appointed for the townes of tlie East riding (In n'gard of their diBtance) be respited till further order-
That the Towne of Huntington and Oyster bay (though of several ridings) may joyne in Compleating their Comjmny of foote, but the Captain and Lieutenant are not both to he of the same Towne.

That in regard of the distance of the Inhabitants of >'oi'th Sea from the towne of Southampton (to which it doth belong) there . be a deputy Constable appoynted with power to keep his Majes- ties peace and to execute such warrants and orders as bee shall receive from his SuperiorB,

That In regard the Condition of distracted persons may prove of publique Conceme, and for that it is to greate a burthen for one Towne allone to beare, It may be*^ taken into Consideration at the Assizes whether the other townes of that riding ought not to Contribute to the Charge, and as Care may then be taken therein for the future so some way of Satisfaction may be thought on for extraordinary trouble past; upon the like account.

That noe flue ought to be imposed or levied on a persons Estate who is not in his sences, And whereas a fine hath binn levied upon one of the Inhabitants of East Hampton who is in a distracted Condition which fine was fonmerly ordered by Mr. Winthrope to he returned. The Justices or the officers of the Towne are to take Care the said order be perfoiined.

That the Constable of each Towne During his office may fur- nish the Indians with such quantity of powder as may be thought necessary for their killing of wolves and provisions, .\nd also may permit them to have theire gunnes mended the said Con-

stable giving an account of what is so furnished and permitted by him to the Indians at the next Sessions.

That the peculier Lawes and Constitutions of sundry townes within your Riding which are now allowed to be of force amongst them (as well such as were made before the publique Lawes were declared as since) be brought in at the next Assizes there to receive Confirmacon or alteracon or amendment.

That for the greater ease of the Constables of the East Riding in the execution of their Office (their Townes lieinge so remote one from another) the said Constables may be excused of their attendance at the Sessions, Provided one of the Overseers from each Towne who shall be nominated of the Jury do give attend-ance in his place with the Staffe of the Constable.

That whereas it is ordei-ed in the Laws that noe man shall sell a less quantity of Liquors than a Quarter Cask without a Licence &c: It is to be understood that noe man is hereby hindered for buying for his own private use any quantity of Liquors provided he do not sell by retaile without a Licence.

Lc;-,:.tll:yG00gIC

liA-Wa OF THE COLO]>JY OF KEW YOKK 73

That whosoever (being duly elected) shall refuse to serve as an Overseer shall pay the same fine as is appointed for a Con-stablt; refusing to Bene in his office.

That Whosoever shall be ntHninated to serve in a Jury with-out Just Cause showen shall refuse it he shall forfeit twenty BhillingB towards the defraying publique Charge which is to be Levied by the Constable.

That if any person within this Goverment shall couuuit bui^ulary by breaking up any dwelling house or shall robb any person ia the field op hiewayes the person offendinge shall for the first offence be branded on the forehead for the Second oBTence he shall be branded as t>efore and Severely whipped and for the third offence he shall be put to Death.

If any person shall robbe any orchard or Garden or shall

steal away any linnen Woollen or other goods left without dores he shall pay treable Damagefl or be whipped.

If any one shall steal from another any Coyne, goods, or Chattels to the value of ten shillings or upwards he shall be whiped or pay such a fine as the Court shall Judge to sattisfle all Damages with Costs and Charges of Court, and it Is also left to the Discression of the Court to appoint smaller matters or punishments for smaller offences of that kind.

That the Constable by warrant from a justice of the peace may make search in any house or place suspected both for the offender and the goods stolen, and whosoever having his goods stolen shall privately receive them and shall not legally prose- cnte the offender he shall forfeit to the publique use the goods received or the value.

RICHABD NICOLLa
To the Justices of the peace High

Sherifle and all other officers both militarj' and Civlll in the East Bi- ding of Yorkshire on Long Island.
[The titles and notes of alterations which are here inserted in brackets at the beginning of paragraphs, are in the margin, in the original.]

S03fE Alterations Amendments and Additions made in the

Lawes and confirmed att the Generall Assizes held in New

Torke the 28th and 29th Dayes of September and the 2nd,

3rd and 4th Dayes of October 1665.

[Absence. This to bee written in the place of that In ye Booke

under ye first head.]

If any Justice of the peace or high Constable shall be absent frwn the Sesrions held within that Bideing where hee Inhabitts,
10

Lc;-,:uJbyC00gIC

or from the Generall Court of Aasizea, he shall pay for every Dayes abBence, tenn poaads, And every Petty Constable for each Default shall pay five pounds, unless one of the Overseera who shall be nominated of the Jury Doe give attendance on the Court in hia place, with the Constables staffe Provided [" after " is '■ aleo" in Koelyn copy,] after that it shall be Lawfull for th Justices of the Beuch to discharge any Constable from his appear- ance, if they thinke fltt.

[Acoons. This to be written in the place of ye 2d, clause of this head,]

In all accons of what nature soever not exceedinge the value of five Pounds between Neighbours, Arbitration of two indif- ferent Persons of the Neighbourhood shaJl be tendred, which persons are to bee nominated by the Constable of the place before it be brought to a Town© Court and if either or both parties shall refuse (upon any pretence) to stand to arbitration Then the Court shall Determine the Case If above the value then the next Justice of the Peace upon the Complaint of the party shall propound Arbitration to both Parties and if they accept thereof the Justice is to nominate the Arbitrators But If either Party refuse, Then the Justice is to give fourth hia warrait as the Action requires.

[This in the place of the third clause.]

In all differences under five pounds not tryable in SeaBlons the ConstaBle is to have one shilling for nameing Arbitrators to whom if the difference be referred, they shall have two Shil- lings and Sxpence each, If the Action Is brought to the Jnstice, he shall have two Shillings fflx pence for nomination. And the Arbitrators hee appoints two Shillings Six pence each.

[These addicons are to follow under the same head.]

That to prevent the trouble of two frequent houlding of towne Courts a Court may be held in each respective Towne at some Convenient certain tyme either once in two, three, or toar weeks as shall bee adjudged most meete. And if any shall desire to Call a Court any other time that then hee pay for the

Charge and trouble thereof, as it shall be peasonably adjudged by the Court.

In Towne Courts the Constable and Overseers are to give their judgment by the JIajor Vote, where six with the Constable, or Seaven In his absence, are Competent [" Competent " is " Com-pleate " in Roslyn copy] and equivalent to a Jury, and the Con-Btable upon equall Division, is to have a Casting voyce.

The fees belonginge to the Tnwne Courts shall be halfe of what is allowed at the Sessions, as the fees of the Court of Sessions are halfe of the fees of the As^zea.

Lc;-,:.tll:yG00gIC

nttes of Land as well as other accons are to be tryed in Sessions uniesse being above the value of 20£. they shail bee Ordered- to bee trjed att the Assize by the Governour's Speeiall warrant.

Any Accon of Debt &c. above the vaiue of 20£. may likewise bee tryed at the Aaaizes by 8pecia11 Warrant from the Govemour,

Those that live att a great distance from Courts, are to have the heads of the pits Declaration, left at the Place of their Abode aa well as the SuDunons before the tryall, eight dayes.

Where the Odginall Polat ["Point" is "Plaint" in Roslyn copy.] is matter of equity the proceedeings shall bee by way of Bill and delivering in Answers upon Oath and by the Examination of witnesses, in like manner aa is naed in the Court of Chancerie in Eagland, And due regard mnst be had that the Defendant have timely notice thereof, as is appointed at Common Law ; which is eight dayes warning before the Court shall sitt

[Admiaistracon. This to bee the last clause.]

That aH Originall Wills after haveing beene prooved att the Ccart of Assizes or Sessions and returned into the OflSce

of Records att New-Yorke shall remaine there, and the Executors Administrators shall receive a Coppie thereof, with a Certificate of its being allowed and attested under the Seal of the Office.

[This amendment to be in ye second clause.]

Administration may be granted by the Court to any Person, the Second Sessions, but to widow or Child, Brother or Sister immediately.

[To come in Betweene the 5th and 6th clauses.]

A (Quietus) is to be procured within a yeare and six weeks after Administration is granted or a will prooved.

[Appeale. This and the next to came In before the last clause.]

All Reascms of Appeale as well as Declarations are to be delivered into the Claire of the Assizes or Sessions, eight Dayea before the Court sitta.

The Security to be given for pposecuteinge of appeales, shall be taken by the Court the party appeales from, and for the prosecution of any other suit at the Assizes Security shall be given to the Clarke of the Assizes.

[To be in ye place of ye last clause.]

All appeals are to bee made by way of Petition to the Govemoor and Oouncell, and the Appellant shall pay tenn shillings upon the deliverle of his Petition, over and above two Shillings

Digi-jzedbyGoOgiC

Six pence to the Clarke of the ABsizes, for Entring of the Appeale.

[Appearance.]

These wordB (a Jtietice cf the Peace) are to bee Added in

the beginniag of this clause (vizt) It shall be lawfuU for the plalntiffe or Defendant to take out a Sabpoetia from a Juatice of the Peace, the Sherifte, or under Sheriffe.

[Apprizement.]

That Whereas it is said in the second Clause the Sheriff shall remove thw Goods, cut of the possession of the PlaintifEe &c. It is to bo alteied and ■nritton out of the possession of the Defendant,

And when'as it is therein also said the Execution is to bee returaed by the Sheriff to the Clarke of the Sessions that Oranted it, In.etead of Granted it its to bee, that Bigned it by order of the Court.

[This to follow.]

That the Persons who shall be nominated and Chosen Apprisores of Goods lands or whatsoever else, shall be taken in execution are to bee allowed fouer Pence per pound, for what shall be by them soe apprised which is to bee payed by the party Cast In the suit and risen Accordingly.

[Arrest,]

The later end of the 4th Clause is to conclude thus (vizt) In which case also hee shall not be Arrested, but by speciall warrant.

[This to follow.]

Noe High Sheriffe or Justice of the peace may at any tyme grant a specill warrant But dureing the tyme of the sittinge of the Court of Sessions the whole Bench may grant it.

[This to bee the concluHion of the .'5th in the Booke.]

Provided that the pre^1ledge8 belonging to the Corporation of the Citty of New York, bee not hereby infringed, But that it shall and may be Lawfnil for any of the Inhabitants thereof to Arrest a Debtor in the said Cltty, though the place of his abode shall bappen to bee in any other Towne within this Goverment and the person eo arrested, to sue and Impleafle in the Cltty Court, any Law to the Contrary in anywise notwithstanding.

[Assessmenls.]

In Assessments add the words in the Pareothesis, in the first clause (viz) And every Inhabitant who shall not contribute (to all Charges both Civlll and Ecclesiasticall) Proportionably to the Rate 80 Assessed &c.

[Assizes.]

In the first Clause, its to bee written the Generall Court of Assizes &c.

Digi-jzedbyGoOgiC

[To follow what ie alreadie written in the Booke,]

A Court of ABBizea may also bee Called at any tyme (by Bpeciall warrant) to heere and Determine Civili Causes (that require a speedy diBpatch) as well as Criminall.

[This likewise.]

Ko other Processe shall Issue forth for tryall of Accona at the Assizes, But the Governoures special) warrant, Except in Cases of Appeale.

[Bayle. ^is to be in ye place of ye 4th clause.]

To Bayle one not Bayleable is a negligent escape in the Justice, or in any other authorized to take Bayle.

[Bill.]

To be added, (or on some other paper or parchment annexed to it.)

[Bounds. This to be ye last clause.]

All Lands, Pattents and Bounds and Ihuits of Townes are to bee Recorded in the Office of Records at New Yorke as well as in

each Particular Towue, and at the Sessions.

[Capitall Lawes. This to follow ye 11th clause in ye Booke.]

That if any Person within this Goverment shall commit Burglary by Breaiceing upp any Dweliinge House, or shall Robb any Person in the field or bighwayee, the Person so offending shall for the first offence, bee branded on the forehead, for the second, hee shall be branded as before, and severely whipt, and for the third offence hee shall bee putt to Death.

[The 3d following clauses to come in before Adultery,]

If any Person shall Robb any Orchard or Garden, or shall Bteale away any Linnen, wollfn or other Goods left without doores or shall wilfully -deface or spoyle any Dwelling House, or out Hovise or any part thereof, or any thing belonging there-unto, he shall Pay treble Damages of bee whipt.

If any Person shall take trom an other, any Come, Goods, or Chatties to the value of tenn shillings or upwards, he shall be whipt, or pay such fine as the Court shall adjudge, to satisfy the Damage, with the Costs and Charges of Court, And it la also left to the Discretion of the Court to approint smaller Mulcts or Punishments for smaller offences of that klnde.

That the Constable by warrant from a Justice of the Peace, OP upon sudden occasion without warrant (haveing with him the staffe of His office,) may make search in any House or place suspected both for the offender, and for the goods stolen, And whosoever having his Gjods stolne, shall privately receive them and shall not legally prosecute the offender he shall forfelte to the PubUque use the Goods so received or the value.

Digi-jzedbyGoOgiC

[This to be ye last save oae in ye Booke.]

In Cases of Adultery all prooeedings shall bee accordinge to the Lawes of England which is by Divorce (if sued) Corporall punishment or fine and Imprisonment

[Cattle, etc. This to follow ye 4th clause in ye Booke-l

All those who shall have their Cattle markt, with the Towtii* marke, shall pay to the Ofttcer that markt them, two pence per head.

[This to come in before ye last clause.]

That it shall be left to the peculier Lawes of Towne-shipps to allow what more they shall thinke fltt, to give for the Dnpounding of Cattle, than herein is exprest.

[Causes. The first clause in ye Booke to be last and this to bee put in its place.]

The Charge of each Cause shall bee as followeth (vizt) Every Cause of or under five Pounds shall pay two shillings six Pence, fromfivePounda and under tenn Pounds, five Shillings, from tenn Pounds, and under twenty Pounds, fifteen Shillings, from twenty Pounds and under forty Pounds twenty Shillings, And for every tenn pounds more above forty Pounds two Shillings Sixpence; That money so Levied is to go towards the defraying of Court Charges.

[Church. This to follow ye first clause in ye Booke.]

That such Churches shall bo built within three years, after this assizes, to which end a Towne Bate may bee made to begin this yeare.

[Church wardens. This to be ye last clause.]

That the Oflice of the Cluirchwardens aforementioned is to be performed by the Constable & all the Overseers who are to fake the like care as is required of the Churchwardens.

[Charges Publique.]

That the Second Clause in Charges Publique bee left out of the Booke.

In the third Clause, warrants are ^o bee Issued by the High SherifFe to the High Constable of each Biding who shall send warrants to the Constables &c.

In the 5th. 7th. 8th and 9th Clauses the High Constables name is also to bee incerted to act between the high Sheriff and the Constables.

[Constable. This & that which followes to come into the Booke brfore the last clause.]

The Constable of each Towne dureing his Office may furnish the Indians with such quantity of Powder and shott as may be thought necessary for their killing of woolvea and provisions,

DgizedbyGoOgiC

And also may pemutt them to have tbeire entire Ounne mended; the said Constable to give an accompt of what is so faraiehed and pennited, by bim to tbe Indiana at every Sessions.

Ttiat in regard of tbe distance of tbe Inhabitants of Northsea,

ftmn the Towne of Sontlianipton (to which it dotli belong) there

■ be a Deputy Constable appoynted with power to keepe bis

Uajesties peace, and to execute such warrants & orders as bee

shall receive from bis Superiours.

(This to bee ye last clause.]

That whosoever (being duly elected) shaJl refuse to serve in ■the office of a Constable, bee shall forfeite for his refnsall, the snnmie of five poands, towards the defrayinge of Towne Charges.

[Courts. This to be ye last clause.]

Alemorandum, that noe warrants are to bee Issued by the Clarke of any Court, but in the name of the Court.

[Distracted Persona. This a new bead & in to come between

Defamation & Dowryes.]

Wiat in regard the Conditions of distracted Persons, may bee both very chargeable and troublesome and so will prove too greate a Burthen for one Towne alone to beare, each Towne in the Rideing where such person or persons shall happen to bee, are to Contribute towards the Charge which may arise upon such occasions.

[Fees.]

Tbe Justices fees for nominatinge Arbitrator is to be altered from 7s, [" 6d." here occurs in Boslyn copy.] to 28. 6d.

[To follow court fees in ye Booke.]

Court fees, are either to bee payed to the High Sherreife, or the Clarke of the Assize, or Sessions who are to bee accompt-able for them.

All Court fees are to bee levyed by distress or pat into the execution with the Debt and so risen.

[This is to be amended in ye Booke.]

The Clarke of the Sessions shall have for tbe entry of each aceon for trrall two Shillings sixpence, whereiaa as it was before but one Shilling.

[To bee added to tbe sherieffea fees,]

The Bherreifes fees in Appeales shall bee the same as In other Accoos.

[Horsea and Mares.]

The proviso for liberty of transportation of Mares shall con-tinue three years longer then the tyme formerly allotted, and (if found convenient) at the expiracon thereof may bee con-tinned for a longer tyme.

Digi-jzedbyGoOJ^Ic

[Inn keepers.]

That Inn keepers or Ordinary keepers, shall not bee obliged to put any perticulei' quantity of Mault into their Beere; but they shall not sell theire Beere above two pence the quart, nor any Liquors above twelve Sbillings the Oallon, under the penalty of twenty Shillings for each Gallon, bo Sold, Pro- vided alwayes, and it is to be understoode, that noe man is hereby hindered from buying for his owne private use, any quantity of Liquors, And it shall and may bee Lawful for any Person, to sell such quantity to him, bo that bee doe not sell it againe by retaile without a Licence.

[This to follow ye eet-ond clause in ye Booke.]

That if any Complaint bee made to the OfiBcers of a Towne, against selling of Liquors att two unreasonable, and extra- ordinarie rates, by Ordinary keepers, or others, they have power to give redress therein.

[Jurors. Tliis to follow the 3d clause.]

That the payment of Jnrjmen and witnesses, who shall attende the Court of Sessions or Assizes shall bee from the tyme of theire goeing from whom to their retume.

[This to followe.]

That whosoever shall bee nominated to serve' in a Jury and without Just Cause showed shall refuse it, he shall forfeit twenty Shillings, towards the defrayinge of Fublique Charges, which is to be levied by the Constable.

(This to be ye latter end of ye last clause save one.]

And the Court upon Occasion is to Judge of other Just exceptions against Jurors besides kindred.

[This to he ye Sd clause.]

The Justices of the Peace, High Sherreife or under sherreife may grant Replevine ex OfBcio.

[In ye last clause in ye Booke,]

Whereas it is said Justices may preside in Towne meetings It is to be written in Towne Courts.

[This to be ye last clause.]

Every Justice of the peace, shall have allowance of Twenty pounds per Annum to bee payed out of the publique Bates, towards the defrayinge of theire Charges, over and above what may arrise oat of the fines & Amerciaments not otherwise disposed of.

[Lands. This to come in the 2nd clause after ye words (Present poeeasor or right owner).]

To the end all former Purchases &c: all persons whatsoever who have any grants or Patents of Towneshippa, Lands or Houses, within this Goverment shall bring in the said Grants

Digi-jzedbyGoOgiC

or Patents to the Governour and shall have them Renewed by Authority from his Royall HighaesB the Duke of Yorke, before the beginninge of the neit Court of Asaizee.

[This to bee put in the 4th clause.]

That every I'urchaser &e. shall pay for every hundred Acres as an ackuowledgment two Hbilliugs and Six pence.

[Mariage. This to bee ye last clause.]

Ail rersons to bee accompted of fitt age to Marry, when the ilan shall attaine to the age of twenty-one, and a Woman of Eighteene years.

[Military Affaires. That clause in ye Booke is to l>e altered as this is, its the last save one.]

Every trooper listed in any Troope of Horse shall keepe

and malntaine a good Horse for senice when required fitted with Saddle, Bridle Holsters and Pistells, or a Carbine and a Good sword under the penalty of tenn Shillings for the least default, ["default" is "defect" in Roslyn copy.] Neither shall any Trooper sell, or change his horse, and leave himselfe destitute, under the penalty of five pounds. And for non appearance upon Dajes of Muster and Exercise, tenn Shillinga a day, Neither is it Lawfutl for any listed Trooper bo disband himselfe (But with leave from his Captaine) under the penalty of fifty Shillings.

[OveraeePB. To followe ye latter end of ye first cliause next after ye words (Sessions Ensuinge.]

Or by any Justice of the Peace of the same Rideing, out of Sessions, the Oath appoynted for Overseers being administered unto them.

[This to bee ye last clause.]

That whosoever (being duly elected) shall refuse to serve as an Overseer shall pay the same fine, as is appoynted for a Constable refuseinge to eerve in his Office.

[Pounds, Prisons, &c. This & ye clause followinge to bee added to what is alreadie written in ye Law.]

That the Justices of the Peace of each Kideinge shall Cause a peece of Ground to bee lajed out in the same Towne where the Sessions shall bee kept, whereon shall bee built a Towne House, and Prison which are to bee erected before the next Assizes, for the defraying the charges whereof, a Kate is to be made throughout each Rideing at the next Sessions.

That Pounds and Stocks, shall be Provided in each Towne, by the next Sessions, under the Penalty of forfeiting forty Shillings for each Towne.

[Sherre«fe. This to he ye last clause save one.]

That the High Shereife from year to year is a Justice of the Peace by Virtue of his Office.

Digi-jzedbyGoOgiC

[Toteneabipps.]

The last Clause of 'fowBeahlppe relating to accions begin-
ning where it ia formerly expresst &c. shall be left out

In the Second Clause Towne Meeteings are to bee written
Towne Conrts.

Whereas it is said the Feculier Constitutions of Townes, are
to bee Confirmed within fouer monthes &c. it ia to bee written
at the next Court of sessions.

[Witnesses. What follows in ye Booke; this clause is to be
left out]

Every Witness in any accon may require due to him from
the party att whose suite hee appeares two Shillings per Diem
for every Dayes attendance, whether hee give in bis Evidence
volnntarily, or being served by Subpena, but unlesse a witnesae
hee Served with Subpoena its in his Choice, whether bee
appeares or not,

[In the Boslyn copy this follows:

And the Acknowledgment which shall bee reserved to bee
paid for whales (or such like great fllsh) cast upon the Shoare
of any precinct shall bee thefilfteenth Gallon.

The goods of ffriends are by Warrant from the Governor and
Gouncell, to bee restored to the Owners if any can bee found
or Knowne.

These Alterations, Amendments and Additions are Allowed

of and Confirmed by mee, anything the Lawes formerly made

to the contrary, in anywise notwithstanding, Given under my

hand at ffort James in New Yoite the 30th day of October 166.5.

Richard Nicolls.]

[The following orders of the Assizes of Oct 5, 1670', and October 7, 1671, are in the Koslyn copy, but not in the East Hampton copy.]

Severall Ordinances made & confirmed at Generall Court of Assizes held in New Yorite beginnlnf; on ye 5th & ending ye 8th Day of Octoben in ye 22th yeare of his Majesties Reigne Annoq Domini 1670.

Ist Whereas Cojiplaint has beene made that severall Indians at ye East end of Long Island do Truck for & buy horses of Christians for their owne use which in tyme may prove very dan-gerous & pjudiciall to his Majesties Subjects in these parts; It is ordered by this Court that no Indians within this Govern-ment shall be permitted, to buy or keep any horses & if any have beene formerly bought by or sold to them. The Officers of each Eespective Towne & plantacon more pticulerly those at ye East end of Long Island are to make enquiry hereof & cause

DgizedbyGoOgiC

such Pson OP Psona aa have sold any Horse Mare or Colt auto ye ludiaos to take them back againe & give other satisfaction to them Equivolent with their Contract.

•Ajid if anyone shall hereafter presume to breake this Order ye Horse Mare or Colt so sold as aforesaid shall be forfeited to ye Paon that shall first give Information & make proof thereof, & ye Pson oEfendinp shall pay aa a fyne To his Majeatie ye Sume of Ten pounds over & above hia Returning satisfaction to ye Indian m Indians to whom he sold them.

2. Whereas Tt hath beene Represented to this Court, That ye breed of Horses upon Long Island ia much fallen to decay by reason of ye great numbers it amall under sized horses that run in ye woods. It is ordered That ye La we made ;n this Corporation touching ye breed of Horses upon ye Manhatans Island be Becomended to ye Severall Towns upon Long Island, & that like-wise aa soone as conveniently it can it be put in Execution.

3. That ye Fees of Constable & Overseers in Towne Court, be Regulated by ye Laws in such Cases Establisht.

4. That ye Prices of Corn to be paid in ye Rates do remaine for this yeare ensueing as they have beene ye two proceeding yearea, for that a due Estimate cannot be made of what is requisite to be done therein untill ye old & New Sheriffe have brought in and Pfected their Accounts, ye which they are hereby strictly required to doe without any further or longer delay.

5. Whereas it ia appointed in ye Laws Establiaht within this Government, That all wills & Administracona Upon ye Estates of ye Deceased, having beene first proved & admitted in ye Court within whose Jurisdiction ye person doth happen to dye, shall be returned unto ye Office of Recorda in ye fFort at New Yorke, & being there Recorded Certificate thereof to be made, It is Ordered That ye Law in that Case provided be attended and Observed as veil within ye Citty of New Yorke aa other pts of ye Government any other Custome to ye contrary notwithstanding:

6. That ye Law for Recording of Deeds be put in Execution and ye penaltyes of having ye benefitt of Priority, if a later Deed sha be first recorded.

7. That ye order concerning Transportation of Deere Skins made atye Last Court, of Assizes do remain in force till ye tyme-lymitted do Expire & no longer,

8. That ye Laws concerning marriage bee strictly observed, ye breach whereof ye Officers In each respective Towne are to take notice, & retame an Account to ye Courts on which they depend, 4 if any Pson hath already beene, or hereafter shall be fyned for Contempt or disobedience herein, ye fynes are forthwith to be levyed by ye Sheriffe who hath hereby sufficient authority to dO' je same

Digi-jzedbyGoOglC

9. Whereas at ;e General) Court of Assizes held In ye yeare 1666, It was ordered that all Townes or private Psons wlio held Iiands or Houaea within this Government, by Graunt or Patent

from ye West India Company or any of ye Dutch Governors or upon pretence of purchase or Pateat from any other Pson or Psons whether Indians or others should hare them Renewed or Confirmed by ye Governor and ye Authority ot his Royall High-cesse within a certaine tyme prescribed and ye penaltye in ye said Law sett forth, In obedience whereunto all Townes upon Long Island have had new Patents Except ye Townes of Bouth Hampton Southhold and Oysterbay, who upon some Nicetyes or pretences have hitherto delayed to do ye Same, This Court doth order that ye said Three Townes do give in their Beasoss to ye Governor in some short tyme upon what Account they do refuse or delay to do ye Same, contrary to ye Generall Rules & Orders Establisht, Jc in ye meactyme that all their Deeds ot purchase Grants or Patents not confirmed as aforesaid shall be lookt upon as Invalid to all Intents & Pur-poses as is in ye book of Laws Specifyed.

10. That ye Ofllcers of ye Severall Townes to whome Warrants shall be issued forthe by ye High Sheriffe to bringe in ye valuations of their Estates by a Certaine Tyme doe duely observe ye Same And ye penaltyes of a fyne to be Imposed upon them by ye next Court of Sessions or Assizes,

11. That ye Military List of ye Respective Townes within ye Government be returned in by ye Militarye Olficer to ye Gov-ernor once every yeare, ye tyme to be at or before ye 29th of May and ye penalty of a fyne to bee Imposed by ye next Court of Sessions or Assizes.

12 That ye Traynings be likewise observed as in ye Law la prnscnbed, of which an Account is to be given to ye Court of S'-ssions under ye like penaltyes.

13. Tlmt ye Law for perambulation of ye bounds & lymitts of ye Towns be diligently attended under ye penalty in ye Laws proscribed, of which an Account is to be given to ye next Court of Sessions.

14 W'hercas divers Complaints have becne made of ye great abuse of bringing Dead Hogs & Porke into this Citty, & it being not diacernable how longe they have becne killed by reason too often brought frozen, & so not Capable of preserving by Salt which tends much to ye disreputation of that commodtye when sent abroad, & of ye Merchants who jixpose it into warmer Clymatea, For ye Reasons aforesaid, It is therefore ordered. That

no Hogg or Hoggs shall be brought dead to this place either for Sale or payment of debts, Except it shall be in Caake well

Digi-jzedbyGoOgiC

Halted & Packed according to ye I^we, othem'ise Smoakt of drj-ed, of which all persons are to take notice as they will Answer ye Ooatrary at their perill.

15. Whereas ye works and I'aUisade^ about ye Fort in this Citty are very much fallen to decay, & it is found requisite & neceasarye for ye safety of ye place & government that Some Reperations shall be made thereupon in ye Springe, It is Ordered, That a Contribution or Levye bee risen towards ye affecting thereof, in each of ye Bydings upon Long Island And ye Justices of ye peace at ye next Court «rf Sessions are to Consider both of ye proportion & manner of Rating it, whereof they are to make report to the Governour.

16. Whereas Severall Townes upon Long Island have made Complaint by way of Adresse of this Court desiring a Regula-tion thereof, That awne Psons who have Lotts of Land in their Towne do make aeverall divisions thereof, and sell ye Same to divers poor ineomsiderable Paons, who though they liave but a Small Phc of a Lott, yett Expect to give their Votes in Towne Courts equall with ye best freeholders therein, ye which in tyme may prove to ye destruction of ye place, in that it will come to be governed by ye most & least concerned of ye Inhabitants, This Court doth thinke fltt to order, That each respective Towne so aggreived as aforesaid, do make their applications to ye Severall Courts of Sessions to ye which they do belonge who are hereby impowered, & authorized to give remedye herein.

By order of ye Governor & Court of Assizes.
Math i as Nicolls, Sec'y.

Orders made & Confirmed at ye Generall Court of Assizes held in New York beginning on ye 4th and ending on ye 7th day of October In ye 23th yeare of his Majesties Beigne; Annoq Dniin 1671.

"Whereas diverse Applicacons hare been made unto this Court from ye Inhabitants of severall Townes upon Long Island, representing ye great Abatement that hath happened in ye price of Horses & JIares between ye time that ye Lawes were Promulgated at Hempstead when ye first Assessment was Ordered, & their value at this present time, Horses & Mares now yielding not above Halfe soe much as they were worth then & yet tTiey are still rated alike. Concerning the which. They have some Redress; The Court haveing taken ye Premissea into Con- sideration doe Order, In regard ye valluacons according to ye Law being already brought in, & no Provision made to supply ye Deficiency of ye Sun^me which by Consequence will be wanting

.., Google

if an abatement according to je present valne of Horses & Mares should be allowed, that ye Rate tor Horses & Mares as well as other Matters shall for this present yeare coutiDue as heretofore; But in ye meantime think fltt that some Proposalla be prepared against ye Beverall Courts of Sessions to be held in the Month of June next, how to make the rate Equivalent if ye Peticoners Retjuest shall be Granted; And ye Justices of ye peace making lleports thereof to ye next Generall Court of Assizes, there shall be such Order taken therein as will be thought most requisite, tending to ye good and Welfare of ye Goverment,

2. ^Tiereaa severall Peticons have been presented to ye Governor as well from this City of New Yorke as many parts of Long Island, requesting that ye Prohibicon for ye Exportacon of Come might be taken off & that they might have Leave to send & dispose thereof at their pleasure for their best Advantage, ye which was recommended by his Honor to ye Justices of ye severall Courts, of Sessions held in June last, to inquire into & give their Judgments concerning ye probability of plenty or scarcity of Come this present yeare (ye uncertainty whereof was ye primary Occasion of ye prohibition) ye which was accordingly done and Report thereof made unto ye Governour very satis- factory as to ye great Hopes and Expectacon of a plentiful Harvest, Yet notwithstanding it being since experimentally found that retayning such Grayne within the Government will

prove to a Generall Good; inviting Strangers with Shipping in for Bread and Floure and ye price of wheat noe way abased, but be rather Augmented, soe consiquently can be noe prejudice of ye Inhabitants; The premisses being seriously Debated & maturely taken into consideration, the Court doth order that ye prohibition for the Exportacou of wheat in Grayne, as also of meal as it comes from ye Mill doe Continue untill ye next Qenerall Court of Assizes; And also that noe Person within this Government doe presume to Exporte any Wheat in Grayne or Meale undrest as it comes from ye Mill as aforesaid (without ye Governors Speciail Lycence under his hand and Scale for ye same) under ye penalty of Conflscacon of such quantyes of Wheat or Jfeale as shall be mett with all soe transporting, And noe Master of any Ship, Sloope Boate or Vessell shall take in any such Loading, under ye penalty of Confiscation of the said Loading as also of ye said Ship, Sloope Boate or Vessell soe Transgressing.

3. Whereas many complaints have been made, that notwith-standing ye publique Order of ye Government that all Vessells or Boats Loden with Goods or Merchandize should make Entry of their Yessells & Loading, & pay such customes as are setled by

. '.".oogle

Authority of his Boyall Highness, & payable npon Coatomable Goods, ye which Orders are onely practised in this City, but neglected elsewhere; It is Ordered that all Boats, Sloopa or Vea-sells coming into or going out o(any of ye Portes upon Long Island, as well at ye East End thereof as in any other part doe make Entry of their vesaells & Loading, & pay" ye Cuatomee and (as ye orders from ye GoTernor doe direct) unto such Officer or Officers as from time to time shall be appointed by ye Oovemor or ye Chiefe Officers of ye Customes into this place to take Cognizance of & receive the same; And that under ye penalty of forfeiture & confiscation of such Boate, Sloop, or Ve&aell When-soever they can be mett with, according to ye Lawes & Customes in such Cases provided.

4. Whereas great Complaints have been made as well to ye Governor as unto this present Court of Assizes, that many of ye

Constables upon Long Island, and ye Clarkes of ye Beverall Courts of Sessions, notwithstanding ye strictness of ye laws in such Cases provided, as also of severall Orders fpomthe Gov- ernor reinforcing ye same, nevertheless divers of them have neglected to make up their severall Accounts with ye respective High Sheriffs, who successively have been in that Employment; in soe much as to this day They are thereby hindred, & dis- enabled from making up & clearing their Accounts as ye Law doth require, which proves a very great Dissatisfaction to ye Countrey in Generall as well as in perticular, to those who have according to their Duty performed their Trusts, yett lye under ye same Imputacon; It is therefore Ordered that ye Constables of ye Severall Townes of ye North & West Ridings doe before ye next Court of Sessions to be held in December clear their Accounts with ye Sheriffs, or at ye said Courts of Sessions; And ye Constables of ye East Riding doe ye like before ye Court of Sessions to be held in March next, under ye penalty that (in default thereof) their Estates be distreynd upon for ye same; And in case any of themi be dead, and have not left wherewith to give Satisfaction then according to ye law that ye Towns to which they did belong do make payment in their Stead. And it is likewise Ordered that ye Clarkes of ye respective Courts of Seseions do also Clear their Accounts with ye Sheriffs aforesaid by ye time prefixed or at ye said courts under ye penalty of loosing their employments & being distreyned upon For what they shall be In Arreare.

By Order of ye Governor &

Court of Assizes,

Katthias Nlcolls,

Seoiy.

DigizedbyGoOglC _

It iB ordered by ye Governor
that ye Courts of t^ssious
to be held in ye North & West
Bideings this next Month

of December shall bee for ye North on ye first Wednesday, & for ye We«t on ye second.

Matthias Nicolls, Sec'r.

[All of which follows is in the East Hampton copy only,] Whereas t^everall Bliplicacous and some Amendments la the Lawes are thought of present necessity to bee made for the good, and to the Satisfaccon of the Countrey, I have thought fltt to Communicate the Same underwritten unto ycu, and to Authorize you to Act therein, as by vertue of this my Special! warrant, Untill such time as they may bee further Enacted and Confirmed at the next General] Assizes, Given under my hand this 26th of February 1665.

BIOHABD NICOLLS.

If the High Constable shall have no publick business at the Assizes or Sessions he may bee Excused from his attendance by any Justice of the Peace of the Biding to which hee belongs under the hand of the said Justice to bee produced in the Court.

All Originall Debts or Trespasses must bee of the vallew of five pounds or not tryable in Sessions.

Matters of Equity under five pounds may bee Tryed in Towne Courts, and if under twenty at the Sessions.

No Arrest is to bee made upon the Person of any one attend-ing the publique businesse at the Assizes whether hee bee Plaintiffe Defendant Witnesse Juror or any publiclt Officer.

The Purchases cf Lands under the Value of thirty Pounds are not obliged to bee Recorded at New Yoite.

That whereas its Hiid in the Lawes, that implanted Lends shall pay 2s. Gd. for e^'ery Hundred Acres, as an acknowledge-ment to the Duke; Its to bee understood of Lands not formerly Planted.

That the Payments for Publiclt Pates in all Sorts of graine to bee according to the Price at the time and Place where it

Is payable.

Constables ore to hare a Competent allowance for the time they Spend in Searching and enquiring after the Estate of the Bead, to bee made by the Justice of the peace before whom hee shall take hie Oath of the truth of what hee is to Deliver in Concerning the Estate.

That two pence in pound Allowed to Constables for Attachments and apprizement of Ooods is to bee understood of Goods Distreyned.

Tliat the apprizers of the Goods of any one Dying Intestate, shall liave Satisfaction Allowed them by the Court of Sessions, at the time of their nomination.

That after the Bates shall be Levyed Publick Chaises are first to be Defrayed.

That it bee left to the Consideration of the Justices of the Peace at the Sererall Sessions in each Biding, whether two Sessions, and one Assizes, may not bee Suflflcient for the buainesse of the Countrey, and what will bee the most Convenient Season for holding the Courts.

Whether March and June will bee most proi>er for the Sessions, and October for the Assizes.

That the Seasiona in the East Riding bee kept by turnes in the Townes of Southhampton and Southhold.

That Wills and Administrations of Estates under the vallew of one hundred Pounds, are not obliged to bee Recorded at New Yorke,

Wills to be proved and Administration granted in Sessions if the Estate bee under the vnlue of one hundred pounds, shall pay one Shilling if one hundred pounds five Shillings and so proportionablj five Shillings for each hundred pounds, towards the Defraying Court Charges,

That the Plaintiffe at the tntring of his Action shall Enter

into Becognizance to pay one Dayes Cost of a Jury for each Action that shall bee brought to bee tryed at the Sessions or Assizes.

That whereas it's said in the Amendments of the Lawes, That all Graunts qnd Pattents are to bee brought in and renewed &c. Its to bee understood, that all old Grants which are to bee brought in, are to bee Confirmed and returned to the Parties. And where no Ijawfull Graunts are, or thnt they bee Doubtfull, New and Legal! Grants shall bee obtained,

BICHARD NICOLLS.

Digi-jzedbyGoOgiC

ADDICOXS ^Vmeudiueots and explasacoos of some tilings in the LaweB made and Confirmed at the Geaerall Court of Assizes held in New Yorite the 27th 28th & 2*Jth Dajes of September and the Ist & 2nd Dajes of October Anno Pomini 1666.

That inateed of the Halarj of 20£ per Annum formerly ^Ulowed to the JuBtieen of the i>eace, their Charges shall from hence-forth be bourne in their Attendance at the Court of Sessions or AsBizes, as also all other extraordinary incident Charges, about publiek affaires, an Estimate whereof is to be given in and allowed of yearely att the Assizes.

That the JusticeB of the I'eaee for the tjme to come are to pay their proportions to the Towne Itates to which they belong and are to bee excused onely from payments in the Ratt.s for publiquc Charges.

That thfl present high Kherriffe is to be continued in his office until the next generall Ausizes at which tyme bee is to give into the Court, true and perfect accompt, of all , publique ' Heceipta & Diaburstnients proiided that this shall no wayes Infringe the privilege in the Law allowed to the North & West Ridings, of haveing each of them a Sherriffe in their Turnes after the expiration of the said tyme.

That the high Constable and under Rherriffe in each Riding shall after the last day in Deceniber bee dismissed and discharged, of their imployinents when they are to Cleare up their accomptB, with the high Sherriffe and the constable in each Towne are to collect this yeares Bate and all others for the futuTO, and what shall be Collected by them is to remaine in their hands untill, the high Sheriffe shall give order for the disposing thereof towards the payments of Publique Charges, which shall become Due within their Reapcotive Towne Shipps.

That the fees heretofore due to the high Constable and nnder Sherriffes shall bee added for this -ear ensuing to the high Sherriffes fees.

In the Absence of a Justice of the peace or where no Justice of the peace Besides, upon extraordinary occation the Constable, and Overeeers, shall have power to bind over an offender to the next Court of Sessions or assizes and to take Puertyes for their keeping the peace, or Commit such as are guilty of the breach thereof to prison Tf they shall see Cause.

That in Cases of Review at Pensions and appeale att the Assizes, new Evidences may be admitted of If the Court shall aee Cauae.

That for the tyme to come, there a'lall be held In each Biding bnt two Courts of Reasions in one yenre, the first to begin on

.., Google

the first, second and third wednesdajes in March, the later on the first second and third wedneedayCB in June, and the Generall Conrt of Assizes is hereafter to begin, upon tlie last Wednesday in October.

To the end their may bee an orderly way of empanneling: of Juryes in any of the Courts of Sessions where the high Sherriffe Cannot bee pr^ent, It is therefore ordered that the Clarkes of each Sessions shall bring in a list of what Causes are eutred for tryall for Juryes, three Dayes att least before the Sessions is to bee held to any two of the Justices of the

peace of the same Biding who under both their hands are hnpowered by warrant, (with equall Capacity as if the said warrant were signed by the high Sheriffe,) to Summon a SufiScient Jury or Juryes to attend the publique Service in the said Sessions.

That in all Cases to bee tryed, by Juryes at the Generall Court of Assizes the number of Jurors shall be Twelve but att the Ceverall Courts of Sessions, the same number is sufBcient, as already in the Law is sett forth.

That the number of Overseers in each Towne shall before the first Tuesday in november, next bee Reduced to foure, and whereas election hath bene already made in the respective Townes of foure new overseers for this present yeare, two of them onely shall continue in theire places, and the other two shall be dismist, in lite manner two of the old overseers, shall be dismissed, and the other two shall continue which choice of those, who shall keep in or be discharged of the imployment, shall be determined by the vote of the Major part of the Inhabitanta of each Towne.

That the Constables and foure overseers shall for the tyme to come, have to all intents and purposes, the same power pri^-iledges to act and to do in all matters Relating to their Towne affaires, as heretofore was in the Law allowed, to the number cf eight, and that in Towne Courts the Constable and any two of them, have power to lieare and decide all such matters as come within their cognizance, as formerly the Constable and foure of them might have done.

That att the tyme prescribed in the Lawes for Election of Constables and Overseers the two old overseers att present Continued shall be dismist, and two new ones are to be Chosen in their stead, and that from henceforth the Elections both for Constables and Overseers in each Towne shall be by the vote of the major part of the Inhabitants.

That in each towne Itt bee left to the vote of the Major part of the Inhabitants, whether att the Administration of ye Over-

Lc;-,:uJbyC00gIC

aeers into their places they shall take the oathes in the Lan'es enjoyned, Ahvajes provided that if any peracn of the towne or Stranger, have a Cause or Suit depending to bee tryed in that towoe Court where the overseers are not sworne, in such cases that the person may have a lawful objection against their proceedings, unless the overseers objected against, do first take their oathes, which the Constable hath liberty to administer unto them.

That the publique Bates shall henceforth be payable att one Certayne tyme of the yeare which is to be att or before the last day of Decwnber, and the Constables haveing already sufQcient Authority in the Law to make distress for non pay-ment, they shall be lyable to make good for the Bates in their Townes, if any part shaJl be in arreare or unpayd after the tyme prescribed.

That the arreares of the former yearea Rates shall be payd into the Constables in every towne without further delay, in the Month cf December next, with the present yeares Bate,

That the payment of the Bate for publique Chaises shall bee made in Come beefe or porke, att the price herein men-tioned (that is to say) wheate not exceeding 5s. the buafaell Bye and pease 4s: Indian Come 3s. and oates 2s. 6d. beefe att Rd. and porke att 4d. per pound and no other payment shall bee allowed of.

That whosoever shall omltt, or Befuse to bring in the vallu-aeons of their Estates to the Constables as 's Bequired the Constable and overseers shall putt a vallue thereupon accord-ing to their discreations and destrayne for the same Accordingly.

That whosoever shall neglect or Refuse to obey a Speciall warrant under the Oovernours hand and Scale, shall bee lyable to such a fine, as the Court of Sessions or Assizes shall adjudge, according to the merritt of the Default.

That whosoever shall Ecproach or Defame any Person or Persons, who have or shall Act in any publique Imployment, either in Court or othenvise or shall villifle their proceedings who serve the publique in this Goverincnt by .\uthority under his Royall Highnes the Duke of Yorke, or whosoever hereafter

shall any wayes Detract or speake against any of the Deputies signing the address, to his Royall Highnes, at the generall meeting att Hetnpsteed, they shall bee presented, to the next Court of Sessions, and if the Justices shall see Cause they shall from thence bee bound over, to the assizes their to Answer for the Slander, and upon plaint or Information.

Whereas in the Amendments or the Lawes formerly sett forth under the head (Marriage) It is said, that all persons are to bee accompted cf fitt age to marry, when the man hath attained

to the age of 21 and the woman of 18 yesres, itt is to bee understood, of such persons onely as are under guardianshipp, and itt is not in any wayes to take of the natural! bounds of Duty and obligation which Children owe to their parents.

That the payment of Jarymen, shall bee by abatements in their Bates in the townes where they Inhabite which upon Certificate of their eervice from the Clarks of the Courts of Assizes or Sessions, ahall bee allowed them, by the Constable.

Whereas divers Complaints have bene made that notwith-standing, the penaltyes in the law sett forth severall persona do presume to sell liquors to the Indians whereby oftentimes preate Disorders are Committed, but what is done by them in that kiiide Is acted so privately that seldome any other proof thereof can bee made then by some of the Indians themselves, It is therefore ordered that although the testimony of Hethens against Christians may not altogether bee allowed, yet when it meets with other apparaut circumstances, such as may bee sufficient to convince a Jury, in such cases the Indian Testimonyes, shall bee admitted as good proofes against the persons accused.

The Court haveing taken notice of the defects and faileinga of both townes and persons in pertieuler of not bringing in their grants or pattents to Receive a Conflnnacon of them, or not ccsaeing to take oute new grants where they are defective or where there are none at all, according to fonmer directioua in the law, As also takeing itt into their serious Consideracona that severall townes and persons within this Qoverment as well English as Butch do hould their Lands and houses upon the Conditions of being Subjects to the States of the united Belglcke

Provinces, which is contrary to the Allegiance due to his Majestie, they do therefore order that all grants or pattents whatsoever formerly made shall bee brought in to bee confirmed, or Renewed by Authority of his Boyall Highness the Duke of Yorke, and all such as hare not pattents, shall likewise bee Supplied therewith, by the first day of Aprill next after the date hereof, after which tyme, neither Towne or private person whether English or Dutch, shall have Liberty, to plead any such old grants pattents or Deeds of purchase in Law, but they shall be looked upon as invalid to all intents and purposes.

By order of the Governour
and Court of Assizes,
MATTHL\S NICOLLS, Seer.

[In the East Hampton copy here follows an alphabetical Index of the preceding laws, entitled "A table made May the 20th 1667.^

Digi-jzedbyGoOgiC

©4 tA.W8 OF THE COLOXT OF NEW YORK

ORDERS made and Confirmed at the Generall Conrt of Asaizee held in New Yorke begining on the 2nd & ending on the 7th Day of October in the 24th jeare of his Majesties Beigne, Anno Dmnini 1672.

Ist Whereas great Abuse hath been practised in the Oover-ment b; private persons prosecnting their Servants with Hue and Gryes at the publiclt Charge, the Gayne whereof redounds <ttily to themselveB, It is frtmi henceforth Ordered That the Charges of all Hue & Cryes shall be© borne by the respective persons concerned; for the better securing whereof Caution is to

bee given by those who take them out & prosecute them unless in Cases of CrLminalls, or upon Capitall Crimes where all Officers and others are obliged to use their Endeavour to secure them to bee brought to condigne punishment, which is to bee bourne at the publiclt Charge, if the person offending hath not wherewith to make Satisfaction.

2. Whereas it hath been taken into Consideration how great Abateonent there is in the Rates of several! Townes jpon the Account of Wolves discounted with the Constables, within whose Lymltts they are killed, so that the Smmne to be collected doth not Answer the Expectation of the publick Charge, It is Ordered, that the Summe of Twenty five Shillings lately given for a Wolves head shall be reduced to twenty Shillings as formerly, & for Whelps proportionably, and that for the time to come for all Wolves which shall be killd within the Bounds of any Towne upon Long Island and parts adjacent, the one half of the Charge BhaJl bee borne by the Towne, and-tother by the Publick; It is also Ordered, That each Towne bee obliged for the preservacon of their Stock and Cattle to make and maintain Wolre pitta which are to bee directed by the respective Officers of the Townes to which they do belong.

3. Whereas frequent Complaints have been made of Servants who mnn away from their Masters Into other Goverments, for want of due Care & Exarainacon of them by the Magistrates or Officers of the Townes, through which they pass. It is ordered, that if hereafter any Stranger or person unknown shall come to, or travill through any Towne or place within this Goverment without a Pass port or Certificate from whence hee came and whither he is bound, shall bee lyable to bee Seized upon by any Officer of the Towne or Place unto which hee comes, or through which he shall travaile, there to bee Secured untill hee can Cleare himselfe to bee a free Man, and shall defray the Charges of his Detention there, by his worke or Labour (if not otherwise able to give Satisfaction) in the best way and Manner he shall bee found capable.

DgizedbyGoOgiC

4. Vpon its being represented to this Conrt that notwith-
Btaoding tlie postive Law and ye Severall Oidera of ABsizea
ana otuerwtse Tnat English Weights and Measures sliali bee
only used in thes bis Itoyall UigbueBS Temtoryea, which had
hitherto been respited for wajit of Measures for Liquids and
due Standards, It is Ordered that the practice therwrf bee noe
longer delayed but the same putt in Execution by the 35th
Day of March next under the penaity in the Law. prescribed, or
what shall further bee adjudged by the Governour and his
Councell.

5. It is liliewise Ordered, In regard of the great Inconvenience
& Decay of Feed for Horses and tiittle in the Woods by the
increase of the BushorUnderwood, which is suffred to grow up
without any care taken to subdue the same. That four Dayes
be appointed once every yeare for all the Inhabitants of the
Townes upon Long Island and Precincts, from tlie Age of 16
to 60 (^cept these exempted by the Law to go into the Woods
to cutt the said Brush or Under wood) the time to bee at the
discretion of the Officers of each Towne, and whosoever shall
faile therein, each particular person shall pay for every dayes
default the value of five Shillings.

6. That the Boundaryes of Townes be attended as the Law
and their respective Patents doth direct, and that the Peram-
bulacan bee made aceordingly, in which if any Deficiency
shall appear et either of the Courts of Sessions to bee held
in the Month of June next, the Towne soe failing shall forfeite
the Sume of Ten pounds to the Publick.

7. That the Lawes of the Goverment be duely observed as
to parocbiall Churches, and that although divers persons may
bee ot Different Judgments, yett all shall contribute to the Min-
ister Establisht and allowed of, whicb is noe way judged to bee
an Infringement of the Liberty of Conscience, to the which they
may pretend.

8. That forasmuch as many and great Complaints have been
made against Hogg Stealers, also against Stealers of Boats,
Canooes, and their Appertenances, notwithstanding the strict-
ness of the Lawes to the contrary, and Orders to reinforce the

same, in the which divers having been found guilty, and have past the Censure of the Law, for a greater Terror to any Person, who shall for the future attempt to doe the like, It is Ordered that the person soe offending and convicted for the Same, shall for the first offence bpsides a fine to be imposed by the Court receive the Corporall punishment of haveing one of hla Ears cntt off to bee an Example to all others, and for the next receive some more severe punishment, as the Court shall direct or Judge meet.

DgizedbyGoOgiC

9. That the High Sheriffs upon Long Island, Constables, aod Clarkes of SessioDS who have not yet brought in their Accompts to bee audited and allowed of doe without further delay per- fomie the same by the time wherein the next Court of SessionB is to bee held in the respective Bidings to the which they doe belong unto some Persons then to bee appointed to receive the same under the penalty in the Law sett forth, or such farther Mulct as shall be adjudged by tlie Governour and his Councell.

10. Whereaa upon the extraordinary Occation of Restor- ation of the forte in the Citty of New Yorke, the which aa recommended from the Governour, every Towne and Corporation within this Province, as also particular persons have by their fi'ee Consents and Subscriptions contributed towards the same, the collection whereof in the severaJl Townes in Countrey pay, by other than by themselves will bee found both inconvenient,

.troublesome, and of soe great Charge that it will not answer the End prescribed, the which having by most been hitherto soe well feegunu & prosecuted, that it may have a happy Conclusion, It is thought fltt and ordered, That the Charge of Collecting and transmitting the Contribution aforesaid to this City or the ferry shall be borne by each respective Towne or distinct Person who hath subscribed the same, and that the Payment thereof bee made accordingly before the feast of Christmas next.

11. Whereas severall Applications have been made as well to his Honour the Governour as unto this Court, some repre-

seuting the Convonienoo, others the Inconvenience of continuing the Prohibicon of the Exportacon of wheat in Grayne OP Meale, the time limited for the same being now expired, npon due Consideration had hereupon, It is Ordered, That the Prohibition for the Transportation of Come shall bee repealed. And it shall and may bee Lawfull for any man to transport Wheat in Grayne or Meale from any part of this Qoverment to Boston or any other place, as long as the price currant of good Merchantable winter Wheat shall bee there 4s. 6d. and good Rummer Wheat 4s. Ibe Bushell or above in Silver, but that none presume to sell it abroad under that price, upon the penalty of forfeiture of the valine of what shall bee soe disposed of; And if any Strangers shall come to buy Corne, the same shall not bee sold unto them under 48. per Bushell or 3s, Od. in Silver or Goods Equivalent under the like penalty as before, And that this Order bee in force for the space of one yeare, untill the Convenience or Inconvenience thereof shall appeare.

12. 'WTiereas It is thought expedient that a certalne Regulation should bee made upon the Silver Coyne which passeth to

and fpo in this Goverment by the Certainty of its vallue, It ia Ordered, That a Boston Shilling shall pass for one Shilling, & a good piece of Eight of Spanish Coyne whether oi Mexico, Berlll^ or a pillar piece shall be vallaed & goe for six Shillings in any payment either for Debt and Demands or purchasing of Goods and Merchandize between Man and Man.

By Order of the Governour
and Court of AsBizes.

MATTHIAS NICOLLS, Seer.

[The following order is no longer in the Book of Duke'a Laws at EaHt Hampton. It ia contained, however, in the New York Historical Society's copy, made in 1809, and this copy is made from that It has probably been lost since that date.]

OBDEBS made at the Generall Court of Assizes held in New Yorke, beginning on the 6th and ending on the 13th df^ of October in the 27th yeare of his Majesties Beigne Anno

Domini 1675.

Vpou consideration of the Mischief that too frequently hap-
pens by carrying liquors and goods to trade with the bidians
at their Plantations, where in Case of Diswders or Abuses
small reliefe can bee expected amongst them; It is ordered,
that throughout the Goverment there bee noe Trading upon
any Account with the Indians at their Plantations.

That the Law bee likewise observed which prohibits selling
strong Liquors to the Indians in Yorkshire upon Long Island
and Dependences.

And that pursuant to the Law, the Constables of the several!
Townes take care noe Powder or Lead bee sold to the Indians
but by them as directed, or by their consent.

The Proclamation sett forth by the Governour about Block
Houses &c. being approved of, Its Ordered strictly to bee
observed.

Vpon a Propoaall whether it will not bee convenient at this
juncture of time of the Indians Disturbance to the Eastward,
to bring all Cannoes on the Korih side of Long Island to this
place, or to have them all destroyed to prevent any Entercourse
with the Indians on the Maine and our Indians or that these
Canoes bee brought to the next Townes, and secured by the
OfBcera; Its Resolved That all Canooes whatsoever belonging
to Christians or Indians on the north side of Long Island to
13

ibvCoot^lc

the East o(Hell-gate ahall within three Dajes after the publi-
catioB hereof bee brought to the next Towne and delirered into
the Oonatables Custody to bee laid up and secured by them
neare their Block Houaea, And that whatever Canooe shall bee
found upon the Sound after that time bee destroyed.

That the Indians at Mr. John Pella on Anne Hooks Neck bee
ordered to remove within a fortnight to their Usuall Winter

Quarters within Hell-gate upon this Island during which time Loaden Canooes which shall have Certificates from the Magis-trates of the Place from whence they came expressing whether they are goeing shall be permitted quietly to passe along the Shore, except out of the Goverment, which in coe case is to bee allowed.

It being taken into Consideration whether it bee not proper to have English Weights and Measures to bee used according to the Law; It is Ordered that in three months after the publica-tion thereof, the same shall be putt in practice in this City, Long Island, and parts adjacent; and in six months in all other parts throughout the Gorerment; And that whosoever shall after that time presume to use any other W'eights or Measures, shall forfeit all that they shall soe sell ; and bee lyable to such furth punishment for Contempt as the Case shall require.

The time of the Proclamations prohibiting the Exportation of Come, and also that of floure, &c, being expired, the same being taken into consideration, and the Present Scarcity, It is Ordered, that the Prohibitions for the Exporting of Corne or floure doe still continue in force for the Terme of six Months after the Date hereof.

The payment in the Kates for Horses and Horse kinde, being recommended from the Towne of Southampton, and other Townes at the East end of Long Island to bee considered of whether not too high, It being soe much above the present value; Ordered that the Bates doe continue as they now are; And that all persona who have Horses upon Ixmg Island doe within the space of six months prove their Horses before the Constable and Overseers, or Cheife Officers of the respective Townes to which they doe belong, and such as shall he fund unmarkt according to Law shall bee forfeited, tlie one halfe to his Roj-all Hiphnesse, the other halfe to the Towne to which they shall bee brought: And that noe perston presume to marke any Horse or Colt, but before the Constable and Overseers, or Gheife Officer of the Place.

That all persons upon Long Island who have Estates from the value of 20£, to 100£. may keep one Breeding Mare, andnoemore; And soe proportionably for every 100£, one. But may hare as

Cn,-,:.tll:yG00gIC

man; workiDg Geldings or HcH-ses of Size according to Law, as he shall hare Occation of, and double the number in the woods. That all Persons who are single, though but of 20£, Estate may keep one Gelding or Horse at home, and in the Woods proportioDabl;.

Upon Complaint of the Oreat Abuse at the East end of Long Island in their Ojle Cade &c: It la Ordered that there bee a Sworne Gager and Tapper of Oyle in the respective Townea where the Whaling Design is followed. And upon the Peticon and Complaint of severall Coopers in those parts concerning the making of Oyle Cask, and great deceipt used by Stranger Coopers, It is likewise Ordered That noe Cooper shall bee admitted to make Caske without the Consent of the Magistrates and Officers of the respective Townes, and that the Sworne Qagers and Packers chosen and authorized according to Law, shall have the same Inspection of Oyle Cask, and viewing of Oyle, as for Beefe, Porke &c: and to have the same allowance; and the Defaults to incur the like Penalty.

The Oyle Cask or Barrells are to containe thirty-one Gallons and a haife.

And that every Towne whom it doth or may eoncerne (if not now already provided) doe forthwith make a fitt Choice of a Gager and Packer to officiate as before according to Law: In Default whereof to answer It at their Perilla,

The Church Affaires being taken into Consideration, and particularly the Maintenance of the Ministry, It is Ordered, that towards the Maintenance of the Ministry, besides the Usuall CouDtrey Bate, there shall bee a Double Bate levyed upon all those Townes that have not already a sufficient Maintenance for a Minister.

Upon Proposal! of having a fayre and Markett in or neare this City, It is Ordered, That after this Season, there shall yearely bee kept a fayre and Markett at Breucklyn neare the ferry, for all Grayne, Cattle or other Produce of the Countrey, to bee held the first Munday, Tuesday, and Wednesday in Novem-ber; and in the City of New Yorke, the "niursday, Friday and

Saturday following.

Ordered, That in case there should happen a Wnrr with the Indyans in this Goverment (which God forbidd) for the better carrying on of the same one or more Rates shall be Levyed, arcordlng as there shall beo Occation, An accompt whereof to bee given to the following Court of ARsizea.

Ordered, That in all Cases, the ifagistrates through the whole Goverment are required to doe Justice to the Indians as well as ObristiaDS.

Lc;–,:uJbyC00gIC

That by reason of the Separation by Water Staten Island shall have a Jurisdiction of itselfe; and to hare noe farther dependaace on the Courts of Long Island, nor on their Militia.
By order of the Generall Court of Assizes.
MATTHIAS SICOLLS, Seer.

2nOOU.8' PROCLAKATION BEVOEINQ TEE DTJTCH AND ESTAB-LIBHINO THE ENQLISH FOBH OF OOVEENHElTr, 1665.

[Rlcliar<l Nicolle was appointed the first Eagllsb K'^vernor of New York by a. commisBlon from the Duke of York In the year 1065. The original commlBslou Beeme to have been lost, but It undoubtedly confe upon the Governor the powers which were conferred by the Crown upon the Duke of York. The following proclamation, revoking the Dutch form of government In New York, and estiibllBhlug the English Colonial ^ve ment is copied from " The Documentary History of New York," arranged under direction of the Hon. Christopher Morgan, Secretary of State, b B. B. O'Callagban, U. D., ISSO. Vol. 1, p. 389.]

The GoTernors Revocation (rf ye fformc of Government of New Yorbe under ye style of Bnrg<MuasteP & Sehepens.

By virtue of his Siajesties Letters Pattents bearing date tie 12th day of March in the ICth year erf his Majesties Keigne, Granted to Hia Koyall Highneese, James Dulte of Yorke wherein full & absolute power is given and granted to his Boyall High-nesse or his Deputyes to Constitute, appoint, revoke & discharge

all Officers both Ci^ill & military, as also to alteir & change all Names & styles fEonnea or Ceremonyes of Government: To the End that His Majesties Boyall Pleasure may be observed & for the more Orderly establishment of his Majesties Roiyall authonty, as near as may bee Agreeable to the Liwes and Oustomes of his Majesties ReaJme of England; apon Slature deliberacon & advice, I have thought it necessarj' to Revoke & discliarge, and . by tliese Presents in his Majesties Name, do revoke and dis- charge the ffonne and Cisreniony of Goi'ernraent of this hia Majesties Towne of New Yorke, under the name or names, style or styles of Scout, Burgomasters & ScheiK'ns; As also, that for the future Administracon of Justice by the Lawes established in these the Territoryes of his Boyall Highnesso wherein the wel- fares of all the Inhabitants and the Preservacon of all their due Bights and Prinledges, Graunted by the Articles of this Towne upon Surrender under his Majesties Obedience are concluded; I do further declare, Tliat by a particular roraniission, such per- sona shall be authorized to putt the I^awes in Execucon, in whose abilityea prudence & good affection to his JIajeaties Service and ye Peace and happinesse of this Governnicnt I have especial reason to put Confidence, which persons so constituted and appointed, shall bee knowne and called by the Name & Style of

Mayor Aldermen & Sherriffe, according to'ih^e Cnstmne of England in other bia Majesties Corporacons : ■(5;1t'^ under my hand & Seale at ffort James in New Yorke, this l^th 'day <rf June 1665. .;■'.■.

Richard'inppllfl.

BBSTORA.TION OP DUTCH OOVISinCENT, 1673-74!

fWhen the city of New York was re-taken by the Dutch In 16T8, (be commanders of the Beet acting In behalf of tbe Lords States GeDerala the Prince of Orange re-eatabllahed the Dutch form of government b^.A IHtidamation or decree sometlmeH known as the " Benckea and Eversten' Charter," of which the following copy is found In Vol. 1. " Doenmen HiBtorr of New York," by B. B, O'Callaghan, M. D., 1850, at p. 300

The Commandera and Honble Council of War iu the service of Their High Mightinesses the I»rd8 States General of the United Netherlauda and his Serene Highness the Lord Prince of

Orange, etc. HEALTH !

WHEREAS We have Seemed it necessary, for the advantage and prosperity of Our City New Orange, recently restored to the Obedience of the said High and Mighty Lord States General of the L^nited Netherlands and his Serene Highness the Lord Prince of Orange, to Eedace the form of Government of this City to its prerioos character of Schout, Burgomastera and Schepens as is prac-tised in all the Cities of our Fatherland, to- the end that Justice may be maintained and administered to all good Inhab- itants without Respect or Regard to persona; THEREFOIffi WE, by virtne of our Commission, in the names and on behalf of the High and Mighty Lords States General of the United Nethei^ lands and his Serene Highness' the Lord Prince of Orange, have elected from the Nomination exhibited by those in office as Regents of this City for the term of one current year,

As Schont (Anthony de Millt.

i (Johannes Van Brugen,
(Johannes de Peyster,
(Egedius Luyck.

As Schepms

(Willem Beeckman,
(JeronimuB Ebbyng,
(Jacob Kip,

(Lonwerens Vinder Spiegel,
(Geleyn Verplanck.

Which above named Schont Burgomasters and Schepens are hereby authorized and empowered to govern the Inhabitants of this City, both Burghers & Strangers conformably to the Laws

Lc;-,:uJbyCt>OglC

and Statutes pfjoar Fatherland, and to make therein snch orders as they shajijfiijd advantageous and proper to this City [Here the paper. ig 'destroyed.] And the Inhabitants of this City are well andr.strfctly ordered and enjoined to respect & honour the above .skftjed Regents in their respective qualities, as all Loyal and Fai^ful Subjects are bound to do. Done ffortress Willem Heod.rick, this 17th August Ao. 1673.
■.. ,■■ (Was Signed)

- '■■;";- Cornelius Eversten, the Younger

' 'Jacob Benckes A. Colve.

Uioolaas Does A. P. Van Zeyll.

COLVE'S chahteb.
[Tbe following Inatructlous, Bometlmes known ae " Colve's Charter" because granted by Colve, gwveruor general of the province, bave been translated and published la Docupientary History of New York by E. B O'Callagban, Vol. 1, p. 392. The province continued under Dutch gover ment nutU Jnne 26, 1674, when, pursnant to treaty. It was restored t English.]

Provisional Instruction for the Schout, Burgomasters and Bchepens of the City of Xew Orange.

Ist The Schout and Magistrates, each in his quality shall take care that the Reformed Christian Religion conformable to the Synod of Dordrecht shall be maintained, without suffering any other Sects attempting any thing contrary thereto.

2. The Schout shall be present at all Meetings and preside there, unless the Hcnble. Heer Govemour or some person appointed by him be present who then shall preside, when the Sellout shall rank next Iwlow the young<'st acting Burgcmiasfer. But whensoever the Schout acts as Trosecutor on behalf of Justice cr otherwise, having made his complaint, he shall then rise up and absent himself from the Bench during the deciding of the case.

3. All matters appertaining to the I'olice, Security, and Peace of the Inhabitants, also to Justice between man and man, shall be determined by final Judgment by the Schout, BurgCHnaaters and Schepens aforesaid to the amount of Fifty Beavera and under, but in all cases exceeding that sum, each one shall be

at liberty to appeal to the Heer Govemour General & Council here.

4. All Criminal offences which shall be committed within this City and the Jurisdiction thereof shall be amenable to the Judicature of said Schout, Burgomastera and Schepena who Bhall have power to Judge and sentence the same even unto DEATH inclusive; provided and on condition, that no sentence

.., C A.>(.>glc

of corporal punistmieDt shall be executed unless the approval of the Heer Govemour General aod Council shall he first sought and obtained therefor.

5. The Court shall be convoked by the President Burgomaster who shall, the night before, make the same known to Gapt Willem Knjff, (who is hereby provisionally qualified and authorized to be present at and preside over the Court in the name and on the behalf c^ the Hr. Oovernour,) and ao forth to the remaining Schout, Burgomasters and Schepens.

6. All motions shall be put by the first Burgomaster, whose proposition being made and submitted for consideration, the Commissioner there prea,iding in the name ot the Hr Govemour shall first vote there, and so afterwards the remaining Magistrates each according to his rank; and the votes being collected, it shall then be concluded according to plurality; But if it happen that the votes are equal, the President shall then have power to decide by his vote, in which case those of the contrary opinion as well as those of the minority may Register their opinions on the Minutes, but not publish the same in any manner out of the Court on pain of arbitrary Correction.

7. The Burgomasters shall change Bank every half year, wherein the oldest shall first occupy the place of Prewdent and the next shall follow him; but during this current Year the change shall take place every 4 months, since three Burgomasters are appointed for this year.

8. The Schout, Burgomasters and Schepens shall hold their

Session and Court Meeting as often as the same shall be neces-
sary, on condition Of previously appointing regular days therefor.

0. The Schout, Burgomasters and Schepens shall have power to enact, and with the approbation of the Hr. Govemour to publish and afQx aome Statutes, Ordinances and Placards for the Peace, Quiet and Advantage of this City and the inhab-
itants thereof within their district, provided that the same do not in any wise conflict, but agree, as much as possible, with the Laws and Statutes of our Fatherland,

10. Raid Schout, Burgomaatws and Schepens shall be bound rigidly to observe and cause to be observed the Placards and Ordinances of the Chief Magistracy, and not to suffer any thing to be done contrary thereto, but proceed against the Contnncncrs according to the tenor thereof; and further promptly execute sucli orders as the Heer Govemour General shall send them from time to time.

11. The Schout, Burgomastfrs & Schepens shall be also bound to acknowledge their High Mightinesses the Lords States General of the United Netherlands and his Serene Highness the Lord

Digi-jzedbyGoOJ^Ic

Prince of Orange as their Sovereign Rulers, and to maintain their High Jurisdiction, Right and Domain in this Country.

12. The election of all inferior officers and servants in the employ of said Schout, Burgomasters and Schepeus shall, with the sole exception of the Secretary, be made and condrmed by themselves.

13. The Schout shall execute all judgments of the Burgomasters and Schept'UB, without relaxing any, unlesB with the advice of the Court, also take good care that the jurisdictioQ under his authority shall be cleansed of all Vagabonds, Whorehouses, Gambling houses and such impuritios.

14. The Schout shall receive all flues imposed during his time, provided they do not exceed yearly the sum of Twelve hundred

Guilders Seawant value which, having received he shall enjoy the just half of all the other fines, on condition that he presume neither directly nor indirectly to compound with any ciiminalB, but leave them to the judgment of the Magistrates.

15. The Schout, Burgomasters and Schepeus aforesaid shall convoke an Assonbly on the 11th day of the month erf August, being eight days before the Election of new Magistrates, and In presence of the Commissioner to be qualified for that purpose by the Honble Governr G«ieral, nominate a double number of the best qualified honorable and wealthy persons, and only such as are of the Reformed Christian Religion, or at least well affected towards it, as Scbout, Burgomasters and Schepeus aforesaid, which nomination shall be handed and presented folded & sealed, on the same day, to his Honor; from which nomination the Elec- tion shall then be made by his Honor on the 17th day of the month of August, with continuation of some of the old Magis- trates, in case bis Honor shall deem the same necessary. Done, Ffort Willem Heindrick the 15th January 1674.

By Order of the Honble Heer

Sovernr General ot

New Netherland,
(Was signed) N. Bayard, Secrety.

SECOND aHANT TO THE DUKE OF TOSK, 1674.
[In a Btnteruent of tlic rlRlit ot the colony of New York, with re Its enstern bonDdnr; on the Connecticut river, eontalned In the Journ of Now Xork G«ueral Assembly. March 8, 1773, p. 92. Is the followin decltiratlon: "To remove any doubt of the validity of the Duke's tit eltber from the want of BelKla in the Crown when it orlKluatod, or aocoimt of the intermediate conquests by the Dutch. It was confirmed HIa Royal Hlshness by further letters patent, dated 20Hi day of June 1074." The confirnintlon of the grant la recorded In volume 1 of De In office of New York Secretary of State, at p. 1. The following c a portion of the charter was made from a copy of the confirmation

tained in a " Report of ttae Regents of tbe University on the boun of tbe State of New' York," transmitted to the Legislature, May 28. at p. 21.]

CHAKLES THE SECOND BY THE GBACiE Of God, King of Englaad, Scotland, France aod Ireland, Defender of the Saith, &c, TO ALL TO WHOM these preaents shall ccane Greetmg; KNOW YEE, that wee for divers good causes and considera- cons, HAVE of our eBpeciall Grace, certaine knowledge and meer motion, GIVEN and granted, aud by these presents, for us, our Heirs and Successors Do give and graunt unto our Dearest Brother, JAMES DUKE OF YOBKE, his Heirs and As- slgnes, ALL that part of the Maine Land of New England, begining at a certaine place called or knowne by the name of St Croii next adjoyning to New Scotland in America; aud from thence extending along the Sea.-Coa8t, unto a certaine place called Petuaquine or Pemaquid, and so np the River thereof, to the furthest head of the same, as itt tendeth North- wards, and . extending from the Biver of Kinebeque and BO upwards by the shortest Course to the Biver Canada North- wards; And all that Island or Islands, commonly called by tbe severall name' or names of Matowacks -or Long Island, scitn- ate and being towards the West of Cape Cod, and the narrow Higansetts, abutting upon the Maine Land, between the two Bivers there, called or known by the severall names of Con- ecticutt and Hudsons Biver, together also with the said Biver called Hodsons Biver, and all the Land from the west side of Conecticntt Biver, to the East side of Delaware Bay; And also all those severall Islands, called or known by the names of Martin- Vineyards and Nantukes, otherwise Nantockett; To- gether with all the Lands, Islands, BoileB, Bivers, Harbors, Mines, Mlneralls, Quarryes, woods, Marshes, waters. Lakes, flQsh- Ings, Hawking, Hunting & ffowling; And all other Royalties, profflts, Commodities and Hereditamts, to the said severall Islands, Lands aud premisses, belonging and appertaining, with their and every of their Appurtenances, and all our Estate, Bight, Title, & Interest, benefit and advantage, Claime and demand, of, in or to the said Lands or premisses, or any part or parcell thereof; And the Bevercon and Beveroons, remainder & remaindrs, together with the yearly and other Bents, Bevenues and Proffltts of the premisses, and of every part aud Parcel! thereof; TO HAVE AND TO HOLD, etc. [continuing substan- tially the same as in the grant of 1664].

IN 'WITNESSE whereof wee have caused' these our Letters to bee made patents, witnesse our selfe at westm. the 29th day of Jdne, In the 26th yeare of our Eeigne.

y, Google

COKMISSION OF HAJOB EDHTTNS ANBBOS TO BE QOTEBHOK OF ITEW TOBE, 1674.

James Duke of Yorke and Albany, Earle of Ulster, &c "WbereaB It hath pleased ye King's most Excellent Majesty my Soveralgne Lord and brother by his Letters Patents to give and grant unto Mee and my heyrea and assigns all that part of ye Maine Lund of Kew England beginning at a certaine place called or knowne by ye name of St Croix next adjoyneing to New Scotland in America and from thence extending along ye sea Coast unto a certaine place called I'emaquin or Ptmiaquid and soc up the Itiver thereof to ye furtherest head of the same, as it tendetu Xorthwarda and extending from thence to the River Kinebe<jui and eoe upwards by ye shortest course to ye River Canada northwards. Aid also all that Island or Islands coraonly called cr knowne by ye severall names of Matawocks or Long Island scituate lying and being towards ye West of Cape Codd and ye Nan-ow Higansetts abutting upon ye maine land between ye two rivers there called or knowne by ye severall nnniesof Oone<:ticut and Hudsona River together also with ye said river called Hudaons River and all ye land frwn ye West side of Conecticut river to ye East side of Delaware Itay, and also all those severall Islands called or knowne by ye name of Martine Vynyards and Is'antukes otherwise Nantukftt, together with all the Lands islands soiles rivers harbours mines mineralls quarryes woods marshes waters lakes fishings hawking hunting and fowling and all royaltyes and profllts comoditves and hereditaments to ye said severall islands lands and premisses, belonging and apperteyneing with their and every of their appurtenancies : To hold ye same to my owne proper use and behoofe with power to correct punish pardon govern and rule ye inhabitants thereof hy my selfe or such deputyes Comisers or officers as I shall think fltt to appoint, as by his Majesties said Letters Pattents may more fully appears And whereas I have conceived a good opinion of the integrity pnidence ability and fltnesse of Slajor Edmund Andros to be employed as my Lieutenant there, I have therefore thought fltt

to constitute and appoint him ye said Major Edmund Andros to bee my Lieutenant and Govemour within ye lands islands and places aforesaid to performe and execute all and every ye powers which are by ye said letters Patents grnunted unto Mee to be executed by Me my Deputy Agent or Asslgnes To have and to hold ye said place of Lieuiennant and Oni^-emour unto him ye said Edmund Andros Esqr but diireing my will and pleasure only. Hereby willing and requireing all and every ye inhabitauta of ye said lands islands and places to give obedience unto him ye

said Edmund Andros Esqr in all things according to ;e tennre of His Majesties Letters Patents. And ye said Edmund Andros Esqr to observe follow and execute Buch orders and directions as he shall from time to time receive from myselfe. Given under my hand and seale at Windsor this first of July 1674.

James.
By command of His
Boyall Highness

Jo: Werden.

OBSEB TO PUT THS STTKE'S LAWS IN FOBOE DT NEW TOBE, 1974.
[Copied from Doc. Rel. to Col. Hlat of N. Y. Ill, p. 226. The la In London In New York Entries, CLI, 15.] "

Whereas there are hereunto annexed certaine Laws estab-lished by authority of His Majesties Lres Pattents graunted to me and digested into one volume for ye publique use of all ye territories in America under my government collected out of ye severall laws in other His Majesties American Colonies and Plantacons, upon perusall and consideracon of which it appeares that there may be an occasion to make some alteracon or amend-ments in some particular clauses thereof; These are therefore to authorize and require you to put in execucon ye said laws, except such aa shall have apparent luconvenicnces in them; and after your settlement at New York, with ye advice and helpe of your Qoiuncell carefully to peruse and oonsider ye same, and if you flnde it necessary for ye ease and benefitt of ye people and ye good of my ser^'ice to make any alteracons, addicons or amend-ments in ye said laws, you are with ye first opportunity to repre-

sent ye same unto me, to ye end you may receove from me such orders and direccons as shalbe necessary for authorizelng yon to put ye same in execucon. And for soe doeing ya shalbe your Warrant Given under my hand at Windsor ys 6. day of August 1674.

To Major Andros my Lt. and
Governor of New YoriE.

FBOOLAKAXIOIT OF OOVSBNOB AHDBOS, 1874.
(Copied from Doc. Rei. to Col. Hist, of N. T., Ill, p. 227. The la In London In New- York, C. D. C, 72.]

The first Proclamacon Confirming Rights & Propertys.
By the Govemour

Whereas it hath pleajsed hie Majesty and his Royall Highnesae to send me with authority to receive this place and Government from the Dutch and to continue in the command thereof under his royall Highnesse who hath not only taken care for our future

safety and defence but aUoe given me his oommonda tor. secur- ing the rightsandpropertyaof theinhabitaatsandthat I should endeavour by all littiug means the good and welfare of this Province and dependenc.va under his government, That I may n<it be wanting in any thing that may conduce thereunto and for the saving of the trouble and charge of any coming heither for the satisfying themselves in such doubts a^ might arise con- cerning their rights and propertys upon this change of govern- ment and whoUy to settle the minds of all in Generali I have thought fitt to publish and declare. That all former grants priviledges or concessions heretofore granted and all estates legally possessed by any under his Hojall Highncsso before tlie late Dutch government, As also all legall, judiciall proceedings during that government to my arrivall in these parts are hereby confirmed; And the possessors by virtue thereof to remain in quiet possession of their rights. It is hei-eby further declared that the known Book of Laws formerly establisht and in force under his royall highaesse government is now again confirmed by his Royall Highnesse the which are to b«! obser^'ed and prac- tised together with the manner and time of h(dding Courts therein menconed as heretofore. And all Magistrates and Civill

Officers belonging thereunto to be chosen and establisht accordingly.— Given under my hand in New York this ninth day «rf November in the twenty sixth year of his Majesties reign annoq; Domini 1674.

E. Androa.
Secryes Office Province of New Yorke

This is a true copy taken from the record of the book of entrys begunn OctoBer the 31th 1674 pag. 13th at the request of the Mayor & Aldermen of New York, this seventh day of July 1698:, Exaiat & comparat p

(Signed) David Jamison Secry.

IHSTBU0TI0N8 TO OOVEBSTOB DOSTaAB', 1683.
[The portion of the iDBtructloDS relating to the enactment of laws I copied from Doc. Rel. to Col. Hist, of N. ¥. Ill, p. 331. The In London, In New- York Entries, CLI. 41.]

Instnictions for Coll Thomas Dongan Lt and Govt, of New Yorke and Its Dependencyea in America.

With these Tnstruccons you will receive a Commission undr my hand and seale constituteing you my Lt and Govr of New Yorke & it's Dependencyes in America

You are also with advice of my Council! with all conTenient speed, after your arrivall there, in my name to iSBue out Writts

or warraiits of Sumons to je severaJl Sheriffes or other proper Oflicers in every part of your said goveniement wherein you sliall exprease tliat I have thought fitt that there shall be a Generall Assembly of all the Freeholders, by the persons who they shall choose to represent them in order to consulting with yourselfe and the said Councill what laws are fltt and necessary to be made and established for the good weale and goveraement of the said Colony and ita Dependencyes, and of all the Inhabitants thereof, & you shall issue out the said Writt or Sumons at least thirty dayes before the time appointed for ye meeting of the said Assembly, which time and alsoe the place of their meeting (which I intend shal be in New Yorke)

shall alsoe be menconed & expressed In the said Writt or Sumons, and you with advice of my said Councill are to tate care to issue out soe many writts or sumons and to such officers, in every part, not exceeding eighteene, soe that the planters or Inhabitants of every part of ye said govemement may have convenient notice thereof and attend at such ellection, if they shall thinke fltt And when the said Assembly soe elected shalbe mett at ye time and place directed, you shall lett them know that for the future it Is my resolucon that ye said Generall Assembly shall have free liberty to consult and debate among themselves all matters as shall be apprehended proper to be established for laws for the good govemement of the said Colony of New Yorke and its Dependencyes,, and that If such laws shalbe propounded as shall appeare to mee to be for the manifest good of the Country in generall and not prejudicial] to me, I will assent unto and conflrme them In the passing and enacting of all such laws as shalbe agreed unto by the said Assembly, which I will have called by the name of the Generall Assembly of my Colony of New Yorke and its Dependencyes wherein the same shalbe (as I doe hereby ordaine they shalbe) presented to you for your assent thereunto. You are to consider whether ye same be for the generall good and not prejudiclall to me; and if yon And them soe to be, then yon are to give your assent thereunto. But if you shall judge them inconvenient or prejudiclall, you are to refuse your assent thereunto, and in all cases you are to have a nega- tive voice to refuse all Laws that are presented to yon; and when you shall have given your consent to such laws as shalbe Boe agreed, you shall by the first opportunity transmitt the same to me nnder ye hands of your selfe and Councill, and nnder the seele of the Colony, (which you are to use in passing of grants) to ye end that I may ratifye and oonfirme ye same, if. I shall approve or reject them if I doe not thinke them

Digi-jzedbyGoOJ^Ic

reasonable. But the aaid lawa aoe assented nnto b; yon, sluUbe good and binding until! such time aa I shall caase my dislike of & refusall to passe them to be signifjed unto you, and from thenceforth ye same shall cease and be null and vojd to all intente. And I doe alsoe give you power from time to time

to cause ye said Oenerall Assembly to be summoned which I alao authorize you to adjoume or dissolve as you shall sec reason and cause. And I doe further direct you not to passe any law upon any occasion whatsoever for rayseiug any pub- Ilque revenue, unlesse expresse mencon be made therein that the same Is levyed and granted unto me, or unto me for ye support of ye Govemement or to such uses as the said law ehaXl appoint. And you are as much as in you lyeth to take eiffectnall care that there may be a constant Establishment for raieeing of money sufficient to support and maintaine ye charge of the government of those parts both Civil & Military; and alsoe that there may be money raised for paying and dlacharge- Ing the arreares now due to ye Officers & Soldiers and other expenses of the government. And are not to suffer any publique money whatsoever to be issued or disposed of otherwise thee by a warrant under your hand.

And it is my expresse will and pleasure that all laws what- soever for the good governement and support of my said Colony of New Yorke with its Dependencyes be made Indefinite and without limitacon of time, except the MinLC be for a temporaiy end, & which shall expire and have its full effect within a oertaine time. And you are not to passe any laws or doe any act by Graunt, Settlement or otherwise whereby my revenue may be remitted, lessened or impaired, without my espectall leave or coDunands therein. You shall not displace any of ye Judges Justices Sheriffes or other Officers or Ministers within New Yorke or Its Dependencyes under your governement with- out good cause, nor execute your selfe or by a Deputy any of ye said offices nor suffer any person to execute more offices than one by a Deputy.

And I doe hereby require and ccnnmand you that noe mans life, member, freehold, or goods, be taken away or harmed in any. of the places under your governement but by established and knowne laws not repugnant to but as nigh as may be agreeable to the laws of the kingdome of England.

Given under my hand at St James's the 27th day of January 1CS2-3

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF NEW YORK.

FIBST GENEBAL ASSEMBLY, HELD AT FORT JAMES IN THE CITY OF NEW YORK.

JF'irat Session Beginning October 17, 1688.

[CHAPTER 1.]

[The title or tbia act is misleading. It is not a charter from the of York but is merely au act of the Colonial legislature. The origi not in the office of the Secretarr of State. ThiB copf was made fr maDUsciipt compllatl<Hi of the " Dongan laws," formerly In the office the Secretary of State, but now lu the New York State Library. That the act was recelTed by the Board of Trade, on February 17, 1684, appears from the transcript of the Journal thereof In Doc. Rel. to Hist of New York, III, p. 354. The act was vetoed by the King, ' March 3, 1084. For copy of veto, see Doc, Rel, to Col. Hist of Ne York, in, p. 357.]

THE CHAilTER of Llbertyes and privlledges granted by bis Boyall Highnesse to the Inhabitants of New Yorke and its Dependencyes.

[Passed, October 30, 1683.]

ffOB The better Establiehing the Govemraent of this province of New Yorlie and that Justice anH Right may be Equally done to all persona within the same

BEE It Enacted by the Governour Councell and RepresentativeB now in General! Assembly mett and aaaembled and by the authority of the same.

THAT The Supreme Le^slative Authority under his Majesty and Royall Highuease Jamea Dukte of Yorke Albany &c Lord proprietor of the said province shall forever be and reaide in a Governour, Councell, and the people mett in General! Assembly.
THAT The Exercise of the Cheife Magistracy and Adminlstracon of the Government over the said province ahaJl bee in the aaid Governour assisted by a Councell with whose advice and Conaent or with at least four of them he is to rule and Goveme the same according to the Lawes thereof.

THAT in Case the Governour shall dye or be absent otit of the province and that there be noe person within the said province Comissionated by his Royal Highnesae hia heires or Successours to be Governour or Comander in Cheife there That then the Councell for the time being or Soe many of them aa are in the Said prorince doe take upon them the Adminlstracon of the Governour and the Execucon of the lawea thereof and powers and autborltyes belonging to the Oovemonr and Cooncell tbe

Digi-jzedbyGoOglC

first in DOmiDacon in which Councell ia to preside natlll the said Oovernour ahall returne and arrive in the said province againe, or the pleasure ot his Boyall Highnesae his heires or Successoure Shall be further knowne.

THAT According to the usage Custome and practice of the Realme of England a sessions of a Generall Assembly be held in this province once in three yearea at least

THAT Every ffreeholder within this province and ffreeman in any Corporacon Shall have his free Choise and Vote in the Electing of the Representatives without any manner of conetraint or Imposjcon. nd that in all Eleccons the Majority of Voices shall carry itt and by freeholders is understood every one who Ib Soe understood according to the Lawes of England.
THAT the persons to be Elected to sitt as representatives in the Generall Assembly from time to time for the severail Ciftyes townes Countyee Shires or Divisions of this province and all places within the same shall he according to the proporcon and number hereafter Expressed that is to say for the Citty and County of New Yorke four, for the County of Snffotke two, for Queems County tvFO, for Kings County two, for the County of Richmond two for the County of West Chester two.

for the County of Ulster two for the County of Albany two and for Scbenectade within the aaid County one for Dukes County two, for the County of Cornwall two and as many more as his Royall Highnesse shall think fltt to Establish.
THAT All persons Chosen and Assembled in manner aforesaid or the Major part of them shall be deemed and accounted the

Representatives of this province which said Representatives together with the Governour and his Councell Shall forever be the Supreajne and only Legislative power under his Royall Highnesse of the said province.

THAT The said Representatives may appoint their owne Times of meeting dureing their sessions and may adjoume their house from time to time to such time as to them shall seeme meet and convenient.

THAT The said Repreeenta-tiTes are the sole Judges of the Qualifl-cacons of their owne members, and likewise of all undue Eleccons and may from tiine to time purge their house as they shall see occasion dureing the said sessions.

THAT noe member of the general Assembly or their sei^anta dureing the time of their Sessions and whilest they shall be goe-ing to and returning from the said As9<'mbly sIiEill be arrested sued imprisoned or any waves molested or troubled nor be compelled to make answere to any suite, Bill, plaint, Declaracon or otherwise, (Cases of High Treason and felony only Excepted)

Digi-jzedbyGoOgiC

provided the nnmber of the eaid servasts ahall not Exceed three.
THAT All bills agreed i;pOD by the said Bepreaeotatives or the Major part of them shall be presented unto the Govemour and his Councell for their Apppobacon and dmsent All and Every which Said Bills soe approved of Consented to by the Governoup and his Councell shall be Esteemed and acconiited the I^awes of the province, Which said Lawea shall continue and remaine of force untlll they shall be repealed by the aathority aforesaid that is to say the Govemour CouDcell and Kepresentativee in General Assembly by and with the Approbacon of his Royal Highneese or Expire by their owne limittacons.
THAT In all Cases of death or removall of any of thp said Bepresentatives The Govemour shall issue out Smnons by Writt to the Bespective Townes Cittyes Shires Countryes or Divisions for which he or they soe removed or deceased were Chosen willing and requireing the ffreeholders of the Same tO' Elect others in their place and stead.

THAT Noe freeman shall be taken and imprisoned or be dis-
seized <rf his ffreehold or Libertye or ffree Customes or be out-
lawed or Exiled or any other wayes destroyed nor shall be passed
upon adjudged or condemned But by the Lawfull Judgment of
his peers and by the Law of this province. Justice nor Bight shall
be neither sold denyed or deferred to any man within this
province.

THAT Noe aid, Tax, Tallage, Assessment, CnsttHne, Loane, Benev-
olence or Imposicon whatsoever shall be layed assessed imposed or
levyed on any of his Majestyes Subjects within this province or
their Estates upon any manner of Colour or pretence but by the
act and Consent of the Govemour Councell and Representatives
of the people in Generall Assembly mett and Assembled.
THAT Noe man of what Estate or Condicon soever shall be putt
out of his Lands or Tenements, nor taken, nor imprisoned, nor
disherited, nor banished nor any wayes distroyed without being
brought to Answere by due Course of law.
THAT A ffreeman Shall not be amerced for a small fault, but after
the manner of his fault and for a great fault after the Oreatnesse
thereof Saveing to him his freehold. And a husbandman save-
ing to him his Wainage and a merchant likewise saveing to him
his merchandize And none of the said Amerciaments shall be
assessed but by the oath of twelve honest and Lawfull men of
the Vicinage provided the faults and mlsdemeanourB be not in
Contempt of Courts of Judicature.

ALL Trails shall be by the verdict of twelve men, and as neer
as may be peers or Equalls And of the neighbourhood and in the
Coun^ Shire or Division where the fact Shall arise or grow
15

DgizedbyGoOgiC

Whether the Same be by Indictment Infermacon Declaracon oi
othenviee againet the person Offender or Defendant
THAT In all Cases Capitall or Crimiua)! there shall be a grand
Inquest who shall first present the offence and then twelve
men of the neighbourhood to try the Offender *ho after his plea
to the Indictment shall be allowed Ms reasonable Challenges.

TR,\T In all Cases whatsoever Bayle by sufBcient Suretyee
Shall be allowed and taJ^eu unlesse for treason or felony plainly
and specially Expressed and menconed in the Warrant of Com-
mittment provided Alwayes that nothing herein contained shall
Extend to discharge out of prison upon bayle any person taken
in Execucon for debts or othei-wise legally sentenced by the
Judgment of any of the Courts of Record within the province.
THAT Koe ffreenian shall be compelled to i-eceive any Marrinere
or Souldiers into his house and there suffer them to Sojourne,
against their willes provided Alwayes it be not in time of Actuall
Warr within this province.

THAT Noe Comissions for proceeding by Marshall Law against
any of his Majestyes Subjects within this province shall issne
forth to any person or persons whatsoever Least by Colour
of them any of his Majestyes Subjects bee destroyed or putt
to death Except all such officers persons and Soldiers in pay
throughout the Government.

THAT from hence forward Noe Lands Within this province
shall be Esteemed or accounted a Chattle or personall Estate
but an Estate of Inheritance according to the Custome and
practice of his Majesties Bealme of England.
THAT Noe Court or Courts within this province have or at any
time hereafter Shall have any Jurisdiceon power or authority to
grant out any Execucon or other writt whereby any mans
Land may be sold or any other way disposed off without the
owners Consent provided Alwayes That the issues or meane
profHtts of any mans Lands shall or may be Extended by Execu-
con or otherwise to satisfye just debts Any thing to the Con-
trary hereof in any wise Notwithstanding.
THAT Noe Estate of a feme Oovert shall be sold or conveyed
But by Deed acknowledged by her in Some Court of Record
the Woman being secretly Examined if She doth it freely
without threats or Compul^on of her husband.
THAT All Wills in writeing attested by two Credible Witnesses
shall be of the same force to convey Lands as other Conveyances
being registered in the Secretaryea Office within forty dayes
after the testators death.

THAT A Widdow after the death of her husband shall have
her Dower And shall and may tarry in the Cheife house of

D,r.i:cdbyG00gIC

her buBband fort; dajes after the death of her husband within which forty dayea her Dower shall be assigned her And fcv her Dower ahall be assigned unto her the third part of all the Lands of her husband dureing Coverture, Except shee —were Endowed of—Lesse before Marriage.

THAT All Lands and Heritages within this province and De—pendencyes shall be free from all fines and Lycences up<Hi Alienacons, and from all HerriottsWardShippsIdveryes primer Seizins yeare day and Wast Escheats and forfeitures upon the death of parents and Ancestors natnrall unaturall oasuall or Judiciall, and that foroTer; Cases of High treason only Excepted, THAT Noe person or persons which professe ffaith in God by Jesus Christ Shall at any time be any wayes molested pun—ished disquieted or called in Question for any Difference in opinion or Matter erf Religious Concernment, who doe not actu—ally disturb the Civill peace of the province, But that all and Every such person or persons may from time to time and at all times freely have and fully enjoy his or their Judgments or Con—sciencyes in matters of Religion throughout all the province, they hehaveing themselves peaceably and quietly and not useing this Liberty to Lycentiousnesse nor to the civill Injury or out—ward disturbance of others provided Alwayes that this liberty or any thing contained therein to the Contrary shall never be Construed or improved to make void the Settlement of any pnhlique Minister on Long Island Whether Such Settlement be by two thirds of the voices in any Towne thereon which shall alwayes include the Minor part Or hy Subscripcons of perticuler Inhabitants in Said Townes provided they are the two thirds thereon Butt that ail such agreements Covenants and Sub—scripcons that are there already made and had Or that here—after shall bee in this Manner Consented to agreed and Sub—cribed shall at all time and times hereafter be flrme and Stable And in Conflrmacon hereof It is Enacted by the Governour Councell and Representatives; That all Such Sumes of money soe agreed on Consented to or Subscribed aa aforesaid for mainten—ance of said puhlick Ministers by the two thirds of any Towne on Long Island Shall alwayes include the Minor part who shall be regulated thereby And also Such Subscripcons and agre«nentB as are before mtnconed are and Shall be alwayes ratified per—formed and paid, And if anyTowneon said Island in theirpublick

Capacity of agreetnent with any Such minister or any perticuler persons by their private Subscripcons as aforesaid Shall make d^ault deny or withdraw from Such payment Soe Covenanted to agreed upon and Subscribed That in Such Caae upon Complaint of any Collector appointed and Chosen by two thirds of Such

DrizcdbyGoOgiC

Towne upon Long Island unto any JtiBtlce of that County L'pon his hearing the Same he is here by authorized impowered and required to issue out his warrant unto the Constable or his Deputy or any other person appointed for the Collection of Said Bates or agreement to Levy upon the goods and Chatties of the Baid Delinquent or Defaulter all such Sumes of money Boe covenanted and agreed to be paid by distresse with Costs and Charges without any further Suite in Law Any Lawe Custome or usage to the Contrary in any wise Notwithstanding.
PBOVIDED Alwayes the said sume or sumes be under forty shillings otherwise to be recovered as the Law directs.
AND WHEREAS All the Respective Christian Churches now in practice within the City of Xew Yorke and the other places of this province doe appeare to be priviledged Churches and have beene Soe Established and Confirmed by the former authority of this Government BEE it hereby Enacted 'by this Generail Assembly and by the authority thereof Hiat all the Said Respect-ive Christian Churches be hereby Confirmed therein And that they and Every of them Shall from henceforth forever be held and reputed as priviledged Churches and Enjoy all their foriner freedomes of their Religion in Divine Worshipp and Church Dis-cipline And that all former Contracts made and agreed upon for the maintenances of the Beverall ministers of the Said Churches shall stand and continue in full force and virtue And that all Contracts for the future f o be made Shall bee of &e same power And ail persons that are unwilling to performe lieir part of the said Contract Shall be Constrained thereunto by a warrant from any Justice of the peace provided it be under forty Shillings Or otherwise as this Law directs provided ailsoe that all Christian Churches that Shall hereafter come and settle within this province shall have the Same priviledges.

[CHAPTER 2.]

[The original of this act la not In the office of the Secretary of Thla copy was made from, the manuscript compilation of the " Dongaa laws," formerly In the office of the Secretary of State, but now In New York State Library. This was the only act passed by the Assembl of 1683. which was not received by the Board of Trade on February 1684, as appears from the transcript of the Journal thereof, In Doc. to Col. Hist, N. T., Ill, p. 354-1

A CONTINUED Bill for defraying the Requisite

Charges of the Government

[Passed. October 30, 1683.]
THE Representatives for his Royall Highnesse province of Kew Y'orke convened in General Assembly Have for and in Con- slderacon of the many Gracious and Royall favoures Expressed

and Extended unto the Inhabitants of this his province And also for the bountifull Confirming and Restoreing to them and their posterity the Bights priviledges Llbertjes and Imunities before recited and Expressed and forihe better defraying of the neces- sary Charge and Expenee of this province which cannot other- wise be EfEected without great Charge unto his Boyall High- nesse dot' by and with tbe advice and Consent of the Govenio:ur and Couneell now assembled and by the authority of the same to the intent aforesaid give and grant unto his said Boyall High- nesae and his heires the dutyes and Cnstomes hereafter Specified, That is to say, ffor Every Gallon of Bom brandy and distilied Liqaorsthat shall be imported into the pTOvince and Dependencyes the Sume of four pence Curant inouey of this pro^Tnce And for Every pipe of Madera, flyall, St George, Canary, Malaga, Sherry antt all Sweet wines the Sume of forty shillings Currant money aforesaid And for Every hogshead of Bedd White and Bienish wines the snmie of twenty shillings Currant money aforesaid And upon all other merchandize imported into this province aaA Dependencyes the Sume of forty Shilling Cun-ant money afore- said for Every hundred pounds valued at the prime Cost Except these hereafter Specifyed (vizt) Salt brick pantiles Coales fish Sugar molessus Cotten wooli Ginger Loggwood brasaletta flust wicit West India hides Tobaccon Bullion and plate And further wee the Representatives with advice and Consent of the Gov- ernour and Councell now Assembled and by the authority of the

same Doe give and grant unto his said Boyall Highnesse and his heires for the Caases aforesaid upon all merchandize Omnonly called by the name of Indian goods As Duffles, Strouds, blanketts plaines halfethicics, wooliing stockings, white Ozem briggs Kit-tles Hatchetts Hoes, read lead, Vermillion, Cotten redd Kersey, knives, Indian Haberdashery and other Indian goods the Snme of tenne pounds Currant money aforesaid for Every hundred pounds value prime Cost that are Carryed up Hudsons River in any Vessell 81oop boate or Cannoo or any other way And also upon Every barrel! of powder the sume of twelve shillings money aforesaid And alsoe for Every hundred weight of Lead the Sume of six Shillings money aforesaid And for Every Gunu barrell or Gunne barrell with a lock the Sume of six shillings Currant money aforesaid And alsoe for Every Gallon of Bum, brandy, and stilled liqoora the Sume of four pence Currant money aforesaid That shall be carryed up Hudsons River in aay vessell Sloope boat Connoe'or any other way.

And further wee the Representatives by the advice assent and authority aforesaid, doe give and grant unto his said Rioyall Highnesse and his heires for the Causes and Consideracons afore-8(^d an Excise upon all Liquors (Beer and SIder only Excepted)

retailed in this Citty and County of New Yorke under five Gal-lons, the sume of twelve pence Currant money aforesaid for Each Gallon soe retailed; And alsoe that an Excise of twelve pence Currant money aforesaid be imposed and levyed upon Each Gallon of Liquors carryed up Hudsona Biver in any veasell hoate Cannoe and any other wayes wine beer and Syder Excepted, and there conaumod or sold And alsoe an Excise of twelve pence upon Every gallon of Liquors retailed throughout the whole province and dependencyes (beer and Sider only Excepted).
AXD further wee the Representatives by advice assent and authority aforesaid doe give and grant unto his said Royall High-nesse and his heires for the Causes and Consideraeons aforesaid a Cuetome and duty upon Every Beaver Skinn oomonly called a whole Beaver the Suuie of nine pence Currant money, and that all other furrs or peltry be valued accordingly That is to say foi two halfe Beavei's nine peaice, for four Lapps nine_ pence, for three drillings one ahilling and six pence, for ti^nne Raccoons nine pence, for four foxes nine pence, for four fishers nine pence, for five Catts nine pence, for six minks nine pence, for

three Otters one shilling and sii pence for two bear skins nine pence, for four wolfes nine pence, for four and twenty Musk ratts nine pence, for tenne Matters nine pence, for four and twenty pound of Mouse and Dear Skinns nine pence, and all other peltry to be Valued Equivalent to a whole Beaver nine pence, (Oi Bull and Cow hides Excepted) Exported out of this province and dependencyes And alsoe that all Indian Traders throughout the whole province and dependencyes Doe pay for the value of Each hundred pounds prime Costs they Soe traffique with the Indians the Some of tenne pounds money aforesaid And alsoe That all bear and Syder retailed through- out the province and dependencyee shall pay six Shillings for Each Barrel! Soe retailed And further It is to be understood that all hear and Syder that is sold to the Indians Is to pay six Shillings ^ Barrell as if retailed throughout the province and dependencyes And all small beer to be retailed by speciall Lycence, and Security they shall draw noe strong beer without payment of the Excise and the small beer without Excise. ffOR the due and orderly Collecting of the aforesaid Dutyea Cuetomes and Excise And alsoe for the preventing of frauds and EmbezzillmentB of said Dutyes Customes and Excises Bee it further Enacted by the authority aforesaid That all shippa and vcflsells whatever That shall come to any port beeche or Harbour within this province and Dependencyes to trade or traffique the Master, mate, or parser shall come to snoh place or places as shall be appointed by tiie OoronKmr or his

.., Google

Bojall BjghneBse Collector for the time being and tli^e make report of all Huch parcell or parcelU of merchandize and others that he hath aboard said shipps or yessells and also Declare upon his CorporaJl Oath that he hath not broake Bulke Since his arriviiil within thia province before he made such Report as is required ^Vnd ai«oe all merchants that have any goods or Merchandizes whatever shall at such place or places as is aboie directed make a true and distinct Entry of all such parcell or parcells of goods or merchandize he hath aboard such shipp or '\'e8sell« according a& they Cost him at the prime Cost And if any difference should arise abont the value of said goods, Then the Collector or any appointed for the Collecon

of 8aid dutyes Customes or Excise may adnuaister to< all or any such perso^ns or persons making such Entry their Corporail Oath, that said Entry is according to the Invoyee w Invoyces sent to them from the place or places from whence such goods did come. And further It is Enacted hy the authority aforesaid That if any Master Mate or purser <rf any shipp or Vessell whatever or any Merchant ffactor or other shall contrary to those rules above prescribed breake bulke or Land any goods and Merchandize whatsoever before th^ make report or Entry and pay such dutyes as is required hy this Act: Then and in such Case the Master of such shipp or vessell That shall break bulke before makeing such report as above shall upon proofe of two Evidences forfeit his said Shipp or vessell with all her tackle furniture and Amunicon, One third to his Boyall Higbnesse, one third to the Oovemour of the province and one third to the Infonner, to be sued for in any Court of Record within this province hy Bill plaint or Informacon wherein noe Essoin proteccon or wager of Law shall bee allowed And alsoe all such goods as shall be Landed without Entry made as afore directed Shall be forfeited upon the Testimony of two witnesses One third to'his Boyall Highnesse one third to the Govemour and one third to the Informer that shall sue as above,
AND Bee it further Enacted by the authwity aforesaid, that all Masters of Shipps or vessells, that are within this province and doe not belong unto this province or any part thereof and bound to any port within or without this province shall before they take in any merchandize above Expressed come to such place or places as shall be appointed for the Collecting of the Rates Established by this Law And there make Entry and Report of their designe and Enter Into lK>nd to the value of one thousand pounds with sufficient suretyes that they shall not take on board directly or Indirectly any goods or merchandize above recited or Expressed wittiout anch peimitt or Certificate from the Collector or any

. .. . Cookie

haveing autliority under bko. for the same. And if they doe take aboard Contrary to the Intent and meaning of this Law, then they ahaJl forfeit Baid bond, to be sued for within three months after such fact Committed or otherwise to be void and of noe force and virtue And alsoe for the due and Orderly Collecon of the Excise above Expressed It is hereby Ordered and Enacted by

the Authority aforesaid Tliat all retailers of wine Bum brandy and strong Liquors within this province Shall upon their pur- chase OT receipt of all such Liqnor or Liquors before Expressed and Exciseable come to the ofiQce of Excise and there make Entry of all Such Inquor or Liquors as they shail buy and receive and pay snch dutyea aa are hereby authorized And upon default hereof ail Such Liquors as shall be found in any retailers bouse within this province or Dependencyes as have not beene duely Entred and paid the rates above Expressed; that then in such Case upon the TestioKmy of two Evidences appearing before any justice of the peace within this province and Dependencyes he shall issue out hisWarraot for seizure and Condemning of all Such Liquors And alsoe the person soe offending shall forfeit three times the value of the said Liquors, one third to his Boyall Highnesse, one third to the Govemour and one third to the Informer And also all persons That Shall carry any Liquors up Hudsons Elver shall soe soone as they sell such Liquors give notice to the Excise office of all such parcell or parcells soe sol and pay Such dutyes as are hereby Established under the penalty aforesaid provided Alwayes and it la hereby understood that there shall noe duty be paid nor forfeiture upon any goods or merchandizes that are not Landed within this province or imediately transported again without being Sold in this province and Dependencyes provided alsoe That all Masters or Comanders of Shipps sloopes boates or any other Vessells belong- ing to this province and its Dependencyes shaJl repair to the Custome house or other place or places that shall be appointed for that purpose And there Enter into bonds of an hundred pounds That they shall not directly or indirectly take on board and Carry away out of this province any of the aforesaid goods and merchandizes without paying snch Bates and Dutyea as are before Expressed.

PBOVTDED Alwayes that all merchants qualifyed to trade by the Acts of Xavigacon and regulateing the plantacon trade comeing into this province or any parts thereof be well and Honestly treated and demanded for such things as by this Act is granted without Oppression to be done to them paying the Dutyes aforesaid.

PROVIDED That noe retailers of Liquors under five Gallons or any that sell any Liquor or Strong Liquors shall take any such

...C^ooglc

liqoors into their houses or Sellaxs in New Yorke and Albany but by the hands of the swome porters under the penaJtyes aforesaid.

TOiis act to be of force imediately after pubiicacon thereof.

[CHAPTER 3.]

(Copied from the original In the office of the Secretary of Btate. algnatnre of tbe Goveruor and the date of the passage of the law I torn from the original blU. The date of Ita paseafce, as October 31 is Eiven br B- B. O'Callaghan In HUt Note to Journals of the T^gla tire Council of New York, p. 12. That the act was received by the Board of Trade, on Febmary 17, IS&t, appears from the transcript of tbe Joanial tbereof, In Doc. Rel. to Col. Hist, of K. Y., Ill, p.

AN ACT for the Allowaos to RepresentatiTes.

[Passed, October 31, 1683.]
WHEEEAS the Beverall Representtatives of the Assembly can- nott Ofllciate thatt honorable and great Trust reposed in them, without b^ng att much Charge. Bee itt therefore Enacted Thatt the wages of every Repi-esentative of the people, shall bee ten shillings in Currant money per day, from the time of their Coming out, till their returning home; Provided itt bee within Eight dayes before the meeting, and within Eight dayes after the adjourning, prorogueing, or dissolving of the Assembly, & thatt Each County shall beare the Charge of their own Repre- sentatives which sume of money shall bee paid by the Treasurer of each respective place, by Warrant of the President of the Com- issioners within ten dayes after their returne from the said Assembly.

[CHAPTER i.]

[Copied from tbe original In the office of the Secretary of State. the act was received by the Board of Trade, October 17, 1684, appea from the transcript of the Journal thereof. In Doc. Bel. to Col. HI N. Y., HI, p. 354.1

AN ACT to divide this province & dependenceB into shires and

Countyes.

[Passed, November 1, 1683.1
Having taken into Consideracon the necessity of dividing the Province into Respective Countys for the better governing and settling Courts in the same. Bee it enacted by the Governor CouQcell and Representatives, and by the Authority of the same, Thatt the said province be divided into twelve countys as followeth.

The Citty & County of New York, to containe all the Island com-mooly called Manbatans Island, Mannings Island, and the two
16

. '.".Dogle

Barne Islands, the Citty to bee called as itt is, New York, and the Islands above specifyed the County thereof.

The County of Westchester to eontayn West and Eastchester Bpox Land Fordham Annebooks Neck Eichbell8,Minfords Island, ami all the land on the Maine to the Eastward of Manhatans Inland as farre as the GoTemment extends and the younters laud, and Northward along Hudsons river as farr as the High Laud.

The County of Ulster to conttyne the towns of Kingston, Hurly and Marbletowne, ffox hall & the new Pallz & all the Villages, ueighhourboods, and Christian habifacons on the West side of Hudsons Biver from the Murderers Creeke neare the high Lands to the Sawyers Creeke.

The County of Albany to ronteyne, the town of Albany the County of Eenslaerswyck, Schonechteda, and all the ^■illage8, neighbourhoods and Christian I'lantacons on the East side of Hudsons river from Roelof Jansens creeke, and on the West side from Sawcrs Creeke to the Sarraghtoga.

The Dutchess's County to bee from the t>ounds of the County of Westchester, on the Bouth side of the High-lands, along the East side of Hudsons River as farre as Roelof Jansens Creeke,

& Eastward into the woods twenty miles.

The County of Orange to beginue from the Limmittd or bounds of East and West Jersey, on the West side of Hudson's River, along the said Kiver to the Murderers creeke, or bounds of the County of Ulster and Westward into the woods as farr as Delaware River.

The County of Richmond to conteyne all Staten Island Shut-ters Island, and the Islands of Meadow on the West side thereof.

Kings County to conteyne the severall towns of Boshwydt, Bedford, Brueklin, fflattbush, fflatlands, New Utrecht, & Graves-end with the severall Settlements and plantacons adjacent.

Queens County to conteyne the severall towns of Kewtowne, Jamaica, Flushing, Hempstead and Oyatertniy, with the severall out farms, settlements and plantacons adjacent

The County of Suffolk to conteyne the severall tO'wns of Hunt-ington, Smithfleld, Brookhaven, Southampton, Southold, East-hampton, to Montauk jioint, Sh<'lter Island, the Isle of Wight, Fishers Island, & plumb Island with the several! out farms, Settlements & plantacons adjacent.

Dukes County to conteyne tlie Islands of Nantuckett, Martins Vinyard, Elizabeth Island and no mans Land.

The Connty of Cornwall to conteine Pemaquid, & all his Royall Highnesses Territoryes in those parts with the Islands adjacent.

And for as much as there is a Necessity of a High Sheriff on every County In this Province, Bee itt therefore enacted

by the Governor Conncell & Representatives in Generall Assem-bly mett, and b; the authority ot the same, lliatt there aball bee yearly & every yeare an High Sheriff constituted & Oom-missionated for each County, and thatt each Sherifl may have his Under Sheriff, Deputy or Deputya.

[CHAPTER B.]

[The original of this act 1b not In tbe office of tbe Secretary of This eopy ^vas made from tbe manuscript compilation of tbe " Dongan laws," formerlj: In the office of tbe Secretary of State, but now I New York State Library. The date of Its passage as NoTember 1st, ts given by E. B. O'Callagban, la Hist. lot to tbe Journals of tbe Le latlve Council of New York, p. 12. That the act was received by th Board of Trade, on February 17, 1684, appears from the transcript of Journal thereof, In Doc. ReL to CoL Hist of N. Y., III. p. 3W.]

AN ACT for naturalizing all those of forreigne Nations at iresent inhabiting within this province and professing Christianity, and . for Encourage- ment of others to ccoue and Settle within the Same. [Passed, November 1, 16S3.]

ffOR AS 1*TJCH as Severall persons of diverse forreigne Nations professing Christianity, now are and for diverse yeares piist have beene actuall and settled dwellers and Inhabitants within this province under the allegiance of his Majestye of Great Brittaine our dread Sovereigne, and the obedience of his Boyall Highnesse, and Boe desire to continue and remaine and be naturalized and become as his Majesties naturall borne Subjects BEIE It Enacted by the Governour Councpll and representatives now assembled and by the authority thereof Tliat All and every such person or persons of what forreigne Nation soever they bee professing Christianity, and that now are actuall Inhabitants within this prorince and have taken or Subscribed or that shall take or sulwcribe to the oath of allegiance are and Shall be hereby naturalized, and in all respects be accounted and Esteemed as his Majesties naturall borne subjects and shall have and Enjoy all Such privileges freedomes and imunityes, within this province as other his Majesties subjects doe have or Enjoy pro- vided nothing Conteined in this act, is to be Construed to dis- charge or Sett at Liberty any servant bond man or slave but only to have relacoD to such persons as are ffree at the Makeing hereof.

AND BEE It further declared and Enacted by the Authority aforesaid that all and Every person and persons ferreigners of what nation soever professing Christianity fhnt at any time here- a|ter shall come and arrive within the said proviDce with an

.., Google

intent to become his ^ajestyeg subjects and to. dwell Settle and inhabitt within the same and shall there dwell settle and inbabite accordingly and take the Oath of allegiance to his said Majestye and fidelity to his Royall Higbnosse the Lord proprietor of this province Every Such person or persons may be naturalized by act of Assembly and from thenceforth shall in all respects be accoanted deemed and Esteemed as his llajesties yaturall borne Subjects, and shall have and Enjoy all such priviledges free- domea and immunityes within this province as other hip Majestyes Subjects have and Enjoy.

[CHAPTER 6.]

[Copied from the orlgloal In the office of the Secretary of State. the act was received by the Board of Trade, on February 17, 1684, appeuni from the transcript of the Journal thereof. In Doc. ReL to HUt., of N. X„ III, p. 354.]

An act for Bepealing the former Lawes ab't Country Rates and allowance to the Justices of the Peace.

[raased, November 1. 1683.]

"WHEREAS by the Lawes of this Province itt is ordered that an annuall Rate or Tax c<Hmnonly called the Country Rate should bee paid by the Inhabitants on Long Island of one penny in the pound according to the Valuacon of their Estates, to be ievyed by the High Bheriff and Constables of each respecti\'e Riding, and paid towards the defraying the publique charge. And whereas by the said Lawes it is ordered and provided thatt erery Justice of the peace shall have an allowance of twentj- pounds %> annum to bee paid out of the publique Bates toiwaids the defraying their necessary charges over and above what may arise out of the fines and amerciaments not otherways disposed of.

And foraranuch as prorision is otherwise made for the defray- ing the said publique charges. Wee the Representatives do pray that itt may be enacted, and Bee it enacted by the Governor Councell and Representatives in Generall Assembly met, and by

the Authority of the same, That all and every clause and clauses conteyned in the aforesaid Law entitled CILVEGES PUBLIQLT3, relating to the said Country Rate and the said clause conteyned in the said Law Entituled JT'STICESOFTHE PEACE, relateing to their allowance as aforesaid, be and are for ever hereby abso- lutely rejiealed made null and void to all intents constructions and purposes whatsoever, any thing in the said Laws to the con- trary hereof ia any wise nottwithatanding.

Digi-jzedbyGoOglC

LAWS OF THE COLONY OF NEW YORK

[CHAPTER 7.

[The original of tbls act Ib not Id tbe office of the Secretar? of This copy was made from the manuscript compilation of the " Dongao laws," formerly In the oBlce of the Secretary of State, but now In New York State Library. The date of its passage, as November first. given by E. B. O'Gallagbaii, In Hist. Int. Note to Journals of the lative Council of New York, p. 12. That the act was received by th Board of Trade, on February 17, 1684, appears from the transcript oC Jonmal thereof, in Doc. Rel. to Col. Hist, of N. Y., Ill, p. 354.]

AN ACT to settle Courts cf Justice.

[PaBsed, November 1, 1SS3.]

ffOR the more orderly hearing and determining of matters and Cases of Controversy betweene party and party and for the dne Execucon of the Lawes Bee It Enacted by the Governor Councell and Representatives in Generall Assembly and by the Authority of the same That in Every Towne in and throughout this province there be one Court held monthly and Every month throughout the yeare on the first Wednesday in the month for the hearing and determining of smell causes and Cases of debt and tresBpasse to the value of forty killings or under Which Cause and Cases Shall be heard tryed and determined by three persons to be Oomissienated for that purpose without a Jury. The procesee of waming to this Court shall be a. Sumons under the hand of and of the Comiconers by a Messenger belonging to the said Court which being personally sened by him or left

at the Defendants house four dayes before the Court, shall bee sufficient authority to and for the members of the said Court to prcceed on such cause or Causes and determine the same in the Defendants absence if the member of the Court see npt cause to the Contrary and to grant Execucon thereon against the Defendants person, and for want thereof his Estate, which the messenger shall and may serve, Alwayes provided, and bee it further Enacted by the authority aforesaid, That if the plaintiff or Defendant shall desire a Jury, It shall be allowed, but at the propper Costs and Charges of the person desireing the Same. AXD that Justice may neither be denyed nor deferred, Bee It further Enacted by the authority aforesaid, That from hence-forth there shall be held and kept within Every Ceunty of the said province Courts of sessions yearly and Every yeare for the hearing tryeing and determining of all Causes and Cases there brought and Comenced, As well Cases and Causes Crim-inall, as Cases and Causes civiil betweene party and party which Cases and Causes shall be tryed by the Verdict of twelve men

Digi-jzedbyGoOgiC

of the neighbourhood within the Ootmt; where the fact riiall arise or grow whether the same be b; lodictmeDt Informacon declaracon or otherwise against the person Offender or defend-ant and that the Judges or Justices of the respective sessions Shall be the Justices of peace <rf Every the said respective Oountjs Of three of them at the least, To which Court Shall belong, one Gierke of the Sessions or Gierke of the peace, To draw, enter, and keep the Records of Indictments, Informacons, and Declaracons, plects, JudgmentB, and proceedings there to be had and made, and one Marshall or Gryer of the Court to call the Jurors and proclame the Comands and Orders of the Court, And for the Regular proceedings in the said Court, all procesae and Sunion« of persons to appeare, and to Execute the Judgments and Execucona of this Court shall be directed to the Bheriffe of the County, and Executed by him, his under Sheriffe or Deputy or Deputyes And all processes and writts for accons, betwixt party and party in the said Court, shall issue out of the Office of the Gierke of the peace or Court of sessions, in Each County respectively, signed ^ Curiam.
PRO"VTDED Alwayes and be it further Enacted, by the authM--

ity aforesaid, That the said severall and respective Courts of sessions, shall bee held and kept yearly at the respective times, and places hereafter Expressed That is to say, for the County and Citty "of New Yorke, the first tuesday in ffebruary, the first tuesday in May, the first tuesday in August, and the first tuesday in November yearly and E\-ery yeare at the Citty Hall of the said Citty, ffor the County of West Chester the first tuesday In June, and the first tuesday in December yearly and Every yeare, the one to be held at West Chester and the other at East Chester, ffor the County of T'lster, the first tuesday in March, and the first tuesday in September at Kingston, ffor the County of Orange the second tuesday in March, and the second tuesday in September, ffor Dutchesse County the third tiiesday in Mnrch, and the third tuesday in September, ffor the County of Albany, the first tuesday in March, the first tuesdny in June, and the first tuesday in Sqiteniber, at the Towne Hall of Albany, ffor the County of Richmond the first tuesdny in Sfarcli, and the first tuesday in September, ffor the Kings County the first tuesday in Aprill, and the fii-st tues-day in October at Gravesend. ffor the Queens County the second tuesday in March and the second tuesday in October at Jameca. ffor the County of Suffolke the third tuesday in March, and the third tuesday in October to be held iit Southampton and Southold resiMjctirely. flfor the Dukes County to be referred

DgizedbyGoOgiC

to the Govemour and Councell. Aad the Comity of Cornwall likewise to be referted to tlie Govemour and Councell. AND That tliei-e be ooe defect <rf Justice, iiut that all and Every the luliabitautii of the province may have laud Enjoy all propper wayes and means to recover and have their juBt Rights within the same according to Law BEE It farther Enacted by the authority aforesaid that annueJly and Every yeai-e there shall be within the said province, and in Each respective County within the same, a Court of tlyer and Terminer and Generall Goale Delivery, which said Court shall have power and Juris-dicon to heare try and determine all matters Causes and Cases Capital! Criminall or Civili, and Causes tryable at Comon Law, in and to which said Court, all and Every person and persons whatsoever, shall or may, if they see meet remove any Accon

or suite, the debts or damages laid in such Actions or suite being five poomds or upwards, or shall or may by warrant Writt of Error or Certiorari remove out of any inferior Court any Judgment Informacon or Indictment there had or depending and may Correct Errors in Judgment or reverse the same if there be just Cause for itt. The members of which Court shall be a Judge assisted with four of the Justices of the peace of the County, who shall be Comissionated for that purpose Alwayes provided and Bee it further Enacted by the authority aforesaid, That this Court of Oyer and Terminer and Generall Goale Delivery shall sltt and hold Court in the Cittj and County of New Yorke, on the first Wednesday in April) and the first Wednesday in October at the Citty Hall of the said Citty. In the County of West Chester, the first Wednesday in December, ffor the County of Ulster the first Wednesday in June, ffor the County of Orange the second Wednesday in June. ffor the Dutchesse's County the third tuesday in June, ffor the County of Albany, the second Wednesday in May. ffor the County of Richmond the third Wednesday in October, ffor the Kings County the last Wednesday in October, ffor the Queens Coun-ty the first Wednesday in Novemt>er. ffor the Oounty of Suffolke, The second Wednesday in November, one yeare to be held at Southampton, and the next successively at Bouthold ffor the Dukes County, and County of Cornwall to be referred to the Governour and Councell as aforesaid.

PROVIDED Alwayes and be it further Enacted by the authority aforesaid that noe persons Bight or property shall be by this Court Determined, Excepting where matters of ffact are either acknowledged by the partyea, or Judgment be acknowledged, or passes l>y the DefendaiitB faults, for want of plea or Answere,

Digi-jzedbyGoOglC

onleaBe the ffact be found by the Verdict of twelve mesa of the neigtiboorhcod, as it ought of Bight to be doue by the Law. BEE It further Enacted by the authority aforesaid, That there ahall bee a C3ourt of Chancery within this province which said Court ahall haye power to heare and determine all matters of Equity and rfiall bee Esteemed and accounted the Supreme Ooart of this province And be it further Enacted That the

Governour and Councell bee the said Court of Chancery, and hold and keep the aaid Court; And that the Governour may I>epute or nominate in his stead a Chancellonr, and be aBsiated with such other persons, as shall by him bee thought fitt and Convenient. Together with all necessary Clerkes and other ofBcers as to the said Court are needful.

PROVIDED Alwayes, And Bee it further Enacted by the author- ity aforesaid, that any inhabitant, planter or ffreeholder, within this province may have Liberty if bee or they see meet to make his or "their appeale or appeales, from any Judgment or Decree obtained against him op them in the High Court of Chancery or any of the Courts erf Oyer and Terminer and Generall Goale Delivery, to our Sovereigne Lord the King, as in the Letters pattentB to his Royall Highnesse, is inserted.
PBOVroED Alwayes and Bee It Enacted by the authority afore- said that the party or partyes soe appealing, shall first pay all Cost of wich Decree or Judgment from which the appeale arlseth, and also alt debts Costs and Damages adjndged against him or them in any other suite or suites acoon or Accons within this province, and give in two sufBcient suretjes by Recog- nizance double the vnlue cf the debt, matter or thing recovered or obtained by Judgment or Decree against him or them to the said Court for proseeuteing the said Appeale or Appealer with Effect, And make retume thereof within twelve months after the said Appeale or Appeales are made, and to pay all Costs damages and Charges if Oast upon the said Appeale or Appealer, Alwayes provided that if the Appellant ahall not prosecute such Appeale or Appeales with Effect and make retume thereof within the said twelve months, then Execncon to issue out agnlnst the Appellant or his suretyes for the debt damages matter or thing recovered against him, and all Costs of Suite, occasioned by such appeale

PHO\TDED Alwayes And bee it further Enacted by the Author- ity aforesaid, That noe Appeale shall lye unlesse the debt dam- age matter or thing sued for shall be or amount to the some of one hundred pounds any thing to the Contrary hereof in any wise notwithstanding.

DgizedbyGoOgiC

[CHAPTEat 8.]

[Copied from the original In the office of tbe Secretary of State. the act —was received by the Board of Trade, on Febniary IT, 16S4, appears from the Iranacript of the Journal thereof, in Doc. ReL to Hist, of N. r.. Ill, p. 35i.]

An act to preyent wilfull Perjury.

[Passed, November 1, I6S3.]

ffor the better prevent the crying sin of Perjury and that all due punishmeut may bee inflicted on such persons as willfully committ the same; Bee itt enacted by the Governor Councell & Bepresentatives and by the Authority of the same, Thatt all and every such person and persooia which att any time after the first day of November coming shall unlawfully & corruptly procure any Witnesse or Witnesses, by Letters, Rewards, Promises, or by any other Sinister and unlawfull labour and means whattsoever, to committ any Wilfull and Corrupt Perjury in any matter or cause whatsoever now depending, or which hereafter shall depend in suit & variance by any writt, action, Bill, Complaint or Informacon, in any wise touching or concerning any Lands, tenements or hereditaments, or any Goods, chatties, debts or damages, in any of the Courts within this Province; That then every such Offender or Offenders shall for his or tlieir said Offence being thereof Lawfully convicted or attainted, lose and forflett the sume of fforty pounds Sterling. And if itt happen that any Offender or offenders soe being conTicted or attainted as aforesaid nott to have any goods, or Chattells to the Value of forty pounds; that then every such person being eo convict or attainted of any of the offences aforesaid shall for his or their said offence suffer impriBonm't by the space of one half yeare, without Baile or Mainprise, and to stand upon the Pillsry the. space of one whole hour in some towne next adjacent where the offence was comitted, or in the towne itt self where the Offence was committed.

And thatt no person or persons being soe convicted or attainted to be from thence forth received as a witnesse to bee deposed and sworn in any Court of Eecord within this Province untill such time as the Judgment given against such person or persons shall bee reversed by attaint or otherwise,

and that upon every such reversal! the Partys grieved to recover his or their damages against all & every such person and persons as did procure the said Judgment so reversed, to bee first given against them or any of them bv action or actions to bee sued 17

Digi-jzedbyGoOglc

upon hU or their case or cases, according to the Common court of the lawB of tliis Province.

And bee itt further enacted by the authority aforesaid thatt if any person or persons after the said first day of November next coming, either by the Subemacon, unlawful! procurement, sinister perswasion, or means of any other, or by their own act consent or agreement willfully and corruptly commit any manner of willfull perjury by his or their Deposition in any of the Courts before nienconed That then every person or per- sons so offending, and being thereof dnly convicted or attainted by the laws of this Province, shall fnr his or their said offence, lose and forfeit forty pounds, and to have imprisonment by the space of one whole yeare without baile or mainprise, & the oath of such Person or persons so offending from thence forth nott to bee recmed in any Court of Records within this Province untiil such time as the Judgment given against the aaid perBon or persona shall bee reversed by attaint or otherwise, Sc thatt upon every such reversal! the partys grieved to recover his or their damages against all & every such person & persons as did procure the said Judgment so reversed, to bee given against him or any of them by action or actions to bee sued upon hia OP their case or cases according to the Common Course of the Law.

And if itt happen that the said offender or offenders ao offending nott to have goods or cliattells to the value of forty pounds, thatt then hoe or they to bee sett on the Pillory (in Bome publique pla^-e within the Shire Citty or Borrongh where the said offence shall be committed) by the Sheriff or his Min- isters and there to bee branded with the letter P In ye fore- heade, and from thence forth to bee discreditted and disabled for ever, to be swome in any of the Courts of record within

this Province untiil such time as the Judgment shall bee reversed and thereupon to recover his damages in manner & form l>efore menccmed.

The one Moyety of all which sumois of money, goods & chatties to be forfeited in manner and forme aforesaid to bee to hia Boyall Highnesse his Heyres and Successors, & the other moyty to such person or persons as shall be grieved hindred or molested by reason of any the offence or offences before menconed, that will sue for the same by action of Debts, Hill, plaint, Informacon or otherwise in any of the Courts of record within this Province, in which no wager of law, Essoine, protection or injunction to bee allowed.

Provided alwayes & be itt further Enacted by the authority aforesaid thatt in all Cases of life and Member, the person

Digi-jzedbyGoOgiC

or persons so offending as Is before expressed shall sufler and undergoe such punishment or punishmentB as the person or persons against whome hee or they bore such false witnesse did or should huve undergone.

Provided always & bee itt further enacted by the authority aforesaid tliatt if any person or persons shall out of a Tender Conscience refuse to give his Evidence on oath in any matter or thing depending in any of the Courts of this Province thatt in all stich Cases, the party or partys refusing the same shall give In or deliver their Evidence or Testimony in manner and forme following That is to say I A, B. do sclCTBuly promise as in the presence of God to speak the truth, the whole truth, and nothing butt the truth, to the matter or thing in Question: And in case any person or persons soe called to evidence, and declaring as aforesaid shall Afterwards bee convicted of will-full falsehood, such person or persons shall suffer and undergo the same punishment as in cajses of willfuU perjury is appointed & proTided,

Provided alwayes & bee it further enacted by the authority aforesaid, thatt all persons called to testify their knowledge .

in any matter or thing in any Court shall deliver their ei-idence viva voce, and that deposition in writing shall bee taken for eridence in any Court unlesse the party or partys so deposing shall happen to bee beyond the Seas, Out of the Government, or thatt through other inevitable accid^its there is an impossi-bility of their being present.

[CHAPTER 9.]

[Copied from the orlglDal <n the office of the Secretary of State. the act was received l>r the Board of Trade, on February 17, 1884. appears from the transcript ot the Jouraal thereof, In Doc. Rel. to HIat, of N. T., Ill, p. 354.]

An Act for the Defraying of the publlque & necessary Charge of each respective Citty, towne and County throaghout this Province & for maintaining the poore, & preventing vagahonda

[Paased. November 1, 1GS3.]
Bee itt enacted by the Governor Councell & Representatives in Generall Assembly & by the AOthority thereof Thatt anually or once every yeare there shall bee elected a certaine number oiit of each respective Citty Towne and County thronghout this Province to he elected & chosen by the Major part of all the ffreeholders and Freemen, which certaine Nnmber so duely elected shall hare full power & authority to make an Assess-ment or certaine Pate within their respective Cittya, Towne∗

iivGoogic

and Countyes anually & once every yeare which aBsessment & certaine Bate bo established as aforesaid shall be paid into a certaine Treasurer who shall bee chosen by the major part of all the ffreeholdere & flreemen of Each respective Citty, town and County; Which Treasurer so duely chosen shall maie such pfljment for the Defraying of all the publique and necessary charges of each respective place above nienconed as shall bee appointed by the Cotumissioners or their President thatt shall bee appointed in each respective Citty, Towne and County within this Province fEop the Kuperriseing the publique affairs. & charge of each respective City Towne & County aforesaid.

And Bee itt further provided by the Authority aforesaid thatt the Treasurer for each respective City, Towne and County shall keep a distinct book of accounts coatayning a perticular account of all the moneys rates and assessments aforesaid; & also of all disbursements & pa.^iuents of money by Warrant aforesaid, & once in evei7 year hee shall bring his accounts to such persons as shall be appointed for the Auditt of the same, under the penalty of one hundred pounds except prevented by Death or Hicknesse, And farther Whei-eas itt is the Cuatome & practice of his >fajestys Bealm of England, and ail the adjacent Colonys in America that every reepective County Citty towne parrish & prei'inct doth take care & provide for the poor who do inhabit in their respective precincts aforesaid.

Therefor itt is Enacted by the authority aforesaid thatt for the time to come the respective Commissioners of every County, Citty, To^ne, parish Precinct, aforesaid shall make provisflion for the maintenance support of their poor pospectively.

And for the prevention and disccurageing of Vagabonds and Idle persons to come into this province from other parts, and also from one part of the Province to another; Bee itt enacted by the authority aforesaid. Thatt all persons thatt shall come to Inhabit within this province or any part or place thereof, and hath nctt a Visible Estate, or hath nott a manuall craft or occupacon shall befor hee bee admitted an Inhabitant give sufllcient Security thatt hee shall nott bee a burthen or charge to the respective places hee shall cometolnhabltt in which Security shall Continue for two yearea, provided allways thatt all those thatt have manuall Crafts or occupacon may att all times come and Inhabitt in any part within this Province & bee always admitted, Provided hee maketh applicncon eight days after his m-riiall into any Citty Towne or County aforesaid unto such person or persons ns are appointed for the Govemin~ the respective parts aforea'd.

Digi-jzedbyGoOgiC

And also all vessels thatt shall bring any passengers into tbia province, tlie Master of any such vesselU shall within fuur

and twenty hours after arrivall bring a list of all such passiju-gers hee brings into this Province with their Qualityea & Con-dicons unto the Chiefe Magistrate of each respective Citty, County, Towne, aforesaid, under the penalty of tenne pounds current money of this Province. Always provided thatt if any veaaell bring in any person not qualified as aforesaid, nor able to give security for their well demeanor; Thatt and in such case the Master of said vessell or vessells shall bee obliged to transport all such persons to the place from whence they came or att least out of this province and dependences; And also If any Vagabonds, beggars or others, remove from one county to anothere and cannot give security as aforesaid itt shall be lawful for the constable to retume such persons to the county from whence they came.

[CHAPTER 10.]

[Copied from tbe orl|:lnal In tbe office of tlie Secretary of State. the act was received by tbe Board of Trade, ou February 17, 1684, appears from the transcript of the Journal thereof, In Doc. Eel. to Hist, of N. T., Ill, p. 354.]

An act for rewarding of those who destroy Wolves.

[Paaeed, November 1, 1683.]

Be it enacted by the Govern'r Councill & Repr'sentatlves in Gen'll Assembly met and Assembled and by the authority of tbe same

Thatt whattaoever Christian shall kill a grown wolf upon Long Island; hee shall hee paid twenty shillings F. head, in the County where itt shall so hapi>en (the same being proved as in ye Law is sett forth) & for a wheipe about a halfe a Yeare old, he shall bee paid halfe so much.

Thatt whattsoever Indyans shall in like manner Kill any wolfe or wolves, they shall bee paid a Match Coate for each, or the Value which is computed to bee twelve shillings & for a Wheipe half so much, to bee paid as before, of which the Officers for publique affairs in each towne of the Countyes are to take care thatt the same bee duly satisfyed.

And for killing the Wolves in other parts of the Government Thatt itt bee left to the Magistrates or Officers in the several!

Countyes to give whatt reward they shall think fltt, for Killing Wolves within their precincts. Only thatt the same reward be given for Killing of Wolves for Staten Island as for Long Island.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF NEW YOBK.

[CHAPTER 11.]

[Copied from the original In the office of Uie Secretary of State. the act was received by the Board of Trade, on February 17, It^&l, appears from the transcript of the Journal thereof, la Doc KeL to C Hist, of N. y., Ill, p. 354.]

An act to prevent damages done Swine.

[Passed, Xorember 1, 1683.]
Whereaa we have found by dayly Experience Thatt Swine are Creatures that occasion trouble and diffei-ence among Neigh-bours and rather prejudicial! than beneficiall to the Province while they have liberty to run att randome in the woods or Townes, they being so obstructive to- the raising <rf Corne in the Province and spoiling the meadows in the i-espeotire towns; Bee itt therefore Enacted by the Govern 'r Councell & Kepre-sertutives in G«ierali Assembly and by the Authority of the same tbatt no Inhabitant or Freeholder within this Province and throughout the same Except in ye Colonic off Benae-leurs Wicke shall or may Keep any Swine small or great butt whatt bee or they shall keep within their own Land and fence or att least secured by the Owners thereof from tresspessing on their Neighbours and if any shall be found att liberty, in the streets meadows, or upon any other mans fenced or Inclosed lands after the first day of March next ensuing the date hereof, itt shall be lawful! for any one so finding them, or meeting with them, to kill them or take them up; One third part of such swine, shall go to the Use of the person who shall Kill or take up the same, & the other two thirds to the Constable of the towne or place tbatt shall take the same into his Custody, being only accountable to answer oue penny pr. pound, w one half of the said two thirds^

to bee disposed for the poblique use of the Towne.

[CHAPTER 12.]

[Copied from the original In the office of the Secretary of State. the act was received by the Board of Trade, on February 17, 1684, appears from the transcript of the Jourual thereof, In Doc. Rel, to Hist., of N. T., Ill, p. ,SiH.]

An act for the due regulacon & proceedings on Exectcona Retumea of Writts, & confirming the Pees usually taken by Officers &c.

[Passed, November 2, 16S3.]

Bee itt enacted by the Governor Councill and Representa^ tlTe« in Generall Assembly now mett & assembled and by the

1 1., Google

authority of the same, Thatt Ut shall hee at the choice and liberty of every I'laiutifC to take out Execucon on any Judg- ment recovered in any (^ourt of Kecord within this Province either to bee le^'yed by Extent on the Defendants lands or aginst the defts goods and chattels & for n-ant thereof hia persoD. And that when and so often as the Sherifl of any County shall have any writt of Ececucon delivered to him out of any Court of Record within this I'rovlnce to levy upon the goods and chatties of any Defendant, or for want thereof his person, The Sheriff shall with all convenient speed duely execute the same accm-ding to the tenure of the said Execution and make retume thereof accordingly where returnable, & In case the said Sheriff shall by rertue thereof levy sufBcient goods and chatties to satisfy the sante; then in case the defend't do nott within fSfteen days otherwise give satisfaccon'; The said Sheriff is to expose the said goods and ChAttles so levyed to sale att a pnblique outcry in the towne where the same shall bee levyed, & sell & dispose thereof to the highest bidder to raise the sum of money or other Bi)ecie and Costs in the said ExecHCon mentioned & ecnteyned, with the incidental charges, and make aattisfaccon to the party accordingly. And in Case

the said Goods, and Chattels exceed the debt or damage and' Costs, then the Overplus to be returned to the Deft. Butt where no goods or chattells can be found & the Execncon be levyed on the Defend'ts person the Sheriff is to keep him in safe custody untill satisfaction bee given for the Debte or damages with the Costs and charges aforesaid. And Bee Itt further enacted by the Authority aforesaid, That where any Writt of Execuc|Rn shall be directed to the Sheriff of any County out of any Court of Record within this Province to levy any sume or sumes of money or any thing, goods, or Ccmoditys whattaoever. Costs and Charges as aforesaid by extending the Defend'ts Lands, the said Sheriff shall with all convenient speed duly execute the same By putting the plaintiff, his Attorney or Agent into the quiett possession of the Defend'ts Lands there to remaine untill by the Rents, Issues, & proffitts thereof hee shall bee sattisfyed the Debts or Damages with the Costs and Charges Aforesaid.

And the said Sheriff shall likewise make returne of the said Writts, and of his proceedings therein, menconing the land hee hath put the plaintiff in possession of according to the tenure and true intent of the said Writt of Execncon where the same shall be returnable. And bee itt further Enacted by the Authority aforesaid, Thatt all Writts of what nature

Jigi-jzedbyGoOylc

soever tliatt shall issue forth of any Court of Record within this I'rovince shall bee retuniable into the said Court they proceeded from att their next sitting after the Date of the said Writt; Proyided there bee fifteen dajs between the Test and the retume thereof, otherwayes to bee returnable the n^rt sitting of the said C-ourt after the said fifteen days expired.

Provided always thatt nothing in this act contayned shall bee construed to the Infringement, Prejudice, Hindrance or Alteraccn of any Liberty, privilege, Custome, practice or Usage granted or used & practiced in the Citty & Corporation of Xew Yorke.

And be it further enacted by the Authority aforesaM, thatt

all fees thatt now are and have been apiwinted, authorized, usually taken and received by the Sheriffs Clarks of Courts & other officers, and Jurymen, & for publique charge on accoDS within this Province, shall bee and remaine the same as formerly, they were & now are, to be received payed and accounted for as formerly, I'ntil any alteracon shall be made therein, or ordCT to the Contrary by act of Generall Assembly.

[CHAPTER 13.]

[Copied from tbe original In the office of tho Secretarj of State. the act was received by the Board of Trade, on February 17. 1684. appears from the tranBorlpt of tlie Journal thereof, In Doc. Rel. to HiBt, of N. Y., Ill, p. 354.]

An act of Settlement.

[Passed, November 2, l^tS3.]
ffOR AS MTTCH as through the many alteracons which within this Province have liappened by tlie Fortune of the warrs, and other inevitable accidental aeverall of the Inhabitants & ffreeholders of the said Province have been deprived of their deeds, grants, Patents or other instruments of writting by which they m't{;ht make ni>pi*ore tlieir severall & respective Rights to their Lands tenements & posseasiona. And for as much as severall Tracts of I^ands have been formerly taken up and pattented, and through hope of Lucre or gaine never settled or improved according to the manner and CuatomeB of other Plantacoas to the R-Mflt obslvuction of the goods, & settlement of the said Province. Bee itt enacted by the Governor Councel! & Representatives now in Generall Assembly met, and by the authority of the same; Thatt whattsoever person or persons who by himself or Agent have in his own right actually been in the possession and enjojTnent of any Tracts of I^and, house or Planta-

Digi-jzedbyGoOgiC

con by Vertue of any power or authority derived from his Boyall Highnesse James I>uke <A Yorke & Albany &c, and occupyed, maonred, and improved tlie same for & during the space of foare yeares preceeding the I>ate hereof; and Khali continue

BO to occupy poseeaBe manure and improve the said Tracts of Land house or houses Plantactm or plantacons untill the tenne & time of fifteen months he fully compleated and ended to be accounted from the first day of this present Bession of Assembly, without any Legall claime demand or recovery from, any other person or peraons, legally claiming, pretending to, or demanding the same shall bee accounted and esteemed the right and law-full Owner of the said Land, house or houBee, plantacon (Mr Plantacons;, and that the said Tract or Tracts of Land, house or houses, plantation or plantations are hereby ratifyed and conflnned to the party or partyes so occupying, poesesaing, and enjoying the sauLC as aforesaid, and to his or their respect-ive heyres & aasignes for ever, saveing to his Boyall Highness his Eight and Interest

Provided alwayes thatt nothing contayned within this act shall bee intended or construed to the prejudice or hindrance of the title or claime of any persons under age frome Covert, non Compos mentis, imprisoned or beyound the Seas, as is pro-vided in an act, intitled. An Act for quietting mens Estates and liniitacon of eei-fcaine actions made this present Sessions of Assembly Any thing conteyned in this act to the contrary hereof in any wise nctt withstanding. Be it further enacted yt evrey representative have a Coppy hereof and publish ye aame three severall dayes in ye towne house of each respective Towne in this province, w'thin foure months affter ye third day of Nwember one thousand six hundred eighty and three.

[CHAPTER 14.]

[Copied from the original In the office of the Secretary of State. the act was received by the Board of Trade, on February 17, 1684, appears from the transcript of the Journal thereof, ta Doc. ReL to Hist, of N. r.. III. p. 354.]

A BILL ffor a ffree and Voluntary P'sent To The Govem'r.
[Passed, November 2, IfiSS.l
Wee the Rep'sentatives in Generall Assembly out of ye Dutifull respect we bear to his Royall Highness and in acknowl-edgement of ye many great favours conferred on ua by his honltle Govem'r Coll Thomas Dongan as we conseive ourselves in Duty bound Cannot but according to our ability's moke some

D,g,;,zeclbyG00t^lc

more suitable returne than barely owing ye great advantages we have i*e'd thereby, Wherefore as a Bignall testimony of our 8dli?"faoou iLci-ein we Do hereby ffreely and Voluntarily Ciive and p'eent Unto o'r s'd Govem'r and Doe IX^sire that he would as llreely accept and receive from us one penny for every pounds vallue of ail ye Beall IVrsouall & visible Estate of all and Every ye ffree hold'rs & inhabitants in this hia B'll H'sses Province to be Received Collei;ted and lereyed in manner & forme following, Therefoie wee humbly pray that it may be Enacted and be it Enacted by ye Govem'r Councill and Bepre- Bentatives of ye s'd Province that all & Every ye p'aous herein after named are hereby appointed Comlasioners for putting in Eiecucion this p'sent act and ye powers therein eontalned within all and Eveiy ye severall and Respective County's herein after Men'coned ffor ye Citty & County of Xew Yorke M'r William Beekman Mayor Mr John Lawrence M'r Cornelius stenwyck and M'r John Juyans.

ffor ye County of I'lster, Capt. Thomas Cambors M'r John Joost Hf, William Asfordby M'r Wesseltcn Broeck.

ffor ye County of Albany M'r John Jausen BIycker M'r Jacob

ganders M'r Martin Goritz M'r Jolm Van Epps.

ffor the Dutches County.

ffot ye County of Orange.

ffor ye County of Westchester M'r John Pell M'r Walter Webley

Mr. William Richardson M'r John Archer.

ffor ye County of Riclunond Capt John Palmer Mr. Phillip

Wells Capt Cornelius Corsen Capt. Richard Stillwell.

ffor ye County of Suffolk Capt. Josiah Hobart M'r Joseph fiord-

ham M'r Thomas Mapes Jun'r M'r Epinctis Piatt.

ffor Kings County M'r Raloffe Marten M'r t^amuel Spicer Mr

Cornelius Jausen Berry M'r William Moris of ye Xewlottee.

ffor Qiieens County Capt. Thomas Townaend M'r John Jackson

M'r Mathiass Han-ey M'r Edward Stevens.

ffor Dultes Coimty.

ffor The County of Cornwall.

Which said Commissioners in ord'r to ye speedy Execution of tills act shall in their Respective Coimtyes meet together within some convenient place within Each of ye s'd Countyea Respectively at or Before the tenth day of December next eomeing and ye s'd Com'rs shall Direct their sev'all or Joynt pr'cept or pr'ccpts to each Respective towue within their County n^quiring ye inhabitants of ye s'd towne to meet together and make choice of such numb'r of persons as they in their Discretion shall think meet to the p'sent Assessors Requiring them to appear before ye s'd Com'rs at such time an

plftnp as they ehall appoint not exceeding eight days and at

such their appeuranoes ye s'd Cooiiss'ra or soe QLan; of them as Bhall be there unto appointed shall openly read or cause to be read unto them ye Rates in this act mentioned and how and what mann'r they ought & should make their Certificates according to ye Rates afores'd and shall then and there p'fii an other day to ye s'd p'son to appear before ye s'd Comissioers & bring in their Certiflcatea of ye names S'names of all & every ye p'aons Dwelling or residing within ye limitts of those places with wh'cb they shall be charged and of ye sabBtances and Tallues of Every of them in lands moneys and all visible Estates & other things chargable by this act together with ye assosnnents of ye Respective rates thereby imposed on each p'ticnlar p'Bon according to ye Rules & Dire'cons thereof with out Ccnceaiment love favor Dreed or malice uppon paine of forfeiture (rf any sums not Exceeding five pounds and shall then also retume the Names of two or moire able and sufficient P'Bons within ye limitts and hounds of those countya where they shall be Chargeable Respectively as afores'd to he Col- lectors of ye money Due by this act tor whose paying into yj Receiv'r Generall to be appointed by ye Govemour his Deputy OP Deputys in Manner following such. Money as they sliall be Charged with all the County by whcnn they are so employed shall be answerable which f^rtifloates and assess- ment so delivered & returned to ye s'd Comlssion'rs As afores'd they or any two or more of them shall forthwith issue out and deliver their warrants to such collectors as afores'd for ye speedy collecting and levying of ye s'd assessments and all moneys and Rates Due thereupon according to the tme intent and meaning of this act of jIU which ye s'd Collectors ar^ hereby required to make Demand of ye p'tiee themselves or at ye places of their last abode within ten days after ye Rcrceipt of yc- such warrants and to leavy and pay in ye same in manner and forme hereafter Expressed that is to say oneMoyety thereof on or before ye first day of Aprill 1684 the other raoyefy on or before ye first day of Aprill, IfiSn at such place as ye Comls- sion'rs shall appoint to ye Respective Receiv'r Gen'rall his Depnt>- OP Deputyes who are hereby impowerd and Required to Call uppon & hasten the Collectors to ye s'd payment and after ye s'd first Day of Aprill to levy by warrant Fnd'r ye luirds & seals of any two op more of ye Ccinmiissioners Uppon ye C'oUectops by distress such sum & sums of money as he hath rec'd and as ought by him to have been paid and is not paid by Renson of his ffailour in Doeing his Duty according to ye Direction of this act

:yG00t^lc

And if ye s'd CMumiBBionere or any three of them within je several! Countjs shall at ye time of ye Delivery of ye Cer- tificates or six dayes after have Certaine knowledge or volon'ly Biiapeet that any person or persona ^"hoe ought to be mentioned iu ye s'd Certificates Is or are omitted or that any perstm or piTSMiB in ye s'd ("vrtificate- mentioned is or are of greater vallue or Estate than in ye s'd Certificates is men"icned ye s'd CommlssioDers or any three or more of them shall bare po\.er to wame such person or pereoos to appear before them at a day & place p'fixed to be Exaouined touching their aub- Btanee & value or touching any other matters which may any way's Conceme ye premisaea and if ye p'son or p'sons warned not to be so examined shall neglect to appear not faaveing a reasonable Excuse for such bis Default every p'aon making default shall pay double ye aum of ye rate he should or ought to have been aet at and Moreor'r the a'd Commisaioners or any three or more of them shall have power By all Lawfull ways and means without oath to Examine & inquire into ye Value and substance ot such Persons as are soe Chargable by thia act and to set such rate or rates upjK^n any auch persona aa shall be accoi*ding to ye true intent and meaning of this act and ye s'd Heoeiv'r Oenerall out of ye s'd rates and assessments shall have an allowance of two pence in ye pound for all money's w'ch ^lall be by bim paid and that Every Collector shall have three pence in ye pound for what money he ahall pay to ye Eeceiv'r Generall his Deputy or Deputyes And if any person or persons shall refuse to pay ye severall sume&sums and proportions by this act appointed for such person to pay uppon demand made to. ye Officer or CJollector of ye place accorifing to ye p'cppt to him Delivered by ye a'd Commiasion'ra it ahall and may be Lawfull to & for such officer or collector who are hereby thereunto Author- ized and Required for non payment thereof to Distrein the person or persons so refuainp by hia or their goods or ChattelU ye Distress so taken to keep by ye space of four days at ye Costs and Chargea of ye owners thereof and if ye a'd owners doe ' not pay ye sums of money Due by thia Act within ye a'd four day's then a'd diatreaa to be appraised by two or three of ye inhabitants where ye s'd distress is taken and there to be aold

by ye s'd officer for payment of ye s'd money and ye overrplus Coming by ye a'd sale (if any be) over & above ye charges & kei'ping ye s'd Distress to be imediately restored to ye owners thereof.

And if any p'son or p'sons assessed by this act shall refnse or neglect to pay ye aum or sums so assessed by ye space

of twenty days after Demand as afores'd where no Bufflcient HistresB can or may be found where by ye same may be levyed in Every such Case three or more of ye CominiBsioners by this act appointed for any Buch County or place are hereby Author- ized by warrant Under their hands & seals to Comitt such person or persons to ye Comcn Goal there to be Kept without Bayle or Mniuprize untill payment shall be made.

Ajid If any p'son .assessed or rated find him or herself agreived with such assessing or Bating and Do within ten day's after Ix.'iuaud thereof make Complaine to ye Comissioners the s'd Commissioners or any two or more of ttCTn whereof one of ye Commissioners who signed or allowed his or her rate to be one shall & may within fourteen days next after such Com- plaint p'ticiilarly Examine ye person bo Oomplaining uppon his OP her Oath of his or her Estate afores'd and Uppon Due Esaminatou & knowledge thereof abate Defalk increase or lutar^e ye s'd Assessment.

And L'e it farther Enacted that ye Commissioners which shall be within any County or place within their Eespective liiuitts or ye Major p't of them shall tax and assess Every other Commissions joyned with them and as well all sumes uppon Every of ye s'd Comissioners as ye assessments made and p'sented by ye p'senf s as afores'd shall be Levyed and Gathered as it should and ought to have been if ye s'd Comissioners had not been named Comissioners.

PROVIDED allways and be it Enacted by ye Authority afore- s'd that this act & Everything therein Contained shall be of force Until! ye 2lBt Day of Aprill'1685 and No longer any thing therein Contained to ye Contrary in Anywise notwithstanding.

PKO'S'IDED allways that all Charges Accruing by Beason of

the transportacons or Conveyance of any money or other specie Collected by Virtue of this act shall be paid and allowed out of ye Money or specie so Collected as afores'd

PBOVIDED also that by ye word money is to be Und'stood ye produce of ye Country vallued att ye Current price for money.

[CHATTER 15.]

[Copied from the original In the office of the Secretary of State. the act was received by the Board of Trade, on February 17, 1684, appeara from the transcript of the Journal thereof, In Doc. Rel. to Hist., of N. T., III. p. 354.]

An act t» prevent flrauds in conveyancing of lands. '

[FoBsed November 3. 1CS3.]
Forasmuch as many abuses and injures have happened to the iDbabitants of this Province for the want of Dnely register-

...C^ooglc

ing and reeording coDvejances of I^anda whereby disputes and law-Suittea do continually ariae; ffop the prevencon whereof; Bee itt enacted by the Governor Council! and representatives in General! ABsemblj and the Authority of the sasne, Thatt from & after the five and twentieth day of December next after the Date hereof, No grants deeds Mortgages or other con-veyances whattsoever of any lands or Tenements within this Province shall bee of any force, power oar validity in Law, Unless the said grants Deeds Mortgages or other conveyances be entered & recorded in the Hegister of the County wherein such lands or Tenements do lye within six months after tlie dayes of their respective dates. Pronded always and bee itt further enacted by the authority aforesaid, Thatt none of the aforesaid ;?rant8, Deeds Mortgages or other conveyances shall be entered or rec-orded, untill the party or partys who did Seale and deliver the same shall make acknowledgement thereof before some one of his maties Justices of the Peace, or thatt the same bee by Sufficient Witnesses proved before the said Justice of the peace and Certifloates thereof Entered on the

backside of the said Deeds, Grants, Morgages or other Conveyance.

Provided always thatt the said Deeds Mortgages or other Conveyances as aforesaid bee by the Clerk or Register of the County where such Deeds, Mortgages or other Conveyances are entered.

Transmitted once every yeare to the Secretarys Office att Xew Yorke with the flfees ordained for the same, there to be registered and Entered.

Provided also thatt the sume menconed in the said Deeds Mortgages or other Conveyances do exceed the sume of fifty pounds and no otherwise.

Provided also thatt if the Clerk or Bolster shall neglect to transmitt the said Keccrds as aforesaid thatt the such neglect of the Clark shall nott prejudice the right of any p'son claiming any such Lands by vertue of such Deeds Mortgages or Conveyances as aforesaid, butt thatt for such Xeglect the said Clerk shall loose his place & be made for ever incapable to Execute any place or office of trust within this Province.

Second Setaion, October, 1684.
TboIUS JioTSQAS, G-oTSBiros.

Digi-jzedbyGoOgiC

the date of passnge ie torn off. The date of Its passage, as Octob 1084, iB given by E. B. O'Callaghan, In Hist, Int to Journals ot t Leglalatlre Cotmcll ot New York, p. 12.]

A Bill for Explaoeing Severall Clauses in the Act for Establishing Courts of Justice within this province.

[Paased, October 21, 1681.1

WHEREAS by Act of this p'sent Generall Assembly amongst other things it was Enacted & provided that not lesse then four Justices of the peace of Each Respective County together with

a Judge should hould and keep the Court of Oyer and terminer and Generall Goale delivery which Nurabr hath by Experience beeno found troublesome and inconvenient Bee it thereft«'e Enacted by the Governour Councell & Bepresentatives in Gen- erall Assembly mett and Assembled and by the Authority of the Same that from henceforth one of the Judges, any three of the Justices of the peace of ye County being p'sent, Or two or three Judges and two of the said Justices being p'sent may hold and keep any of tlie said Courts of Oyer and Terminer and adjoume the Baid Court from time to time as to them shall seeme meet and convenient PROVIDED that the Sessions of the Said Court Continue no Longer than seaven dayes And act and doe all such other thing and things as by the afores'd Act they are empowered enjoyned and required any thing in any form'r Act of Assembly to the Contrary hereof in any wise Notwi th stand in g

And whereas it Some times happens that through bad weather and Contrary winds the Judges Cannot be precisely at the time and place appointed for the Said Courts to be held and kept in, lie It further Enacted by the authority aforesd that any three of the Justices of the peace of the County meeting on the Said appointed day and place, the Judge or Judges for the Reasons aforesaid being not pr'sent may adjourne the Said Court de die In Diem until the arrivall of the Said Judge or Judges any thing to the Contrary hereof Notwithstanding.
And whereas by the said Generall Assembly It was likewise Enacted that there should be in every towue within this province a monthly Court Consisting of three psons to End all Small Causes to the value of forty shillings and finding that one of the three may be absent or hare a Case depending Bee it further Enacted by the Authority aforesaid that If any two. of the three psons shall bee prsent they may proceed to Act and doe all such things as by the said Act they are Impow-

Digi-jzedbyGoOt^Ic

ered and required ^Vny thing in the said Act to the Contrary hereof Notwithstanding

Bee it likewise Enacted hy the Authority aforesaid that the

a^resaid paons sliall be annually Chosen by the plurality of Voicea of the ffreeholdere of Each respective town on the second or third day of Aprill And being Soe Chosen aa aforesaid and Bwome by a Justice of the peace they may hold and keep the said Courts & Doe all such other things concerning the prmisses aa by the Said Act are Enjoyned any thing to the Contrary hereof in any wise notwithstanding.
And when'as there is noe time Liniitted and appointed how long the County Court or Courts of Wessons shall sitt Be it further Enacted by the Authority aforesaid that from hence-forth noe County Courts or Ccurts of Sessions shall sitt and hold Court Longer than three dayes at one time.

[CHAPTER 2.]
[Copied from tbe orlgloal in tbe office of tbe Secretary of State.)

A Bill to Regulate Proceedings in Law.
[Passed, October 22, 16S4.1
Bee itt enacted by the Gen'll assembly and Authority thereof that if any verdict of Twelve men shall bee given in any action suite Bill or Demand to bt-e conmienced from and after the first Day of January next Ccmeing in any (.'ourt of Record within this Province Judg't tlieroupon shall nott bee arrested stayed or Reversed upon any Kind of Circumstantiall Errors, defects mistakes, or default in forme or for lacke of forme butt that all Kuch defects errors defaults and mistakes and all other matters of Like Xature not being against the right of the Matter of the Suite nor whereby the Issue or Tryall are altered, shall bee amended By the Justices or Judges of the Court where such Judgments shall be given, or where unto the Record shall bee removed.

Bee itt likewise Enacted by the Authority aforesaid thatt fmm leucf^forth all Originill Writt & Processe shall express in whose Name the Plan't Rueth whether in his owne Name or as Executor of the Last will and Testament of such a man or administrator of the goodes and Estate of Such a man or assigne Attorney agent or . Guardian of Such a man or the like otherwise if exception bee taken before Issue Joyned itt shall bee Good and the plaintiffe Shall pay Cost

Digi-jzedbyGoOgiC

[CHAPTEB 3.]
ICopled from tbe orlfftnal In the office of the Secretary of State.]

A Bill Declaring of wbatt age Lands
ma; bee passed away and Ouardiass
Chosen.

[Passed, October 22, 16S4.1

BE IT ENACTED by this Generall Assembly that the age for passing away Lands or hereditament shall be one and Twenty Yeai's, And for Chasing Guardians fonrteen years, and all per-sona of ye age of one and Tnenty Years as aforesaid and of Sound understanding and Memory whether Excomunicote Condemned or others except for high Treason shall have full power and Liberty to make their Wills and Testaments and other Lawfnll AUienations of their Land and Estate all which to all Intents and Purpose shall bee accounted good in Law.

Provided alsoe and Bee itt further Enacted, by the authority ofoi^esaid that the age for plaintiffs and Defendants in Civill Cases before any Court of Judicature shall be Twenty one years and for all persons under that age their Parents, Ma&tor^ and Guardians eitlier persouaily or by their Attorneys as they shall see meet shall plead and defend their Right and Interest as the matter may require^ And in all Cases Capitall or Crim-inal! every person Younger as well as Elder shall he Liable to answer in their proper persons for such crimen and mis-demctanors as they shall bee accused of and may alsoe present any misdemeanor to any Magistrate Grand Jury man or Court any Law Cusfome or Usage to the Contrary Notwithstanding.

I'rovided always that In Case of Life and Death the Court ma} assigne Council] to the Crlminall in matters of Law only.

[CHAPTER 4.]

[Copied from tbe original In tbe oRlce of the Secretary of State. T portion of the bill contalnlnR the siRnatufe of tbe GoYeriior. and t of pnssaKe. Is torn off. The dntp of lis pBssafrc. as October 23, Klven by E. B. O'Cnllafcban. in ITIst. Int. to Journals of the Legi

Council of New York, p. 12.]

A Bill against Common Daratry Champerty &
Maintenance

[Passed, October 23. 16&4.]

Be it Enacted By this General Assembly and yee Anthority

thereof that if any person whatsoever shall ffreqnently move

excite and maintain suits or Qoarrells in Courts or in ye Country

In disturbance of ye Peace in Taking or detaining in possession

39

.., Google

houses Lands or Goods by false InrentloD or in sowing of Oaltmi'
niations Kumors and discords wliereby disquiet ariseth among
iNeigliboDrs he shall he dewued and accounted a Common Bar-
retter and being thereof Lawfully convicted for erery such
of^]L■n''<^ fforfrft and pay ye aumme of Ten pounds Currant money
of ye Country;

IJo it Further Enacted by ye authority aforesaid that who-
Boevor shall move or Cause to be moved pleas & suits either
by their owne or others Procurem't and Sue them att their
owne Cost to have part of ye Lands or Gains in Variance and
be thereof Legally Conviotod Shall be adjudged guilty of Cham-
perty and Diaintenance and for every such offence shall forfeit
and pay the Bumme of Tenn pounds Currant money aforesaid
and be prohibited fErom pleading att yee Barr in any the Courts
■of this Province for and during ye space of one wliole yeare.

[CHAPTER 5.]
[Copied from the original Id the offlce of the Becretary of State.]

A Bill Concerning Chirurgions and Midwlves.
[Passed, October 22, 1081.]

Be it Enacted by this Generall Assembly and the authority of thi' same that no person or]>erBon8 whatsoever employed att any time about tlie Bodyes of men women of children for Pi-cKenalion of Life or Health as Chirurgion Midwife or Phi-sitian or ethers presume to Exercise or put forth any act Con-trary to the linowne approved Rule ot Art in each Mistery or occupation nor Exercise any fforce violence or Cruelty upon or towards the Body of any neither young or old without the advice imd Consent of such as are Skillfull in the 8'd Arts (if such msy be had) or att least of some of ye wisest and Graves tlii'n preaent and Consent of the Patient, and Patients if they be Ml nlia Compotes much lease Contrary to such advice or Con-sent upon such severe punishment as the nature of the fact may deserve.

[CEAPTEB, 6.]
[Copied from the original In the office of the Secretary of State.]

A Bill Concerning the Choice of Constables.

[Passed, October 22, 1681.1

Be it Enacted by this G«nerall Assembly and by the authority

of ye some that the CouHtables in each Respective towne or

County shall be Elected att ye same time and according to

Lc;-,:.tll:yG00gIC

ye Bamt: ways and Methods aa have been formerly practiced witLiu this GoTernm't. TLat is to say annually on ye third or ffonrth day of Aprill by the Majority of voices provided Always that if through the Increase of Inhabitants, enlarge-nteats of Bounds or any other ways one Constable is not Capa-ble to officiate the place that then and in such Oases the InhabitnntB of the Towne place or County where Such defiEect shall happen may make choice of two or more Constables as occasio-i shall require and if any one being duly elected to seixe as Constable shall refuse to serve shall pay ye sunmie of ffive pounds flor the use erf ye County.

[CHAPTER 7.]
[Copied from the original Id the office of the Secretary o(State.

A Bill against Fugitive Servants and The Entayners of Them.

[Passed, October 22, 1684.]

Bee itt enacted by this Gen'U Assembly and toy the authority thereof that every Servant or Servants that shall depart or absent Themselves frome their Master or Mistresse without Leave first obtained shall be adjudged to Double Their Time of Such Their absence by future Sennce by any Two Justices of the peace of the County before whome the said Sen-ant aliull bee Brought and to make full Satisfaction to their said blaster or Mistresse for all Such Costs and Charges and Dam-ages as they shall have Susteined by reason of Such uQlawfull Departure which said Costs Charges and Damages the two Justices of the peace as aforesaid have hereby power and author-ity to Assesse and allow and in Case the said Sert-ant Cannot othf^i'wise SatiBfie his said Master or Mistresse he shall doe itt by. Service and according to the order and appoynted oft the said Justices.

BEE itt further ennacted by the authority aforesaid that whosoever shall knowingly Transport or Contrive the Trans-portatiMi of any Apprentice Serv'ant or Slave or by any ways aideing or assisting or abetting thereunto and be thereof Law-fully convicted shall bee fined for every such offence five jwunds Current money of this province for ye use of je County and make full Satisfaction to the Master or Mistresse of Such Apiirentice Servant, or Slave for all Costs Charges and Dam∗ ager) which the said Master or Mistresse can make appear to have Thereby sosteined.

D,g,;,zeclbyG00gIc

I'.EE itt furtlier ennacted by the autliority aioresaid that whoBoever ahull Councell, perswade, eutioe, inveagle, or allure

any i\Mte Servant whether Male or female either by promises of fi-eedome Matrimony or by any other ways or meanes what- Boever to omitt or Xeglect the Sen-Ice worke and Imployment of hia or her Master or Miatresse and be thereof Convieted ahall be adjudged to make full satisfaction to the said Master and MistreBse respectiTely for the leinayning time of the said servaot on eucli termes aa the Master or Mlstresse and the person soe CouTicted can agree or in Leiu thereof to serve Such said Master or Mistresae eoe long Time as the said Servant should or ought to have done,

ItEE itt furtlier Enacted by the authority aforesaid that if any person whatsoever shall entertaine or afford any manner of releit or sustenance to any Servant Apprentice op Slave tnowing thatt the said Servant Apprentice or Slave hath absented himself from his Master or MisfreBse withoat their]>avc' and be thereof Lawfully Tonvicted shall pay to the Master or MistivBse of such iServant Ten Shillings for every dayea entertainment and Concealment and be amerced for the use of the County for every Such offence five pounds Current money aforesaid.

[CHAPTER 8.]

[Copied from the orl^nat In the ofBce of the Secretary ot State.]

A Bill to prevent deceit & Forgerys.
[Passed, October 23, 10S1.1

For the preventing of many deceits and fforgetys which may happen through the artifice of wicked and evil minded people Be it Enacted by this Geneirall Assembly and by the authority of the same that no bargain sale Mortgage or grant of any house cr Land within this Province shall be holden good in Iaw ExcejiT y< same be done by Deed in writting under y_e hand and Scale of the Grantor & delivery and poflseaaion given In parf in the name of the whole by the said Grantor or his attorney so authorized under hand and seaie and unless ye said Deeds be acknowledged by the said Grantor before one of the Judges of Oyer and Terminer and General) Goale Delivery within one yeare after senllng thereof and Recorded na is prescribed in an Act Intitled, An Act to prevent ffrauds in conveyencing of Lands made this present session of Assembly

PROVIDED Always and Be It Enacted by the authority afore-

said That if any such Grantor being required by his Grantee his heirs or Assigns to make an acknowledgem't of any grant

sale Bargain or Mortgage by bim made according to the true Iiitent and meaning of this Act shal) refuse so to doe It shall be in the power of any Justice of the Peace to committ the party so refusing to Prison withonf Bayle or Mainprise untill he shall acknowledge the same and the Grantee shall enter his Caution with the Clarke of ye Court of Oyer & Terming and this shall save his Interest in the meanetime

PBOVIDED Also if it seeme dcubtfull to the said Justice of the peace whether it be the deed or Grant of the Grantor he shall Cause the said Grantor to enter into a Recognisance double je valine of the thing Granted with two sufficient sure-tys ffor his Appearance at the next Court cf sessions then and there to do and receive what by the said Court in that Case shaU be Considered and the Caution shall Bemaine good as aforesaid;

PROVIDED Also and Be it ffurther Enacted by the authority aforesaid that no ConveyaDce Deed or Promise shall be of any (force or Vallidity nor shall the Grantor be Compelled to acknowledge the same if it were obtained by Illegall violence Imprisonm't or any kind cf fforceable Compulsions called Duress any thing to the Contrary hereof notwithstanding

PROVIDED likewise this Act nor anything therein contayned shall Include fformer Deeds, Mortgages or Conveyances but leave them in the same Condition as they were before ye making of the same; PROVIDED Also that this said Act nor any Clause therein Contained shall Extend to houses or Lands Given by Will or Testament any thing to the Contrary hepeof notwith-standing

[CHAPTER 9.]

tCopled from the original In the office of the Secretary of State.]

A Bill Concerning Purchasing of Lands frcmi the Indiana.
[Passed, October 23, 1684.]
BEE Itt Enacted by this Gen'll assembly and by the authority of the same that from henceforward noe Purchase of Lands

frcra the Indians shall bee esteaned a good Title without licave first had and obtaineid from the Govemour rignifled by a War-rant unde"" his hand and Seale and entered on Record in the Secritaries office att New Yorke and Satisfaction for the said Purchase acknowllged by the Indians from whome the I^irchase was made which is to bee Recorded likewise which purchase Boe made and prosecuted and entered on Record in the office aforesaid shall from that time be Vallid to all intents and pnrpoasea

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF KEW YOBK.

[CHAPTER 10.]

[The original of this act Is oot In the office or the Secretary of This cop; \ras made from the manuscript compilation of the " Dougan laws," formerly in tlie oIHce o(the Secretary of State, but now tn New York State Library. The date of Its passage, as October 23, ieS is given by E. B. O'Callaghan, in Hlet Int to Journals of the Iieg OouocU of New York, p. 12.]

A BHJj Oonoemingi Mamages.

[Passed, October 23, 1684.]
WHEKEAS By the Law of En^laad Doe Marriage is lawfully consumated without a Minister whose Ofiioe is to joyne the partyea in matrimony after the Bands tbriee published in the Church or a. Lyceuce first had and obtained from some other person thereunto authorized ail which formality cannot be dnely practised in these parts yett to the End a Decent Rule may be therein obaened Bee It Enacted by the Generall Assembly and by the authority of the same That friMu henceforth the names and simames of Each party who intend Marriage Shall be publiquely read in the parish Church or usuall meeting place where they both then inhabitt three severall Lords dayes together or where noe Church or publique meeting place shall happen to be a publicacon in writeing Shall be fixed fourteen dayes before Marriage on the door of the Constable of Each parish where the partyes inhabit unlease they bring or produce a Lycence under the hand and seale of the Governour in all

which Cases and not otherwise It shall be lawfull for any minister or Justice of the peace within this province to jcine together in Matrimony the partyes soe published or producing a Lycence as aforesaid provided alwayes they bring a Cer^ tiflcate from under the ministers hand that published them or under the Constable hand on whose doores their names were aftjxed which Certificate shall be sent to the office of the Registe of the County and there Entrcd on Record together with a Certificate of their Marriage with, the day and date thereof from the party by whom they were marryed there to remnine ' in perpetuam rei momoriam for Entring and recording of which said Certificates the Clerke or Register shall he paid by the party marryed for Each one shilling, provided alaoe the said pjirtyes purge themselves by Oath if required iwfore the Justice of the peace or the minister who have hereby power to Admin- ister the same that th^ are not under the Iwnda of matrimony to any other person living, and if it shall after happen to l>e proved that either or both of the said partyes are perjnred and

Lc;-,:uJbyC00gle

tliereby obtained another marriage for the said perjury the party or partyes oftendiug ehall suffer as in Cases of perjury and further be proceeded against as iu Cases of polygamy.
I'ROVLDED alwayes that if either party be approved innooeot the said party see approved as aforesaid may be free to marry whom tliey pleaae not forbidden by the Lawes of the province.
liEE It further Enacted by the authority That if any man Shall p'sume to marry contrary to the Law prescribed the per- son offending shall be proceeded against as for fornication and the minister or Justice That marryed them shall forfeit twenty pounds and he suspended from his benefice and ofBce.
BEE It further Enacted by the authority aforesaid That if any person whether man or woman travailing by sea or Land Into any forreigne parts which voyage by Computacon may be per- fected in one yeare or lesse of whom noe certain© knowledge or news shall be had within five yeares after his or her D^art- ure nor of any who accompanied him or her in the Voyage It may be justly presumed that such person is Dead and after the Eipiraoon of five ccmpleate yeares as aforesaid it shall and may be lawfuU for the other person to Remarry

PROVIDEt) Alwayes That if either the man or woman shall at any time after the Expiracon of five years retume and bring full and gnfilcient testimony that he or she hath divers ways indeavonred by writeing or messages to make knowne to his ■wife OP her husband that he or she were then Liveing or that they were by imprisonment or bond Slavery Lawfully hindered from giveing such Informaeon It shall and may be JJawfulI for the said man or woman to Challenge his or her premarriage and may by an order out of the High Court of Chancery Cohabit as formerly.

PROVIDED Alwayes that if neither shall sue for such order they may by mutuall agreement Enter a Release to Each other which Release Shall be Entered in the Office of Records and both pefnalne free from their former obligacons.
PROVIDED Nothing in this Act Shall be Construed or intended to prejudice the Custome and manner of marriage amongst the Qiiakere, but their manner and forme of marriages shall be judges Lawfull; provided they Admitt of none to marry that are restrained by the Law of God contained in the five bookes of Moses; and that they permitt none to be marryed within their Congregation or meeting of any other persuasion then themselves Except by Licence from the Govemour or publicacon as this Law directs and record made of such marriage, as thia Law does direct under the penalty aforesaid.

Digi-jzedbyGoOglc

LAWS OF THE COLONY OP NEW YORK.

[OHAPTEBll.]
[Copied from the original In tlie office of the Secretarjr of State.

A BILL CoQceming Cattle Come Fields and Fences.
[Passed, October 23, 16S4.]
FORASMUCH as it is beat knowne to je Inhabitants of each Towne how and in wliat nLanner their Catties ought fo be marked & their Com ffielda to be fenced and forasmuch aa a general! Law in this kinde may not be equally convenient to all places, Be it enacted by this Generall assembly and the authority thereof that it Shall and may be Lawfull for ye Inhab-itants of any Towne within this rrovince by warrant under ye

hand and seale of some cne Justice of ye Peace of ye County within which the said Towne doth lye to Convene and meet together so often as occasion shall require and to Consult of and make such Laws & ordinances concerning the marking and Impounding Cattle and ffendng their ffield & meadows as to them shall eeerae meet and Convenient Provided always that none of ye said Laws or Ordinances be repugnant to the Laws of this Province and that they be allowed and Confirmed by the next Court of Oyer and Terminer which shall flirst happen after the making of such Laws as aforesaid otherwise to be of no force or virtue;

PRO■V^I^ED likewise that two of the Justices of the Peace of the said County together with the Major part of the Inhab- itants of the said Towne do Consent and that all be duely summoned to bee att the said Towne meeting where such Laws are made as aforesaid.

[CHAPTER 12.]
ICopled from the original in the office of the Secretary of State.]

A Bill Concerning Burialla
[Paased, October 23. 1684.]
WHEREAS: the private Burialls of Servants and others Gives Occasion of much Scandall against divers pei-sons and Sometymes (not undisemedly) of being guilty of their deaths from which If the person Suspected be Innocent there Can be no Vindication nor If guilty punishment by Reason thev are for the most part buried without the knowledge or View of any others than Such of the family as bv neemess of Relation are unwilling or as Servants are fearfull to make discovery If murder were Committed:- Be It Enacted by this generall

Aflsembly and by the Authority of the Same that within every Parish within this GoTernment there shall be one or more places apoynted for the Bnriall of the dead and before the Corps be Interred there shall be three or four of the Neighbours at least Called who may in Case of SuspiBion View the Corps and according to the desent Custom of ChristendMn Accompany It to the Grave and that noe person Shall be Buried in any other place then those so apoynted unless Such as by their own appoyntment in their Life tyme have Signified their desire

of being Interred in the Bariall place of Some other Parish.

[CHAPTER 13.]
[Copied from the orlgloal In tbe ofBce of the Secretary of State.]

A Bill Concerning Assignments of Specialtys.
[Passed. October 23, 16S4.]

Be itt Enacted by this Generall Assembly and by the author-
ity of ye same j't any Debt or Debts due upon Bonds or other
Specialtys or any other note in writting for any Debt Dutj
Demand matter or thing assigned to any other person or
persons shall be as good and effectnall in ye Law to ye assignee
or assignees as they or either of them were to such person
or persons att ye time of the assignm't of such Bonds or other
specialtys or Noates in writting and that it shall be lawfull
for sncb assignee or assignees his or their Executor Adminis-
trator or Assignees to demand sue for reoover all such Debts
Dutyes and Demands whether upon Bonds or other specialtyes
or any other note in writting in ye assignee or assignees one
Name or names or in ye Name of the Executor administrator or
assignees of such assignee or assignees as fully to all Intents
and purposes as Ye Originall Creditor might have done Pro-
vided Alwayes the said Asaignm't be made en ye Back side
of ye Bond or other specialty or noate in writting or on some
paper or parchment thereunto annexed & attested att Least
by one witnease or Acknoi^iedged by the assignee before SMue
Judge of Record.

[CaaAPTEB 14.]

[Copied from the orlglDal in the office of the Secretary of State.]

A Bill Concerning Brewers.

[Passed. October 23. 1684.]

Bee It Enacted, By this Generall Asaembly & the Authority

of the Same that noe person whatsoever shall undertake the

Digi-jzedbyGoOgiC

Calling or work of Brewing Bear (or Sale; but only Such as are known to have Sufficient Skill or knowledge in the art or Mistrj of a Brewer; and If any Master of a Shipp or Vessell or any other person whatsoever shall purchase or buy any Bear of any Brewer within this Government; which Bear Shall prove unwholesome and UBeless for their Suply either through the Insufficiency of the Mault or brewing or bad Cask; the person wronged thereby Shall be and Is Inabled by Vwtue of this Act to maintain an Action against the person or persons from whome the said Bear was Received; and to Recover his Just damages.

[CHAPTER IB.}
[Copied from tbe origlDal In tbe office of the Secretary of State.]

A Bill Concerning Orphans.
[Passed, October Zl, 1034.1
Bee it Enacted by this Generall Assemhly and the Authority of the Same that all persons That have or hereafter shall have any Estate of Goods Chattels or Lands in their Possession belonging to any That are under age shall once Every yeare Exhibit an Inventory and Account of the Said Estate to the Respective Court of Sessions in whose Jurisdiccon Such Estate Lyeth And in Case any person or persons which have such Estate in their hands doe not At the time and place aforesaid present the Inventory and account of such Estate as aforesaid that then the party see neglecting Shall he sued for such hi» neglect And if noe good improvement have heene made on the Bame Estate it shall be in the Power of the Court before Whom the Accon is brought to Compell the Said person in whose hands the Said Estate remayneth to give In Good Security for the better improvement and management of the Same or other- wise to remove it into the hands of seme other person or persons as the Court shall thinke meet and Convenient

[CHAPTER 16.]

[Copied from the original In the office of the Secretary of State. portion of tbe original law, containing the slRnature of the Gorernor the date of passage is torn off. Tlie date of Its passage, as Octo 1684. is given by B. B.O"Oalinghan. In Htst, Int. to Journals of th

lative Council of New Torli, p. 12.J

'AN ACT for Quieting of mens estates Sc the Limita-
tion of Certain actions for Avoiding of suits In
Law.

rraased, October 24, 1884.]

For Quieting of mens Estates, and avoyding of suits, Be
It Enacted by the Govemour Councell and assembly now assem-

bled that all writta or Actions for any Eeall Estate whatsoever
att any time hereafter to be sued or brought by occasion or
means of any title or Cause hereafter happening shall be sued
& taken within seven years next after the title & Cause of
Action fttrst Descended or Sallen, and att no time after the
said seven years;

And that do person or persons shall att any time hereaftCT
make any entry in Eeall Estate but within seven years next
after his or their Right ck- Title which shall hereafter ffirst
descend, or accrew to the same, and in deffault thereof such
person in not entring and their heirs shall be utterly Excluded
& disabled from such entry after to be made, any flormer Law,
Custome or Usage to the Contrary Notwithstanding; Provided
neverlheless That if any Person or persons that is or shall be
entituled to such Writt or Actions or that hath or shall have
Bach Eight or Title of entry bee or shall bee att ye time of
the said Right or Title ffirst descended, accrewed, come or ffaleu
within the Age of one and twenty years, ffeme Covert, non
Compos mentis, Imprisoned or beyond the seas. That then such
person and persons and his and their Heir and Heirs shall
or may notwithstanding the said seven years be expired bring
his Action car make Iiis entry as he might have done before
this Act; so as such person and persons and his and their
Heir & Heirs shatl'within three Years next after his and their
ffull age, Drscoverture, coming of sound Mind, Inlargement out
of prison, or Coming into the Province, take benefitt off, and sue
fforth the same, and att no time after the said three Years;
And Be it ffurther Enacted that all Actions of Trespasse Detinue,
Action of Trover, and Replevin for Taking away of Goods and
Chatties all Actlonsof Account & upon the Case, other when such

accounts as Oonceme the Trade of Merclmndise between Mer-
chant and Merchant their ffactora or servants, all Actions of
Debt grounded upcn any Lending or Contract without specialty
all Actions of Debt ffor arrearag(?s of Rent, and all actions of
Assault, Menace, Batery, Wounding & Tmprisonment or any
of them which shall be sued or brought att any time after the
beginning of this present session of assembly shall be Com-
menced and sued within the time & Limitation hereafter
expressed and not after (That is to say) Tlie said Actions upon
the Case (other then for slanderl and the said Actions for
account, and the said Actions for Trespasse, Debt Detinue and
Eeplevin for goods or Cattle within three yoars, after the
beginning of this present session of assembly or within Bix
years after the Cause of such Actima or suit & not after;
And the said Actions of Trespass of Assault Battery Wounding

Lc;-,:uJI.,Cc>Ot^lc

ImpiiBomuent or any of tkem, witliin aix. months next after
tht; beginning of tliis present aeasions of Assembly or within
nine months next after the Cause of such Actions or suit and
not after, And the said action upon the Case for words, within
six months after the beginning of this present session of asst^n-
bly or within nine months next after the words spoken and
net after

And be it ffurther Enacted by the authority aforesaid that
in all actions upon the Case for slanderous words, to be Hued or
proawuted by any person or persons in any the Courts of
thin Province after the beginning of this present session of
Assembly, If the jury upon the Tryall of the Issue, in such
Action, or the Jury that shall enquire of the Damages do ffind
or Assesse the Damages under fforty shillings, then the said
plaintiff or plaintiffs in such Action shall have & recovered
only so much Costs as the Damages so Given, or assessed
amount unto without any ffurther Increase of the same, any
flConner Custom«^ usage or practice to the^ Contrary in any
wise notwithstanding.

Provided neverthelesee and be it ffurther Enacted, That If
any person or persons that is or shall be entituled to any snch

action of Trespasse, Detinue, Account, sur-Trover, Replevin, Actions of accounts, Actions of Debts, Actions of Trespaaeey for assault, Menace, Battery, Wounding or Imprisonment actions upon tlie Case of words, be or shall be att the time of any such cause of Aotions, given or Accrewed, ffallen or Oome, within the Age of one and twenty years, Feme Covert, Non Compos mentis; Imprisoned or beyond the seas. That then such person or persona, shall be aft libOTty to bring the same Actions, so as they take the same within such Times as are before lim- Itted, after their Conmiing to or being of fFull age, discovered of sane memory att Large and Returned ffrom b^ond the seaa as by other person having no such Impediment should be done.

[CHAPTER 17.]
[Copied from the original In the office of the Secretary of State.]

A. Bill to Prevent the Absence of Justices of the Peace, from Their Courts.

rPasBed, October 24. 1684.]

Be It Enacted by ye Generall Assembly that if any Justice

of ye Peace shall be Absent from ye sessions Held within ye

County where he inhabits or from ye Court of Oyer and

Terminer and Qenerall Goal Delivery so that ye Court or Courts

Digi-jzedbyGoOgiC

CaoDOt proseed to business for want of a sufBcieut Number of ye s'd Justices to make a quorum he shall be ameraed for evry Dajs abeeoce five pounds to ye Use of that Uoimty Provided allway that If It appear to ye Court that ye said Justice was nesewarily hindered by aBy apparent act or Providence of God which be Could Keither forsee nor avoid The said Justice shall be Held Excusable and No ways Liable to ye aboresaid Amercem'tB, PK»-ided aJlwayea that this Act or any thing therein contained shall in no wise attend or reach to any, who are t»f the Coxmcell.

[OHAPTEK 18.]

[Copied from tbe original In the office of the Secretary of State. portion of the original law containing the signature of tbe Governor, the date of passage la torn off. The date of Its passage, as Octob 1684, Is given by K. B. O'Callaghan, In Hist lut to Jouroala of th lative Council of New York, p, 18.1

A Bill Concerning Masters servants Slaves Labour-
ers and Apprentices

[Passed, October 24. 1684.]

Be it Enacted by this General assembly and by the authority of ye same that no sei^ant or slave either Male or Female shall either Give Sell or Truck any Comodity Whatsoever during ye Time of their seirice under ye penalty of such Ctirporall puniahm't as shall be Ordered to be Inflicted by Warrant under ye hands of two Justices of ye Peace of the County where ye said servant or Slave doth Reside and if any person whatsoever shall buy of Eec«ve from or Truck with any servant or slave Contrary to this Law they shall be Compelled by Warrant as aforesaid to Bestore ye said Comodityes so bought Received or Tmck'd for To ye m't of such serv't or slave & fforfeit for every such offence ye summe of (five Pounds Currant money of ye Country to be levyed by distresse by Warrant under ye hands of two Justices of ye Peace as aforesaid And if any person whatsoever shall Creditt or Trust any servant or slave for Clothes Drinke or any other Comodity whatsoever ye said per-
son shall loose his Debt & he for ever Debarred from maln-
tayning any suit att Law against ye said servant or slave for ■iny matter or thing so Trusted as aioresald;

Provided alwayes if any master or Dame shall Tyranlcally & Cmelly abuse their servants or not allow them sufficient Provisions or apparell upon Complaint by such servant or ser-
vants to any Justice of ye Peace the said Justice may bind ye said master or Dame over to ye Nert sessions then and there to answer ye premises and if upon hearing ye matter

Digi-jzedbyGoOgiC

the Complaint be ffouod tme the Court may order the said Master or Dame to give in Uood aecurtty (op their better abearing theuiBelves towards tlieir said servants for the ffuture and upon je Partjes Hefusall to give in such security as aforesaid The Oonrt may and shall have power by virtue of this Act to set the said servant or servants att Liberty and ffree him or them from any fEurther service to his or theit said Master or Dame But in case any sen-ant or Ben'aats shall oausslessly complaine against their master or dame if they cannot make proof of a just occasion for such complaint such servant or servants shall by the Justices of ye Court of Sessions be enjoyned and Ordered to serve his or their Master or Dame six moneths time gratis Extraordinary for such undue Complain Be it Further Enacted by the authority aforesaid that if any servant or slave shall Run away from their Master or Dame every Justice of Peace within this Province is hereby Authorized and Impowered to grant Hue and Cry after the said Sen-ant or slave ye Master or Dame having fflrst given in Security for ye Paym't of ye Charges that shall thereby accrew and ail Constables and Inferior officers are hereby strictly required and Commanded authorized & Impowered to presse Men horses Boates or Pinnaces to pursue such persons by sea or Land and to malie Diligent Hue and Cry a» by the I«w is required

And forasmuch as Merchants and other Tradenuan who take apprentices have and may sustaine Great Losse & Damages by ye allurement and Intioem't <rf e\il minded Persons persuading the said Apprentices to Purloyne theyr Masters Goods & Oiveing them Entertainment att tlieir houses att unseasonable houres to ye Great Detriment of ye s'd Master and utter mine of ye said apprentices; Be it ffurther Enacted by the authority aforesaid that if any person or persons shall persuade allure or Intice any Apprentice to take ateiale Carry away or purloin any Goods Wares Merchandized or money so taken or purloyned as aforesaid either directly of Indirectly and be thereof Lawfully Conricted the person or persons so crffending shall ffor every such offence fforfeit the same of one hundred pounds Currant money of the Country and the Master or Mistrls of Bach Apprentic(>8 may maintain an action att Law against the person or persons bo offending and shall Recover all such Damages as Canu be made appear to have accrued by Menna of such person or persons who shall be Convicted of the premisses

as aforesaid;

Be It further Enacted by the Authority aforesaid that if any person or persons ether Lycenced or others shall entertains

Digi-jzedbyGoOgiC

or gnifer any apprentice to be entertayned or to be and Bemaiue in any of their houses hnowing him to be such att unseasonable hourea, That is say after the honree cf eight or Nine of the Clocli att nipht att the ffurthest the person or personB bo affending shall for every such offence feeing thereof Lawfully OouTicted fforfeit the smne of tBve pounds Currant nwmey of the Country ye fBne for the benefltt of the County;

[CHAPTER 19.]
[Copied from tbe original Id the ofBce of the Secretary of State.]

A Bill Concerning Arest

[Passed, October 24, 1084.]
Bee It further Enacted: By this Gen'all Assembly, That no Sherriff or other officer 8hall Execute, any writt or warrant of what nature soev'r whith'r Originall or Juditiall upon any p'son or p'aons or ye Estate eith'r upon ye Sabaeth day Christmasa day ye day of Humiliation for ye death of ye Late King or upon je day appointed for thanksgiven for his Maj'stys happy reetaura-tion or upon the 11th day of Oct. being the- birth day of his ' Boyall Highnesse Jsmes Duke of Torke and Albany Lord Proprietor of this Province or upon ye fifth day of Novem'r nor shall any of ye Writta aforesaid be Executed or Served on any p'son or p'sons w'tsoev'r whilest they are at goeing to or Return-ing from any publique fair or Markett w'ch shall be Established for ye Publique good of this Province, Nor on any Such goods or TralBqne aa they shall Carry to Such fair or Markett for Sale: Provided allways noe Long'r tyme be allowed for their going or Returning than ye Journey or Voyage may Reasonably be p'foimed in. And If any Bherifl Offlc'r or oth'r p'son 'What-soeVr shall arest or Imprison ye Body or attach the goods of any Person Contrary to this Act. T't y"n the p'ty whose 'psons or goods was so arrested Imp'risoned or attached shall by Vertue

of this Act maintaine an Action of false Imprlson't ag'st Such Sheriff or Offic'r or oth'r & Recov'r all his damans Sustained by Such Arest, Imprisonm't or attachm't & all Judgm't verdict & Executions had or obtained ag'st any p'son w'soev'r & grounded on any Such Writt Imp'risonm't or atachm't as afcwes'd are hereby declared Null & void to all Intents Construction and purposes w'toev'r any thing to the Contrary hereof in any wise notw'thstanding. Provided allways y't It shall & may be Law-full for ye Sheriff op any oth'r OfRc'r to apr'hend & Carry to Prison any P'son or p'aons for Treason fellony & breach of ye peace or Escape out of Pr'son when und'r Execution uppon any

Digi-jzedbyGoOJ^Ic

day at any place any tMng in this Law to the CoDtrary hereof notwithBt-andlng. Provided also and be It furth'r Enacted By ye Authority aforesaid, That all Persons who attend ye Cooncill Board ye Court of Chanc'ry ye Court of Oy'r and Termin'r or Sessions or any oth'r Court w'thia this Province for Publiqae Ser\-ice or in Compulsion Shall be free from any Arest Comeing whilest they stay at & goeing from ye Said counc'll Board or Court Provided their Stay Exceeds not forty eight hours affr ye Court breaks upp or y't they are discharged from Such attendance and all Persona w'tsoev'r who shall be arested Contrary to the True Intent & meaning of ye Premises uppon Complaint and Proof made to any memb'r of y't Court w'th hath Jurydiction of ye Cause ttom whence the Said Arest Proseeded the p'son or p'siMia Shalt be Sett at Liberty and discharged. And If any p'son shall at any tyme be Sued for Such discharfjeing or Setting Such p'son at Lib'rty as aforesaid, he may plead the Genera!! laue and give this Act in evidence for his defence and Justifica-tion Provided also y't noe person shall be arested for any Debt Untill Tyme That Ye Said Debt shall become due is Expired T'nlesB It appear uppon Oath Y't the Debt'r is about to Convey himself away on purpose to avoid ye Action and defraud hia Credit'r In w'ch Case the said Debt'r shall not be discharged unt'll he give in good Security to answ'r the plaintifs Action when the Debt becomes due or y't the Said debt shall be duly and Truely Sattisfled according to t!»e Ten'r of the Obligation by w'ch It !}ecome8 due to the plantlf.

Provided also y't noe p'son und'r the age of Twenty One Years shall be arested in any Civill action or Suite Unless the Debt, on w'ch the Suite or Action Is grounded became due for diet or apparell. Provided allways y't noe mans person Taken in Execu- tion shall be kept in prison for Debt, or flue Long'r y'n the End ye first Court w'ch shall happen aft'r his Committm't, Provided It be the same Court from whence ye Execution proseeds unless the Plaintifif shall Make It appear that the p'son Imprisoned hath Some Estate w'ch he will not p'et w'th all or produce Butt If noe Estate Can be found then the Debt'r shall Sattisfle hla Dpbt by S'rvice according to ye Ord'r and appoyntm't of the Said Court as also the Charges of his Imprlsonm't. Provided the Credit'r or Sheriff desire the Same. If not uppon the prison'rs request and makeing Oath in open Court, y't he hath noe Estate to the Value of five pounds, the Court may dismisse the said Prison'r and discharge him from his imp'risonm't any Law Custom or Usuage to the Contrary hereof in any wise not witfa- standlng.

Digi-jzedbyGoOgiC

IAW8 OF THE COLONY OF NEW YOIIK.

[CHAPTER 20.]
[Copied trbm the original la the office of the Secretary of State.]

A Bill for the Settlement o< the Militia
tPassed. October 27. 16S1.]

Pop the better Regulating of the Militia within this Province for the Oommon Defence and I'reservation Thereof Bee it enacted by the Gt>veruour Counoell and Eepresentatives in a^eembly met and aseembled, and by the authority of the same

That a Major be appointed in such County {Capable thereof) as head of the Militia there; as ye Govem'r shall think fltt: That noe MaBter of Vessells bee exempt from Training but such as are abore flforty Tunos.

That all persons though ftreed from Training by the Law yet that they be obliged to Keep Convenient armes and ammuni- tion in Their houses as the Law directs To others

All fines for Neglect of Townee, bee Imposed by the Courts of Sessions or County Courts, but for the Neglect of particular persons, by tie Captainea and Oomniission Ofttcere

That the Govemour doe chuse appoint & commlseionate all olScers of the Militia within this province provided that all such ofilcers bee Chosen out of the Freholders inhabitants within the Respective Townes and Counties where their C(«n-paniea are

That the Clarke, of the Respective Companies who are to bee Swome bee empowerea by Their Commission Officers to Le\7 all fines and Penalties as shall bee adjudged and Give account thereof to the said OfBcers

That noe fines doe goe to the Commission Officers bat that they bee employed in the buying of Drumes and Colours Ital-herds Trumpetts and other Necessary Charges Relatelng to the Militia to bee disposed off by the severall CommiBsion Officers of the Townes or Counties

That all Warrants from the Govemour and Councell bee sent to the Majors of each County, who are to give orders for drawing together the several! Companies of the County.

Match Locks being not thought necessary in this Country that none bee obliged to provide them.

That military offences be adjudged By the Major (if present) and Captaines in each Connty, but if absent the Captains and Commission OfBcers to adjudge Them.

That if any Rfrvant upon pretence of goeing to the warrs against the Enhny doe runne away from his Masters servioe
21

. l'.tH>t^lc

he ^all if taken be Greviously punished att the direction of the Governour and Counceli.

And tlmt other perscms nott Excused by Law pretending tender Consciences (soe nott willing to beare armee) doe find a Man to serve in their Stead or pay their fines as the Law directs or are Left to agree with the Military Officere of the place

As to other matters any way relating to Military affaires nott herein exprest, all persons are to be regulated as in his Royall Highnesses Lawes is Directed. And be it further Enacted that every person Mustered or to be Mustered shall Once every yeare pay unto the Master Master hie l>eputy or Deputys by him Appoynted in each respective County the sum of four penc^ halfe penny

[CHAPTEB 21.]

[Copied froiu tlie original in tbe office of the Secretary of State.

An Act to prevent Arrests of Judg-
ments and Superseding Execucons.

(Passed, October 27, 1684.]
WHEREAS greatt delay trouble and vexacon hath been and is still Occasioned to the People of this I'rovince as well by arresting and reversing of Judgments, as by staying of Execu-cons by Writts of Error and Sui>ersedea8; Bee itt enacted by the Governour and Counceli and Assembly now assembled and by the Authority thereof, That after Judgment shall bee given in any of the Courts of this Province, the Partys and their heyers shall bee thereof in peace untill the Judgment bee undone by Attaint or Error, to bee brought within eight and twenty days after Judgment given, in which time no Execuctm to Issue forth, butt after Execucon no attaint or writt of Error to bee brought. And bee itt further enacted, Thatt if any verdict of twelve men shall bee given in any action. Suit, bih or demand, to bee commenced from and after the first day of Kovember next ensuing in any of the Courts of this Province, Judgment thereupon shall nott bee stayed or reversed for Default in forme or lack of forme, or by reason there are nott pledges, or butt one pledge to prosecute, or for default of entering Pledges upon any Bill or Declaracon or for Default of alleging the bringing into Court of any bond, bill. Indenture or other Deed whattsoever, Letters Testamentary, op I^ettera of Admin-istracon, menconed in the Declaracon or other pleading, or by

reason of Omission of Vi et armis, or contra pacem, or for or by reason of the mistaking of the Christian name or Surname

of the Plaintiff or Defendant, eome or somes of money, day, month or jeare by the Clei^ in any Bill Declaracon or pleading where the same la or are once truly & rightly alleaged in any writt, Declaracon or Record proceeding where the mistake is committed, whereuoto the Plaintiff might have demurred and shown the same for cause. Butt thatt all such Omifisions variances and defects and all other matters of like nature, nott beinp against the right of the matter of the suite nor whereby the issue or Tryall are altered, shall bee amended by the Justices or Judges of the Courts where such Judgments are or shall bee given, or whereunto the said record is or shall bee removed by writt of Error.

And Bee itt further enacted by the Authority aforesaid, Thatt from and after the first day of November nert ensuing. No Execncon shall bee stayed in any of the aforesaid Courts by Writt of Error, or Supersedeas thereupon, after Verdict and Judgment given in any accoo reall or personall whattsoerer, nnlesse sufficient Security shall bee first given with two sufficient Suertys, in Double the Value of the action to the Clerk of the Court (wherein such Judgment is or shall bee given) wherein they shall bee bound to prosecute the said Writt of Error with Effect, & also to sattlefy and pay (if' the said Judgment bee affirmed) all and singular the Debts, damages and Costs adjudged or to bee adjudged upon the former Judgment, and all costs & damages to bee also awarded for the same delaying of Execueon.

And bee itt further enacted by the Authority aforesaid thatt where any person or persons is op shall bee Barred in any accon Keall or personall, by Judgment upon Demurrer, Confession or Verdict; Such person & persons and their heyres, are & shall bee Barred as to that or the like action, of the same nature for the same thing for ever,

[CHAPTER 22.]
[Copied from the origioal In the office of tbe Secretary of State.)

A Bill for Executing the Judgm't of

the fformer Courts of Assizes & Sessions.
[PaBsed, October 27. 1684.]
Whereas By the Alteration of the Courts of Justice within this ProTince Execution cannot be now awarded on the Judgment obteyned in any erf the said Courts, Be it Enacted by this Generall Assembly and by the authority of the same that it shall and may be lawfull for any one of the Judges of Oyer & Terminer

. '.iooglc

and GeQerall Ooale delivery to award and sLgne ExectititHi ea any Judgment obteined in the Court of Aaeises ffonnerly held and kept, & For the President for the time bring of any of the Courts of Heesionsnow by Law established to award and Bif^ne Execution upon any Judgment obtajned in any of the fformer Courts of sessions held and kept within the County in which the said President hath now Jurisdiction, all which Execution shall be as . good and effectuall in Law to all Intents and purposes as if they bad been awarded and signed by the Judge or President of any of the said Courts then in Being any Law Custoine or Usuage to the Contrary hereof in any wise Notwithstanding; Provided always that Executi<m hath not been before awarded or Issued out on any of the said Judgm'ts and that, ncMie of the e'd Execu- tions shall be granted unless a writt ot srire facias be fftrst Issu oat for the party to come in and then Cause why Execution should not be awarded as aforesaid.

[OHAPTEK 23.]

[The original of thla act Is oot in the office of the Secretary of This copj' was made from the manuHciliit compilation of tlie " Dooga laws," formerly In the office of the Sccn'tiii'y of State, but now New York State I^lbrary. The date of Its passase. as October 27, 16 la giv^n by B. B. O'CallaKhan. is Hlat Int to Journals of the Legi OouncU of New Tork, p. 13.]

A BILL for Cording of firewood.

[Passed, October 27, 16&4.]
WHEJBEAS great abuses are made by them that make their pro-

fesaioQ to Sell firewood within this province Bee it ^Enacted by the Govemour Councell and Representatives in Generall Assembly and by the authority of the Same that from and after the first day of July next Enaueing the date hereof noe firewood Shall be Exposed to Sale within this province But only Such as Shall be Cutt after the manner of Cordwood, which Said Cord is to containe Eight foot in Length four foot in breadth and four foot in bight under the penalty of forfeiture of Such firewood as shall be Exposed to Sale Contrary to the Tenure of this Act. PROVIDED Always that it Shall and may be lawfull for all persons to Cutt and hew or cause to be Cutt and hewed all manner of firewood either of a Longer or Shorter Size as before is Exprest, provided the Same be for their owne use and spending and not for sale, provided that the forfeiture of all wood shatt goe one third to the informer the other to the use of the Connty.

Digi-jzedbyGoOgiC

[CHAPTEB 24.]
[Ceitled from tbe orlflnal In the office of the Secretary of State.]

A Bill for the Mi>re speedy and better Collecting the Governor ffree and Voluntary Present.

IPaSBed, October 27, 1684.]
Whereas sererall of the Inhabitants of this I'rovince have been BarlcTvards in the payment of their Bates due by an Act Enti-tuled a Fi*ee and Voluntary present to the CTovemour and whereas the Baid Act will expire on the twenty one day of April! next ensuing by whii-h means no legall way will be left for the Collecting and Keceivinff the said arrears; Be it Enacted by this General] Assembly and by the authority of the same that all Collectors who have been Impowered to receive any of the said Moneys by Vertue of the said Act, who shall net make due payment of the same according to the true Intent and meaning of the said Act, before the said twenty one day of Aprill next ensuing shall be lyable to be sued for such summe or snmmes as they shall be in Arrears, and to make satisfac-tion of the same out of his or their own proper Estates, and

also to pay Ten pounds Damage for every hundred pounds which they shall be fTound in arrears, and Loose all the benefltt acruing to them vertue of the said Act.

[CHAPTER 25.]
[Copied from tbe orlgiual Id tbe office of tbe Recretary of State.]

Ad Act for the Encouragem't of Trade
and Navigation w'thin this Province
[PasBed, October 27, 10&4.]
For as much aa oth'r hia M'ties Plantations in America have and doe dayly receive anil reap great benefltt & advantage h\ direct and Imediate Trade Traftique & Oommerce to & from his Ma'ties Healme of England & y't the Importation of goods & merchandize of ye growth Prodnoe & manufacture of Enrrope into this province from oth'r parts and places hath been & Is of great prejudice and Inconveniency to the Inhab-itants thereof

Bee It Enacted by the Cri>vem'r and Coimc'll & Rep'sentatives in Gene'all Assembly mett & assembled & by ye authority of the same That from and aft'r the first day of November next ensuing.

Digi-jzedbyGoOgiC

All goods wares and MerchaDdizes whatsoever of the growth Produ'tt'n or Manufacture of Europe as sliall be Imported into thib I'roviiice or Dependencej or any part thereof from any otU'r Tort or place whateoev'r but shall be w'thin the said Realme of England or oth'r his Ma'ties dominions in Eutrope w'ch by Law may Trade to the plantations and fro" thence be directly Transported to this Province shall pay to bis Boy'H Hig'e and his heirs or to such Person or p'rsons as by bim ov them shall be appoyn'd to Ctoll'ct & Receive the Same, the Sum of tenn pound cur'tt money for every hundred Pounds .Value thereof according to the Rates & prises of such Goods, .wares or merch'tdize at such place and tyrae as they shall be Imported andy't all goods wares and merch'tdize of the growth produ'tt'n or manufacture of Jemeca Barbadoes or any oth'r ye Caribie Islands that from and aft'r the tyme aJores'd shall

be Imported into this P'rince or Its dependencyes f ro'any oth'r port or place but directly from. Jemeca Darbad's or some oth'r the Caribie Islands the places of Its grow'h Produ'tt'n and manu- facture Shall pay the like sum of Tenn £ for e\-ery Hundred pounds Value thereof in maner aa afores'd & for ye bett'r Enconragem't of The navegation of this province: Bee it fur- th'r Enacted by ye authority afores'd that all whale oyle & uliale bone & wheat as from and aft'r the S'd first day of November shall be Shipped cr Exported out of this province or dependency or any port thereof for any oth'r port part or place but directly for the Realme of England Jemeca Barbadoes or Seme oth'r the Caribie Islands shall pay ye Like Sum of 10 £ for every 100 £ Value in man'raforea'd. according to the Value where the same shall be Shipped and ye all and every MastV of Ships or oth'r Vcbb'11 that shall Intend to shipp or load any of ye S'd oyle or whale bene & wheat on board an/ Shipp or Vessel] whatsoev'r to tnincep't ye Same out of this province Shall before bis tak'n the Same on board give Bond to Such Oflic'r as shall be appoynted to Coll'ct and Receive his Roy'l High'efl Custom in Such port where the Same is to be Shipped Or Ix>anden with sufficient security for double the Valine of the said Oyll and Whale Bone & ^Tieat to be shipped or Loaden, That the same Shall be carryed and delivered att some Port or Place within the said Realme of England Jamaico, Barbados or some other ye Caribee Islands and att no other Port or Place whatsoever and that they will prodnce a Cer- tificate of snch the Delivery att ye places aforesaid tinder the hand of stnne publique officers within twelve months after the said Bond given (the T>angers of the seas ^cepted) under ye paines i^enaltyes and fforfeitnres as in the Act made this present

Lc;-,:.tll:yG00gIC

Beesion of the assembl; ffor the Establishm't of Cnstvuu and Excise for DefmjiDg the Charge of the Govei-nm't is particu- Inrlj laentioned and EspreBBed to be sued and Kecovered as tliti-ein is directed; Provided that nothmg in this Act ahall be Construed or Intended to prejudice or lay any Impoeition upon ye Traders to and from Newfound I^and, Westeren Islands, or ye Madera-

(flve OP six lines torn off.)
Nor upon any Oyle Whalebone that ^all be shipt off att the Port of New Yorke any thing in this Act to the Contrary in any wise notwithstanding And this Act to Bemaine in fForce during the Time of Eleven Years after the ffirst day of November next ensuing and from thence untill the end of the next season of the Genera)] Assembly;

[CHAPTER 26.]
[Copied from the original In the otace of the Secretary of State.]

A Bill to prevent Damages done by Casting

Ballast Into Rivers.

IPaased, October 28, 1884.1
Be it Enacted by this (Jenerall Assranbly and the authority thei-eof That no shipp, Sloop or Boete or vessel] what kind soever shall Cast out any Ballast out of the said shipp Sloop or vessel! Into any River, Creeke, Boade, Harbour or Dock within this Pro-vince upon the penalty of Tenn Pounds Currant money of this Countrey to he paid to the use of the Countrey, for every such offence being thereof lawfully convicted.

[CHAPTER 27.]
ICopled from the original In the office of the Secretary of State.]

A Bill For an Annual] salary to the
Judges of this Province.

[Passed, October 28. 1684.1
FORASMUCH as the speedy & easy administration of Justice under the fforme and Method now Established for the Judges of the Province to hear, try and determine all Actions & Causes and give Reliefe therein to all sorts of persons in the several! Countys and partes thereof without putting the suitors or persona Concerned in any Action Cause or Controversy to the trouble, Charge and Expense of Travailing out of their Countys Justice being brought to their Doores and all parts and persons partaking of the Ease and Beneffitt thereof is of Great protBtt

. '^^t>(>t^lc

and Tery CommodiO'iu to the Inbabitant^ But not done & per-
fonned without great trouble palnes and Expense to the persons
appointed to be Judges who in all places hare an allowance or
yearly Stipend out of thePubliquetowardsmaiataining Support-
ing and defraying the same. Be it Enacted by the Governour Coun-
cell and Bepreaentatives in Geoerall Assembly mett and Aasem-
bled and by the authority of the same that from & after the first
day of Novfflnbep next Ensueing the Dates of those Presents Annu-
ally and every Yeare there shall be allowed & payed unto sucli
persons as now are or shall be appointed Judges of this Province
out of the publique revenue, Incombe or Treasury of the Beverall
Conmtyes hereafter named already Eaysed or be raysed by Vertue
of an Act made this sessions of Assembly Entitled an Act for
the Defraying of the Publique and Necessary Charge of each
respective Citty Towne & County throughout this Province or
by any other such itanncr of Wayes or means as by the Consent
and agreement of the Major part of the Inhabitants of each
Respective County op Towne shall be thought ffitt & most con-
venient the somme of two hundred & two pounds tenn shillings
to be levied and payed in manner and proportion fEollowing That
is to say By the City and County of New Yorke Thirty fQve
Pounds, By the County of Westchester ffiveteen pounds, By the
County of Richmond ffiveteen pounds, By the County of Ulster
twenty fflve pounds. By the County of Albany twenty seaven
pounds tenn shillings, By Kings County twenty iHve pounds, By
Queens County twenty ffivft pounds. By the County of Suffoike
thirty fflve pounds. And for the due and orderly payment of the
said Severall summs amounting to two hundred and two pounds
tenn shillings as aforesaid Be it fiFurther Enacted by the
Authority aforesaid That Annually and every Yeare the same
shall be by the said Severall and Respective Countys payed unto
the Treasurer of the Citty of New Yorke for the time being att
New Y'orke in Current silver money on or before ye thirty first
Day of October without Abatement or Allowance for any Charge
Trouble or Expense whatsoever And the said Treasurer is to
Receive the Same and pay and deliver it to the said persons as
now are or shall be appointed to be Judges of this Province when
demanded without Charge and Allowance to no other person or
persons whatsoever, And Be it ffurther Enacted by the authority
aforesaid that if any of the said several! and Respective Countys
shall refuse and neglect to make payement of the said severall
sununs and proportions by them to be payed as aforesaid att the
time and place before mentioned and appointed that then for

every day after the said day brfore mentioned and appointed for ie payement thereof & untill the whole summe shall be fully payed and satisfyed such County or Countyes as are deffective therein

■hall each and every of th»ii ffoiteit and pay for the asea of,the, JadgeB the further snmme of two ahill's & Six penc per Diem fTor such their default after the thirty first day of October This Act to Continue for the apace of three yeares from the flrat day of November Nixt Eusueiog the date of these presents being in the year of our Lord 1684 & No longer.

[CHAPTER 28.]
[Copied from the original In the office ot the Secretarr of State.]

A Bill for Altering the time of the Court of Sessions in the County of Westchester '

[Passed, October 29, ieS4.]
WHEREAS the Courts of Oyer and Terminer and Court of Bcssions within the County of West Cheater happen to be at one and the Same time which will be very InconveDieDt Be it Enacted by this General! Assembly and by the Authority of the Bame That the Court of Sessions appointed to be held and kept for the Said County on the first Tuesday in December shall from henceforth be kept and held oa the third Tuesday in November Annually and every yeare any Law to the Con- trary hereof in any wise notwithstanding.

[CHAPTER 29.]

[The orlKlnal of this act Is not In the office of the Secretary of This copy was made from the manuacrlpt compilation ot the " Dongan laws," formeriy In the office of the Secretary of State, but now In New Tork State Library. The date of Its pasaase, as October 29, 168 Is given by E. B. O'Callagban, In Hist. Int to Journals of the Leg Council of New York, p. 18.]

A Bnij Concerning ftorraer Mortgages.

[Passed. October 29, 1684.]
WHEREAS It hath beene the Custome and practise of the

ancient inhabitants of this province Comonly called Dutch, to nwi and Exercise the Methods of their owne nation, in Mort- (cages of I^ands houses and Tenements which is not according to the usage and method of England, and the now Established Lawee of this province Bee it Enacted by tlie Govemour and Conncell and Representatives mett in General] Assembly and by the authority of the same That all such Mortgages of Lands bouses and Tenements duely and Legally obteined and made according to the former Customes of this provlQce, before Its 22

Digi-jzedbyGoOglC

BeatauratioQ to bis Uajtie and Bojall Highnessc shall be deemed and adjudged in any of the Oourts of Equity aod Courts of Record within this pittvince as Effectual! in La,w and Right as if according to the uietboda and practice of England or the Lawes now Eetablisbed.

PROVIDED that all such mortgages shall be sued or renewed within Eighteen months after the Date of these pranissea Any acts Customs or Usage to the Contrary notwithstanding.

[CHAPTER 30.]
[Copied from the original la the office of the Secretary of State.}

"■ An Explanation of the Continued Bill for defraying the Requisite Oiarge of the Government;

tPassed, October 29, 1GS4.]
WHEREAS there may Arise Differences between His Royall Highness Collector and the merchants trafllcquing to this Province by the uncertainty of the ftirst Cost mentioned in An Act Intituled a Continued Rill for the Defraying the Requisite Cbajges of the Governni't for the Removall thereof, And also foi* the better ascertaining and Establishing the Revenue, and poundage therein expressed, Be it Enacted by the Governor Gouncell and Representatives in generall Assembly mett, and by the Authority of the same that the Certain Duty of ten per Cent Established by the said Act upon merchandizes Com-

monly Called Indian goods that shall be valued after the manner hereafter specified, and not otherwise That is to say for all Indian poods Called Indian Duffells P yard two shillings and foure pence, Indian strouds, halfe a peice ffoure pounds, the Whole eight pounds, Indian Blanckitts P peece ffoure pounds, Indian plaines Cotton I'Yard one shilling and six pence, Indian halfe shiclies P yard one shilling and Tenn pence Indian WTiite Olpmhriggs the English Ells Eight pence, Indian Kittles the hundred weight six pounds, Indian Hatchetts the Dozens twelve shillings, Indian Hoes the Dozen twelve shillings, Read Lead the hundred weight twenty shillings vemiillion the pound ffoure shillings, Cotten the Yard one fihilling and foure pence, Red Karsey the yard two shillings six pence Knives the Dozen three shillings, Indian shirts P dozen twenty shillings, shott P hundred fifteen shillings, and for all sorts, Indian Habberdashery & Woolen Stockings Hereafter mentioned. That Is to Bay Indian Drawing Knives, Indian Looking Glasses, Indian Wooden Combs, Indian Beads, Tobacco Jn Boil, Indian Belts, Biseers, Juce Harpea, Indian Pc4ntB, Drills, Tobacco pipes, Uttle

..C'.ooglc

painted Boxes, Alls, SwOTd blades, Ooper Tobacco Boxes, Tinsie Lac&, Indian tiimpe lace, Neadlea, Tobacco Tongs, Indian Powder Horces, Indian Woolen t^tockinga Indian Heales, the said eumme of tenn pounds P Cent to the value of prime Cost as is exprest in the said Act; And In Respect there could not be Convenient time sufficient for the accomplishing & Ascertaining Bates for other merchandises Imported into this Province this sessioQ ol Assembly- by Reason of the approaching winter And Also for the preventing of any ffraud that may be made to Diminish the said Revenue, Be it Enacted by the Authority aforesaid, that if any misunderstanding should arise between his Boyall Highness Collector and Merchants or others Trafflquing and Importing any merchandises into this Province, about the value of prime Cost as Established in said Act It shall and may be Lawfnll for the Descision of such misunderstanding or Difference to appoint two indifferent persons, who shall value said merchandises Imported According to the manner expressed in said Act att prime Cost att which value bo estimated. The said merchant or Importer shall pay his duty, without further delay

or molestation. And Also in the said Act Intituled a continued bill for the Defraying the necessary Charge, There Appears a great Uncertainty upon what sort of merchandises the Like duty of two P Cent shall be paid, For the further Clearing & explaining the Intent of this Assembly It is hereby declared That it was not the Meaning or Intent of this Assembly That any of the Goods or Merchandises hereafter specified should pay any Duty or Imposition That is to say Porke, Oyll, Tarr, Flax, Soap, Candles, Cheese, Butter, Beef, Fish, Whalebone, Hopps, Apples, Pears, fiyder, Firewood, Planks, Boards, Peitrv, Beavers, Sheeps wool, Onyons, Dressed Dearskins, Tallow Hydes, salt, Honey, Beeswax, Indian Com, wheat. Barley Rye peesse, or any other sort of Graine, of the Growth or production of our Neighbouring Collonys vis't: Carolina, Virginia, Mar\land, Pennsylvania, East and West Jersey, Conneticut, Rhode Island, plinnoch, Matha-thusetts or from any other port or place upon the Mayne Called New England Imported to this Province.

[CHAPTER! 31.]
[Copied from the original In the office of the Secretary ot State.]

An Act for the confinning ail Judgments and proceedings in the former Courts, taking away the Generall Court of Assizes.

[PaaRed. October 2», 1684.J

Bee Itt Enacted, and itt Is hereby enacted by the Governor CoQQcell and Representatives now assembled and by the

Authority <rf the same; Thatt no verdicts, Judgments, Decreea, Sentences, Probates of Wills or Letters of Administracon Or any Writts, ActingB, Orders, or other proceedings in Law or Equity, had, made, given, taken or done in an,v Court or Courts within this Province of New Yorke, befwe the beginning of this present Session of Assembly shall att any time hereafter upon any pre-tence colour, or cause whatsoever bee brought into question. Examined altered or reversed by any other Court' power, Juris-diction or Authority whatBoever, nor any Execucon thereupon had, made, giv«i, done or suffered, butt all such Verdicts, Judg-ments, decrees, Sentences, probates of WJlls or Letters of Administracon, Writts, actings, orders proceedings and Execu-

cons thereupon, are hereby ratifyed and conflrmed and to remaine in full force and Vertue; Neither shall any Judge Justice ot the Peace, Magistrate Minister, Kheriff & any oflflcerB of the Courts of Justice att any time or times hereafter be sued, troubled, questioned molested or brought to answer before any Court power Jurisdiction or Authority whatsoever for any matter Cause or thin); by him them or either of them att any time before the beginning of this present Sessions of Assembly acted sufEered Couunitted op done by Vertue nnd in pursuance of their severall and respective places offices and trusts, butt all the said Magis-trates, Ministers, Sheriffs, & other Offict-rs of Courts of Justice shall be and are hereby for ever absolutely and fully acquitted released enderopnifj'ed and discharged therefrcaa: Provided always tbatt all such Verdicts, Judgments and decrees have been where both partys have appeared and pleaded, or att least have been legally summoned to make their Answera

And forasmuch as the Generall Court of Assizes, heretofore held annually in this Province is of great charge and Expence to the same, and by reason of the Great number of the members thereof noft so fitt & capable to heare and determine matters and causes of Civil nature, usually brought to the said Court; Bee itt enacted by the Authority of this Present Assembly; That the said Court called the Generall Court of Assizes and all Jurisdic-tion power and Authority belonging unto or used or exercised in the said Court or by any the Judges, iliniisters or ilembers thereof, bee from the first day of November next ensuing clearly & absolutely dissolved taken away and determined & that from and after the said first day of November next ensuing. Neither Judge Justice Member or Minister of the said (tourt whattsoever shall have any power or Authority to heare Examine or deter-mine any matter or thing whattsoever In the said court called the Generall Court of Assizes or to pronounce or deliver any Judgment. Sentence Order or decree or to do any Judiciall or Mlnisteriall act in the same Court: Provided alwajB thatt all

Lc;-,:.tll:yG00gIC

actions snites or Complaints now depending in the said Court of ABBiseB either by Bill, plaint, Declaracon, appeale, review, by Peticon to the Governor and Councell, or any other ways or

means whattaoever, Bhall bee ended determined and finished by the High Court of Chancery.

eECONB GENERAL ASSEMBLY, HELD AT FORT JAMES IB THE CITY OF NEW YORK.

Mrst Session, October 20, 1685.
Thomas Dokoan, Gotebhob.

CHAPTER!.
[Copted from the original la the office of tbe Secretary of State.]

A Bill against Sabbath breaking.
[Passed, November 3, 1685.]
fforasmnch as there is nothing more acceptable to God than the true and Sincere service and Worshipp of him according to his holy will And that the holy keeping of the Lords day is a principall part of the trne Service of God which in very many places of this province bath been and now is p'fained and neglected by unlawfull travelling or Joumying upon the Day aforesaid by shooting horaehunling and horseracing rideing on steeds unnecessary hunting and tipiing in Alehouses taverns & other publick houses and other unlawfull Exercises and pastimes alsoe Exercising wordly labour hussinesse or worke of Ordinary Callings Except works of necessity and Charity or other Extra-ordinary Occasions to be allowed by Some Justice of the peace On the Lords day Bee it Enacted by the Governour Councell and Bep'sentatives in Generall assembly mett and assembled and by the authority of the Same That whatsoever P'son or P'sons shall be Convicted of any the aforesaid Sabbath breakes before any one Justice of the peace or Constable in his absence of any towne by Vieu Confession or proofe of one or more SuflScient witnesses Every Such person soe offending shall for Eevery such Offence forfeit and pay the summe of Six shillings and Eight pence to the use of Such towne or place where Such offence shall be Committed And upon refussall or neglect of payment of the said six shillings & Eight Pence for Every Such Offence the Same to be levyed by a Warrant from any Justice of the peace of the place where such Offence shall be Comitted or the goods and Cl^nttles of such Offender And for Want of such goods or Chatties the fiarty offending to be Committed to the stocks by the Constable for the space of two honres for Every Such Offence Provided Alwayes

H;–,:.tll:yC00t^lc

Tliat noe persMk shall be prosecuted upon this Act anlesae within tenne dayes Space after the Offence CMnitted.

[CHAPTER 2.]
[Copied tfom the original Ih the office of tbe Secretary of State.]

A Bill against ewearing and Cursing
(Passed, November 3, 1685.]
fforasmuch bb ail prophane swearing and Cursing is for-bidden by the Word at God Bee it therefore Enacted by this General] Assembly and by "the Authority thereof TTiat if any perscm or peraouB shall at any time her^fter profanely Swear or Curse in the hearing of any Justice of the peace in the County or any Mayor or head Officers in any Citty towne or Village where such Offence shall be Comitted or shall be thereof Convicted by the oaths of two witnesses or by Confession at the party before Every such Justice of the peace or head Officer Every Such Offender l>eing at>ove the age of twelve yeares shall for Every time soe Offending forfeit and pay to the use of the poor of Such place where such Offence shall be Com-mitted the Sume of One Shilling Currant money of this province or Equivalent thereunto And upon Refusall to pay the Sajne as afon?said the Said sume ahall be levyed by deatresse and Sale of the Offenders goods by Vertue of a warrant from the Justice of the peace of Such place rendering to the Offender the Overplus And for want of Such destresse the Said Offender shall be Committed to the stocks for the space of three whole hours by Warrant as aforesaid ffnrthermore liee it Enacted by the authority aforesaid tliat any person offending against this Law by prophane Swearing or Cureeing being under the age of twelve yeares and shall be Convicted as aforesaid and shall not forthwith])ay the like Sume of One shilling he or she by Warrant of Such Justice of the peace or head Officer shall Bee whipped by the Constable or by the parentior Master in the p'sence of the Ooostable Every Offender againai: this Law shall be Complained of and proved as aforesaid within twenty dayes after the Offence Committed.

[CHAPTERS.]
[Copied from the orlstnal In the office of the Secretary of State.]

'A Bill against Drunbennesae
[Passed, November 3, 1686.]
Whereas the Ix>atbsome and Odious Sinne of DninlceDnesee
Is growne into Comon uae within this province being the root

and fouidation at nuuiy other Enonnous Sinnes as bloodshed stabbing murther swearing fornication Adultery and such like to the Great Dishonour of God and of this province Bee it therefore Enacted by the Governour Councell and Rep'senta-tiveB in Generall Aasembly mett and Assemhled and by the Authority of the Same that all and Every person and persons who shall be drunke and of the same OfCence of Dninkennesse shall be Lawfnily Convicted shall for Every Such Offence forfeit and pay five shillings Our't money of this province to be paid within One weeke & after his herortheirOonviooon thereof to the hands of the Constable of that towne Citty or Village Where the OflEence aforesaid shall be Committed for the nse of the poore of Such Said place such Oonviccon to be made by the Confession of the party or oath ot one Credible Witnesse And if the said person or persons so Convicted shall refuse or neg-lect to pay the said forfeiture as aforesaid then the Same shall be fr«n time to time levyed of the Goods ot Every Such person or persons soe refusing or neglecting to pay the Same by Wa^ rant from any one or more Justices of the peace of the Said Citty towne or Village before whom the said Conviccon shall be And if the Offender or Offenders shall not be able to pay the Said Same of five shillings Then the Offender or Offenders for Every such Offence shall be Oonutted to the stocks for the apace of Six houres by the Constable of Such Citty towne or Village.

[CHAPTER 4.]
(Copied from the original In the office of tlie Secretary of State.l
A Bill for Regulating the proceedings
of monethly Courts throughout the
Province.

[Passed^ November 4, 1685.]

WHEREAS it is found inconvenient and very prejudiciall to the inhabitants within this province. That their monthly Courts have not power nor can try any action or cause of action above

the some of forty Shillings Bee it thereof Enacted by the GoverDOur and Councell and Representatives in Generall asembly conveened and the Authority of the same That it shall be Lawfull for the said monthly Courts of the respective townes within this province, to try and finally determine all actions and cause of actions within the said respective townes, to the Bume of five pounds enrrent mony of this province or equivalent thereunto and that they shall have the same powei" to hcare and determine every Such action in the absence of the, party Somoned, As they are allowed in an act intituled {an.

Digi-jzedbyGoOgiC

act to Settle CourtB of Justice) for forty Shillings And that it shall and ma; be Lawfnll for any person or persona to have a Jury upon the request if the Issne be for above fort; Shillings The which Jury shall bee paid by such persons, As »hall bappen to be Cast in eaid action.

AND bee it further Enacted by the authority aforeaayd, That it Shall not bee Lawful) for any Courts or Courts of Justice within this province Superior to the said Monthly Courts To try any action or actions in any County within tiiis province for the Sume of five pounds or under, Except In the citty of New Yorke and the Towne of Albany PROVIDED that it Shall be Lawfull for any one of the Com'rs of the Said monthly Courts to issue out his Warrant to arrest any person or persons who are not freeholders of their Cownty for any Sume or Sumes of money under the Sume of five pounds And for want of a prison in any towne or townes That then It Shall be Lawfull to and for any the said Cocn'rs for want of baile To Commit such person to the Goale of the County PBOVIDED that this bill Shall be in force for The Space of Seaven Yeares from the first day of the Session of this present Oenerall Assembly And no longer.

[CHAPTER 5.]
[Copied from the original Id the office of the Secretary of State.]

A Bill for ye removall of the Courts
of Sessions from Graves end unto Flatt

Bush.

[Passed, NoveiDber 7, 1685.1
Whereas by an Act of Assembly Intituled an Act to settle Courts of Justice it was ordayned and enacted that the courts of Sessiona for Kings County Should be held and holden within ye Towne of Gmvesend at or upon such severall dayes as are within ye sayd Act Tliereto appoynted Forasmuch therefore that by experience it hath been found very inconvenient to the Inhabitants of Kings County to repayr every sessions to ye Towne of (Iravesend ye sayd Towne lying and being situate on the very edg of sayd Kin^ County.

Be it Therefore Enacted by the Governor Councill and Repre-sentatives now mett and assembled in Generall Assembly and by the authority of the same That ye Aforesayd Courts of Sessions formerly Established at Gravesend shall frwu and after ye first day of December next ensuing ye date of this present Act be wholly removed from ye sayd Towne of Gravesend, unto ye Towne of Flatt Bush in ye aforesa'd County and the sayd Courts

Digi-jzedbyGoOgiC

of eessions then and there to be held upon ye same day ot days as by a Clause in ye Act to settle Courts of Justice was appoynted for Oraresend; any thing in any former Act or Clause thereof to the Contrary, in any wise Notwithstanding,

[CHAPTER 6.]
[Copied from tbe original In the office of the Secretarr oC State.]

A bill Concerning Swine.
[Pasaed, November 19,- 16S5.]
Whereas there waa an act made By the Last Generall Assembly Entltaled an act to prevent damages done by Swine, Which by reason of the Striekness thereof It hath been found very pre-judiciall and of ill consequence to the Inhabitants of this province And foraamuch as a Geuerall Law In tliis Kind May not be equally Convenient to all places Bee it Enacted by the Governor Couucell and Representatives in General! assembly mett and assembled And by the authority thereof That the said act here-

tofore made Concerning Swine And Every clause thereof Shall be from and after the first day of May next Ensueing Repealed and utterly void and of non effect And bee It further Enacted by the authority aforesaid That it Shall and may bee Lawfull for the inhabitants of any towne or townea Within this province By warrant under the hand and Seale of some one Justiceof the peace of the County within which the said towne doeth lye To conveen and meet together Boe often as occa8i<«i Shall requyre And to consult of and make such Lawes and Ordinances Con- cerning the Keeping and providing for Swine as to them Shall Seem meett and Convenient PROVIDED always That non of the said Lawes or Ordinances Bee Repugnant to the Laws of this province PROVIDED also that two of the Justices of the peace of ye said County Together with the Major part of the Inhabitants of the said Towne doe consent And that all bee duly Summoned to bee at the said towne meeting Where Such Lawes are made as afwesaid

COMKIBSION OP GOVEBNOB "DONOAH, 1686.

[A portion of tbe commission relating to ttie enactment of laws fs printed here and Is copied from Doc. Rel. to Col. Hist., of N. Y., p. 377. The original Is In London, In New York Entries. I, 85-107

James the Second by the grace of God king of England, Scotland, Prance and Ireland Defender of the ffaith &c To our trusty and welbeloved Thomas Dongan Esqr Greeting.

Digi-jzedbyGoOJ^Ic

And wee doe hereby give and grant nnto yon (nil pow« and Authority, with the advice and consent of our said Council or the major part of them, to make, conBtitute and OTdain Laws, Statutes and Ordinances for the pnblick peace, welfare & good Govern- ment of our said Province and of the people and inhabitants thereof and such others as shall resort thereto, and for the benefit of us, our heirs and successors.

Which said Laws, Statutes and Ordinances are to bee (as near as conveniently may bee) agreeable to the Laws and Statutes of

this Our Kingdom of England.

Provided that all such Laws, Statutes and Ordinances of what nature or duration soever bee within three months or sooner alter the malcing thereof transmitted unto us under our Seal of New York for our Allowance and approbation of them, as alsoe Duplicats thereof by the next conveyance.

And wee doe by these presents give and grant unto you full power and Authority by & with the advice and Consent of our said Council or the major part of them to Impose and Assess, raise and levy such rates and Taxes as you shall find necessary for the support of our Government of New York, to bee collected and levied and to bee employed to the uses aforesaid in such manner as to you and to our said Council or ye major part of them shall seem most equal and reasonable.

Great Seale, dated 10 June 1686 in
ye second year of the King.

INBTBUCTIONB TO GOVXBNOB DONOAN, 1686.

[A portion of the instractions relating to the enactment of laws la printed here and Is copied from Doc. Rel. to Col. Hist., of N. y., p. 369. The original la In London, In New York Entries. I, 108.]

Instructions to our Trusty and welbelovd Thomaa Dongan

Eaqr Our Captain General and Govr in cbeif in and over

our Province of New Yorit and the Territorys depending

thereon in America. Given at Our Court at Windsorthis

29th day of May IfiSfi in ye second year of Our Reign.

With these our Instructions you will receive cur Commission

under Our Great Seal of England, constituting you our Captain

General and Governer in Cheif of our Province of New York and

the Territorys depending thereon in America.

1. Whereupon you are forthwith to call together the members

of our Council for that our Province, by name Anthony Brok-holes, Frederick Philips, Stephanas van Oonrtland, Lucas Santcn, John Spragg, Jervas Baiter and John Young Esquires.

Digi-jzedbyGoOgiC

2. At which meeting after hATiog publi^ed in usual maDoer Our said Letters Patents ctmstituting yau Our Captain Gen-eral & Govt in Cheif of our said province & Territorys.

3. You shall take care yourself and alsoe administer to each of ye members of ye Council as well the Oath of Allegiance, aa ye Oath for the due execution of their places and Trusta.

4. And you are to communicate unto said Council, friwn time to time, such & soe many of our Instructions as you shall find convenient for our service to bee imparted unto them,

5. And Our further will and pleasure is that the membera of our Council shall & may have & enjoy freedom of Debate & Vote in all things to bee debated of in Council.

6. And altho, by our ComlBsion aforesaid wee haue thought fit to direct that any Three of our Counselors make a Quorum; It is nevertheless Our will & pleasure that you doe not act with a Quorum of less than Five Members unlese in case of necessity.

7. And that wee may bee always informed of the names of persons fit to supply ye vacaucys of Our Council in New York,

8. You aie to transmit unto us & to ye Lords of our privy Council appointed a Committee of Trade & fforeign Plantations, with all convenient speed, the names and characters of six per^ Bona Inhabitants of Our said Province and Territorya, whom you shall esteem the best qualified for that Trust. And soe from time to time when any of them shall dye, depart out of our said Colony or became otherwise unfit, You are to supply ye first number of six persons by nominating other to ua in their stead.

9. And you are from time to time to send us & our Committee of Trade & Plantations ye names & qualltys of any members by you put into Our said Council by ye first conveniency after your soe doing.

10. And in the choice and nomination of the members of our Council as also of the Principal Officers, Judges, Assistants, Justicea & fiberifa, you are always to take care that they bee men of estate and abilitys and not necessitous people or much in debt, & that they bee persons well affected to Our Government

11. You are not to suspend ye members of Our Council without good and sufllcient cause. And in caae of suspension of any of them, you are forthwith to transmit unto us, & to cur Committee for Trade & fforeign Plantations your reasons for Boe doing, together with ye charges & proofs against the said pereons, & their Answer thereunto.

Digi-jzedbyGoOJ^Ic

12. And whereas wee have been presented with a Bill op Charter passed in ye late Assembly of New York, containing Beveral ffranchises, privileges & ImmunityB mentioned to be granted to the Inhabitants of our said province, You are to IJeclare Our Will & pleasure that ye said Bill or Charter of Franchises bee forthwith repealed & disallowed, as je same is hereby BepeaJed, determined & made void. But you are nevertheless with our said ('ouncil to continue the Dntys ft Impositions therein mentioned to bee raised untill you shall with the consent of 'the Council settle such Taxes and Imposi-tions as shall ibe sufficient for ye support of our Government of New York.

13. And our further wilf and pleasure is that all other Laws, Statutes & Ordinances already made within Our said Province of New York shall continue & bee in full force & vigor, soe far forth as they doe not in any wise contradict impeach or derogate from this Commission or the Orders & Instructions herewith given you, till you shall, with the advice of our Council, pass other Laws in our Name for the good government of our said

Province, which you are to doe with all convenient speed,

14. And you are to transmit authentick Copiee under ye Publick Seal, of all Laws, Statutes & Ordinances which at any time shall bee made & Enacted within Our said province, unto TTs & our Committee for Trade & ftoreign Plantations, within three months or sooner after their being enacted, tt^ether with Duplicats thereof by tlie next conveyance upon Pain of our Highest displeasure & of ye forfeiture of that year's Salary whwein you shall at any time or upon any pretence whatsoever, omit to send over ye said Laws & Ordinances as aforesaid within ye time above limited.

15. And if any laws. Statutes & Ordinances made & Enacted by you & Our Council or our Governour & Council of New York for ye time being, shall at any time be disallowed & not approved and soe signified by us, Our Heirs or Successors under Our or their Kigne Manuel or Sigupt or by Order of Our or their Privy Council unto youyesaidThoiDonganor toourGovemourorCom-mander in oheif of Our said Territorys for ye time being: Then Such & soe many of them as shall .bo so disallowed & not appro^^, shall from thence forth cease & become Void.

16. And you are to observe In the passing of Laws, that ye Stile of Enacting the same By the Governor & Council, bee hence-forth used and noe other.

• ••••••••

By His Majestys Oommand.

Digi-jzedbyGoOgiC

DOSaAN CHASTKB OF THX CITT OF NEV TOBK, 1686.

[The Dongan Cliarter of the City of New York Is In the office ot Comptroller of the City of New York, and this copy has been compare with the original. It ia also recorded in the odice of the Secretar State In Vol. 5 of Patents at p. 3«1. The original charter Is In

Recorded tn the Secretary's office for this province of New Yorke In

lib. No. 1, booke of ratlenta, begnn 1684, from page 278 to 300.

J. Spragg, Sec'r.
May it please your Honor:

The Attorney Generall Hath peruned this Pattent And finds nothing Contained therein prejudicial! to hJB Majesty's Interest, Examined, Aprils 27, 1686.

r. A. Qraham.

New Yorke, Nov'r 5th. 17ia
Rec'd of Mr. Samuel Bayard, the city Treasurer, twenty seven Beavera Bklns In full for twenty seven years quit rent of ye within charter 2Ttb of April last as witness my hand.

I. Bycrley, Coll.

I Archibald Kennedy Esq. his Majestys Collector and Receiver general of the province of New York do hereby acknowledge to have received Cornelius De Peyster Esq, Treasurer of the City of New York by orde the Mayor Aldermen and Commonality of the Corimration within men- tioned sixteen beaver skins In full for sixteen years quit rent of t within Charter due and ending the twenty seventh day of April last Witness my hand tills eleventh day of DecenilKT, Anno. Dom. 1729. I say sixteen beaver skins for sixteen years quit rent.

Archibald Kennedy.

Receiver General.]

THOMAR DOJfGAX Leivt Governoar and Vice Admlrall of New Yorke and ite Dppendencyes under his Majesty James the Second by the Grace of God of England, Scotland, ffrance & Ireland KiOR Defendor of the faith Siipream Lord and Proprietor of the Colon.v and Province of New Yorke, and its Dependencyee in America &c To all to whom this shall come SByrayTH GREETING ^TTEREAR the Pitt.v of New Yorke is an antient Citty within the said Province And the Oittizens of the said Cltty have antiently been a Bod.v Politique and Corporate and the Cittizens of the said Citty have held used and Enjoyed as well within the same aa else where in the said Province Diverse and Sundry Rights Libertyes Privilidgea ffranchises ffree Cus- tomes Preheminences Advantages Jurisdiocons Eraohiments and Immunityes as well b,v prescripcon as by Charter Letters Pat-

tents, Grants and Conflrmacons not only of Divers Govemotire and Commanders in Cheife in the said Province bntt alsoc of Severall Govemours TMrectors Generalls and Commanders In Chiefe of the Neither Dutch Nation whilst the same was or has beene under their Power and Kubjeccon AND WHEREAS Divers Lands Tennementg and IleriditamentB Jurisdiccons Libertyes Immunityes and I'ri\-ilidgie8. have heretofore been Given and Granted or menconed to be Given and Granted to the

Digi-jzedbyGoOglC

Cittizens and lohabitants of the said Citty sometimeB by the name of Scout Burgomaaters and SchepenB ttt the Citty of New AmBterdaxa and sooietimes by the Name of the Mayor Aldermen and (Commonality of the Citty of New Yorke Sometimes by the name of the Mayor, Aldermen and Sheriffe <rf the Citty of New? Yorke sometimes by the Name of the Mayor and Aldenmen of the Citty of New Yorke and by Diverse Other Names as by their Sev-eral! Letters Patteots Charters Grants Writeings Reeorda and Immunityes amongst other things may more fnlly Appeare AND WHEREAS the Cittizens and Inliahifanta (rf the said Citty have erected Built and Appropriated at their owfie I'roper Costs and Charges several Pub-lique Buildings Accomodations and Conveniences for the said Citty (that is to say) the Citty Hall or State House with the Ground thereunto belonging two Markett Houses the Bridge into the Dock the Wharfes or Dock with their Apportenauces and the New BuHall place without the Gate of the Citty and have Established and Settled one fferry from the said Citty of New Yorke to Long Island for the Accomodacon and Con-veniency of Passengers the said Cittizens and travelers AND WHEREAS Severall the Inhabitants of the said Citty and of Manhatons Island Doe hold from and under his most Sacred Majesty Respectively as well by Severall and Respective Letters Pattents Grants Charters and Conveyances made & Granted by the late Leivtenants Govemours or Commanders in Cheife of the said Province as otherwise severall and Respective Messuages, Lands Tenements and Heriditaments upon Manhatana Island and in the Citty of New Yorke aforesaid and that as well the said Mayor Aldermen and Commonalty of the said Citty and there Successors as also the Inhabitants of the said Manhatans

Island and Citty of New Yorke aforesaid and there Heires and Assignes respectively may hold Exercise and Enjoye not cwily such and the same Libertyc* Pri\'ilidges, ffrancliizes, Rights, Royaltyes, ffree Customes, Juriadiccons and Immunityes as they have Antiently had used held and Enjoyed butt alsoe such Publique Buildings Accomodacons, Conveniencyes Messuages, Tennements, Lands and Heriditaments in the said Citty of New Yorke and upon Manhatans Island aforesaid, which as aforesaid have been by the Cittizens and Inhabitants Erected and Built or which have' aa aforesaid l>een held En- joyed Granted and Conveyed unto them or any of them; respect- ively KNOW YEE therefore that I the said Thomas I>ongan by Virtue of the Cotnicou and Authority unto me Given and Power in me Resideing at the humble Peticon of the now Mayor Aldermen and Commonalty of the said Citty of New Yorke and for Diverse other Good' Causes aad Ooosideracons

me thereunto moveing have Given Granted Battffied and Con- firmed and by these Presents for and on the behalfe of his most Sacred Majesty aforesaid his Heires Successors and Ab- slgnes]>oe Give Grant Kattify and Confirme unto the said Mayor Aldermen and Commonalty of the said Citty all and every each and the same Ubertyes IMvilidges and ffranchizes Bights Boyaltyes, flree Customes Jurisdicoons and Immunityes which they by the Name of the Mayor Aldermen and CiHumon- alty or otherwise have Autiently had held used or Enjoyed PROVIDED Alwayes that none of the said Libertyes Privilidj^es ffranchizes Rights ffree Customes Jurisdiccons or Immunityes be loconsistant with or Repugnant to the Laws of his Majestyes Ringdonie of England or any other tJie Laws of the Generall Assembly of this Province and the aforesaid Publique Build- ings Acconunoda^ODS and Couveniencyee in the said Citty (that is to say) the aforesaid Citty Hall or State House with the Ground thereunto belonging two Markett Houses the Bridge into the Dock the whai-fee or Dock the said New Buriall Place and the aforemenconed fferry with their and every of their Rights Members and Appurtenances together with all the ProfStts Beneffitts and Advantages which shall and may Accrue and Arrise att all times hereafter for Dockage or Wharf- age within the said Dock with all and Singular the Bents Issues Froffitts Gaines and Advantages which shall or may Arrise Grow or Accrue by the said Citty Hall or Stfl.te House

& Ground thereunto belonging mai^ett Houses Bridge Dock-
Burying Place fferry and other the above meneoned Premissess
or any of them and also all and every the Streets Lanes High-
wayes & Alleys within the said Citty of New Yorke and Man-
hatans Island aforesaid for the Publique use and Service of
the said Mayor Aldermen and Comonalty of the said Citty
and of the Inhabitants of Manhatans Island aforesaid and
travellers there togather with full Power Lycence and Author-
ity to the said Mayor Aldermen and Comonalty and their Suc-
coBsors forever to Establish Appoint order and Direct the Es-
tablishing makeing Laying out Ordering Amending & Rejiaii-e-
ing of all Streets Lanes Allyes Highwayee Water Courses fferry
and Bridges in and through out the said Citty of New Yorke
and Manhatans Island aforesaid Necessary Needfull and Con-
venient for the Inhabitants of the said Citty and Manhatans
Island aforesaid and for all Travellers and Passengers there
PBOVIDED alwayes that this said Lycenw soe as above Granted
for the Eetablisheing makeing and Layelng out of Streets Lanes
Alleys Highwayes fferry and Bridges be not Extended or be
Constroed to extend to the takelng Away of any Person or

Digi-jzedbyGoOglc

PersoDS Bight or Prc^erty without hia her or their Consent or
bv BMtie knowne Law of the said Province A^HD for the Con-
Bideracons aforesaid I Doe Likewise Give Orant Battifle and
OonQrme unto all and £A-ery the Respective Inhabitants of tlie
said Citty of 2sew Yorke and of ManhaCans Island aforesaid
and their Beverall and Respective Hmres and Assignee all
and every the Severall & Respective Messuages Tenneiuents
Lands and Hereditaments Boituate Lyeing and being in the said
Citty and Manhatans Island aforesaid to them Keverally &
Respectively Granted Conveyed and Oonflrmed by any the late
Ooveriioirs Leiutenants or Comnuuider:< in cbeife of the s^iid
Province or by any of the former Mayors or Deputy Mayors
and Aldermen ot the said Citty of N: York by Deed Grant
Conveyance or otherwise howsoever to hold to their Severall
and Respective Heires and Assignea forever. AND 1 Doe by
these p'sents Give and Grant uuto the said Mayor Aldermen
and (^^Mnonalty of the said Citty of New Yorke all the wast
Vacant unpattented and Unappropriated Lands Lyeing and

being within the said Citty of New Yorke and on Manhatans Island aforesaid Extending and Reaching to the Low Water marke in by and through all Parts of the said Citty of New Yorke and Manhatans Island aforesaid togather with all Rivers Bivoletts Coves Creekes Ponds Waters and Water Courses in the said Citty and Island or either of them nflt herettrfore Given or Granted by any of the former Govern'a Leivotenants or Commanders in Cheife under their or some of their Hands and Seales or Scale of the I'rovinee or by any of the former Mayors or Deputye Mayors and Aldermen of the said Citty of New Yorke tO' some Respective Person or Persons late In- habitants of the said Citty of New Yorke or Manhatans Islands OP of orther Partes of the said I'rovinee AND I Doe by these p'sents Give Grant and Confirme unto the said Mayor Aldermen and Comonalty of the said Citty of New Yorke and their Suc- cessors forever the Royaltyes of FiBhing Fowleing, Hunting, Hawkeing Mineralls and other Royalties and I'rivilidges belong- inj; or Appurtaineing to the Citty of New Yorke and Manhatans Island aforesaid (Gold and Silver Mines only excepted) TO have hold and Enjoye all and Singular the Premiftsess to the said Mayor Aldermen and Commonalty of the said Citty of New Yorke and their Successors for ever RENDRING and Payiog therefore unto his Most Sacred Majesty his TIeires Suc- cessors and Assignes or to such Officer or Officers as shall be Appointed to Receive the Same Yearly forever hereafter the Annnail Quitt Rent or Acknowledgment of one Bever skin or the Value thereof in Currant M(my of this Province in the

Digi-jzedbyGoOglC

said Citty of New Yoite on the five and twentitli day of March Yearly forever ANI> Moreover I will and by these Preeents Doe Orant Appoint & Declare that the said Citty of New Yorke and the Goaupaflse Precincts and Limittee thereof and the JuriB- diccon of the same shall from henceforth extend and Beach it selfe and may and shall be able to Beach forth and Extend it selfe as well in Length and in Breadth as in Circuite to the furthest extent of and tn and throughout all the said Island Manhatans and in and npoo •all the Bivers Rivoletts Coves Creeks Waters and Water Courses belonging to the eame Island as far as Ijow Water marke AND I Doe also for

and on the behalfe of his most Sacred Majesty aforesaid his Heires and Successors flrmly enjoyne and Command that the aforesaid Mayor Aldermen and Comonalty of the Citty aforesaid and their Successors shall and may freely and Quietly have hold use and Enjoy the aforesaid Libertyes Authorityes Juris- diccons fFranchises Eights Royaltyes Privilidges Exempcons Lands Tenements Heriditaments and PremiaseBS aforesaid in manner and fonne aforesaid According to the Tenoitr ttnd I'ftect of the aforesaid Orants Pattents Customes and Letters Pattents of Grant and Conflrmacon without the Let Hindrance or Impedimt of me or any of my Successors Goveraours Leivts or other Officers whatsoever AND also I Doe for and on the behalfe of his most Sacred Majesty aforesaid his Heires and Successors Grant to the Mayor Aldermen and Comonalty of the said Citty of Xew Yorlie and their Successors by these presents that for the better Oovemmt of the said Citty Libertyes and Precincts thereof th«r shall be forever here- after within the said Citty a Mayor and B^-oorder Towne Clerke and six Aldermen and six Aawstants to be Appointed Nomi- nated Elected Chosen and Swome as hereinafter is particularly and Respectively menconed who shall be forever hereafter Called the Mayor Aldermen and Comnionallye of the City cf New Torke and that their shall be forever one Chamberlaine or Treas- urer one Sherriffe one Coroner one Clerke of the Markett one High Constable seven Sub constables .and one Marshall or Serjant at Mace to be Appointed Chosen and Sworne in manner hereinafter menconed ^VND I Doe by these Presents for and on the behalfe of his Most Sacred Majesty aforesaid his Heires Successors and Assignes Declare Constitute Grant and Appointe that the Mayor Recorder Aldermen and Assistants of the said Citty of New Yorke for the time being and they which hereafter shall be the Mayor Recorder and Aldermen and Assistants of the said Citty of New Yorke for the time being and their Successors fiwever hereafter be and shall bee by force of these

. i^ioo^lc

Presents one Body C(Hi>orate and Politique in Deed fact and name by the Name of tbe Mayor AldenueD and Commonalty of tlie Oitty of New Yorke And tliein by the Name of the Mayor

Aldennen And Comonaltye of the Citty of New Yorlte one Body Ooi-porate & Pollitique in Deed fact and name I Doe Beaily and fully Create Ordaine make Oonstitute and Conflrme by these Presents And that by the nanie of the Mayor Aldermen and Gomonalty of the Citty of New Yorke they may have Perpetuall Succeasidn and that they and their Su-^rtsaoi-H forever by the name of the Mayor Aldennen and Comonaltye of the Citty of New YM-ke be and shall be forever hereafter Persons able and in Law Capable to have Gett Receive and Possesse Lands Tenne-ments Rents Llbertyes Juriadiccons ffranchises and Heredita-ments to them and their Successors in fee mmple of for tenne of lift' lives or yeares or otberwiae and also Ooods & ChntlU's and also otlKT things of what Nature kind or i^i:»lii,v soever and also to Give Gtant Lett sett and assigne the same Land% Temnneuts HeridatamentB Goods and Chatties and to Doe and Execate all other things about the flame by the Name aforesaid And also that they be & forever shall bee hereafter Peraoas Able in Law Capable to Plead and be impleaded answer & bee answered unto Defend and be Defended in all or any the Courts of his said Majestye & other riacee whatsoever and before any Judges Justices and other Person or Persons whatsoever in all and all manner of Accons Suites Complaints Demands Pleaa Causes and matters whatsoever of what Nature kind or Quality soever in the same and in the Like Manner and forme as other People of &a said Province being Persons able and in Law Capable may Plead and be impleaded answer and be answered unto Defend and be Defended by any Lawful! wayes and meanes whatsoevM" AND that the said Mayor Aldermen and Comonalty of the said Citty of New Yorke and their Successo's shall and may for ever hereafter have one Comon Scale to Serve for the Sealing of all and Singular their Affaires and ftuisnesses touch-ing or Concerning the said Corporacon AND it shall and may be Lawfull to and for the said Mayor Aldermen and Comonaltye of the said Citty of New Y'orke and their Successors as they shall see Cause to breake Change Alter and new make their said Comon Seale when and as often as to theni it shall se«m Con-venient AND furtlier KNOW YEE that I have Assigned Named Ordained and Constituted and by these Preseots Doe Assigne Name Ordaine and Constitute Nicholas Bayard now Mayor of the said Citty of New Yorke to be Present Mayor of the said Citty and that the said Nicholas Bayard shall Bemaine and Continue In the OfBce of Siayor theire untill another fltt Person shall be Appointed and Sworne in the said Office According to

the usage aDd CuBtome of the said Oitty and as in
and by these Presents is hereafter menconed and Directed
AND I have Assigned Named Ordeined and Con-
stituted and by these Presents Doe As^gne Name Ordaine
€ind Constitute Create and Declare James Graliam^ Eaqr to be
the Present Becorder of the said Citty to Doe and Execute
all things which unto the Office of Becorder of the said Citty
doth or may any wayes Appertaine or belong AND I have
Assigned Named Ordained and Constituted and by these Pres-
ents Doe Assigne Name Ordaine Constitute Create & Declare
Jolm West Esqr Towne Clerke of the said Citty to Doe and
Execute all things which unto the Office of a Towne Clerke
may any wayes Appertaine or belong AND I have Named
Assigned Constituted and made' and by these Presents Doe
Assigne name Constitute and make Andrew Bowne, John Robin-
Bon William Beakeman John Delavall, Abraham Depeister and
Johannes Kipp, Cittizens and Inhabitants of the said Citty of
New Yorke to be the present Aldermen of the said Citty AND
also I have Made Assigned named and Constituted and by these
Presents Doe Assigne Name Constitute and make Nicholas
Demeyer, Johannes VanBrugh John DeBruync, Teunisse Decay,
Abraham Corl>ett, and Wolfert Webber Cittizens & Inhabitants
of the said Citty to be the Present jVasistants of the said Citty
AND 'also I have Assigned Chosen Named and Constituted
and by these Presents Doe Assigne Choose name and Constitute
Peter Delancy Clttiztn and Inhabitant of the said Citty to be
the Present Chamberlaine or Treasurer of the said Oitty afors'd
AND I have Assigned Named Constituted and Appointed and
by these Presents Doe Assigne Name Constitute and Appoint
Jatu Knight Esqr one other of the said Cittizens there to
be present Sherriffe of the said Citty AND I hare Assigned
Named Constitutrd and Appointed and by these Presents Doe
Assigne Name Constitute and Appoint Jar^is Marshall one
other of the said Cittizens there to be the Present Marshall
of the said Citty AND I Doe by these Presents Grant to the
said Mayor Aldermen and Comonaity of the said Citty of New
Yorke and their Pnccessors that the Mayor Recorder Aldermen
and Assistants of 1lie said Citty for the time being or the
Mayor Recorder and any three or more of the Aldermen and
any three or more of the Assistants for the time being be
and shall be Called the Comon Councell of the said Ottty And
that they or the Greater Parte of them shall or may hare full
Power and Authority by Virtue of these Presents from time to

time to Oall and hold Comon Councell within the Comon Councell House OP Citty Hall of the said Citty And their as occasion

DgizedbyGoOgiC

shall be to make Lawa Orders OrdinaDc-ea and CooBtitutions in Writeing and to add Alter DiniiniBh or Refomie them Irata time to time as to them shall seem Necessary and Convenient (not Bepugnant to the IVrrogative ot his most Sacred Majesty aforesaid his Heires & KuccesaorB or to any the Lawa of the Kingdome of England or other tlie Laws of the Generall ^Vaaem-bly of the I'roviEce of New Yorke for the Good Rule Oversight Oon-ection and Oovermt of the aald ("itty and Libertyea of the same & of ail the OflBcera thereof, .Ynd for the Keverall Trada-men Victuallers Artificers and of all other the People and Inhabitants of the said (^itty Libertycs and Precincts aforesaid and for the better rresenacon of (Joveruit and LHai)osall of all the Lands Tennements and Hereditaments (Jooda and Chatties of tbe aaid Corporacon which Lawa Orders Ordinances and Oonatitutions shall be landing to all the Inhabitanta of the said Citty Libertyes and Precincts aforesd and which Iiawa Orders Oi-dinances and Conatitiitiona soe by them made as afore-said shall be and Kenialne in force for the apace of three Months and noe longer t'nlesae they shall be Allowed of and Con-firmed by the Governor and Coiincell for the time being AND I do*' further on the behalfe of his t!acred Majesty aforesaid his Helrea and Suceeasors Appoint & Grant that the said Conion Councell of the aaid Citty for the time being aa often as they make Ordaine and Estnblish such Laws Orders Ordinances and Conatitucons as aforesaid shall or may make Ordaine Limitte Provide sett impose and Tax Reason able fines and Amerciaments Againat and upon all I'eraona OfFendinR Against such Laws Orders Ordinances and Constitncrona aa aforesaid or any of them to be made Ordeined and Eatablished as aforesaid and tbe same fines and Amerriimients shall and may require Demand Levy take and Receive by Warrants under the Comon Sleale to and for the use and behoofe of the 5Iayor Aldermen and Com-monalty of tlie aaid Citty and their Succesaora either by Distresse and Sale of tlie Goods and Cbattlea of the Offender therein if BMch Goods and Chatties may be found within the said Citty Libertyca and Precincts thereof Rendrlng to such Offendor and

Offendera the overplus (»r by any other Lawful! way^-s or meanes whatsoever AND I Doe by tliese Presents appoint and Ordeine the Aasigneing Nameing and Appointnnent of the Mayor and Slierriffe of the said Citty that it shall bee aa followeth (vizt) upon the feast day of St. Ifichael the Archangell Yearly the Ix'ivetenant Governour or Commander in Chiefe for the time being by and with the Advice of his Councell shall Nominate and Appointe such Person as he shall thinke fltte to be Mayor of the said Citty for the Yeare next easueing and one other Feraon of

Digi-jzedbyGoOglC '

SofflcieDt Abili^ in Estate and of Good Capacity in Under-Btanding to be Shetriffe of the said Citty of New Yorke for the Yeare next Enaueing AND that sach Feraoo as shail be Named Assigned and Appointed J^Iayor and such Fereou as shall be Named Assigned and Appointed Sherriffe of the said CStty aa aforesaid shall on the fouertenth Day of October then next following take their Severall and Respective Cocporall Oatha before the Govemour and Councell for the time b^ng for the Due execucon of tlieir Respective Offices as aforesaid and that the said Mayor and Sheiriffe soe to be Nominated Assigned & Appointed as aforesaid shall Remaine and Continue in their said Kespective Offices ontill another fitt Person shall be Nomi-nated Appointed and Bwome in the Place of Mayor and one other Peraoil Bhall be Nominated and Appointed in the I'laoe of Sherriffe of the said Oitty in Manner aforesaid AND further that According to the now Usage and Custome of the said Citty the Becorder Towne Gierke and Gierke of the Markett of ye. s'd City shal be psons of Good Capacity & Understanding & such paons aa his moat Sacred Maty aforesaid His Heires & Successors shall in ye. Sd. Respective Oflices of Recorder Towne Clerk & Clerk of ye Markett App<Hnt and Commissionate and for Defect of such appointment and Commissionateing by his most Sacred, Majesty aforesaid his Heirea and Successors to be auch Person as the LeiTt. Govemour or Commander in Cheife of the said Province for the time i>eing shall appointe and Commissionate which Persona soe Commisaionated to tlie said Offices of Becorder Towne Gierke and Gierke of the Markett shall hare hold and enjoye the said Offices According to the Tenour and effect of their said Commissions and not otherwise AND further that the

Recorder Towne Glerk Gierke of the Markett Aldermen Assist-
ants, Chamberlain High Constable Petty Constables and all other
Officers of the said Oitty before thpy or any of them shall be
admitted to enter upon and execute their Respective OfBce shall
be Sw(wne faithfully to execute the Same before the Mayor or
any three or more of the Aldermen for the time being AND I
Doe by these Presents for and on the behalfe of his Most Sacred
Majesty his Heirea and Successors Grant and Give Power and
Authority to the Mayor and Becorder of the said Citty for the
time being to Administer the same respective Oaths to them
Accordingly AND further I doe by these Presents Grant for
and on the behalfe of his most Sacred Majesty afore-
said bis Heires and Successors that the Mayor and Recorder
of the said Citty for the time being and three or more of the
Aldermen of the said Citty not exceeding five shall be Justices
and keepers of the Peace of his most Sacred Majesty hia Heires

Digi-jzedbyGoOgiC

aod Successors and Justices to Iteare & Determine Matters and
Causes within the said Citty and Liberty ee and Precincts thereof
AND that they or any three or mcw^ of them whereof the
Mayor & Itei-order or one of then> for the time being to be
there shall and may forever hereafter have Power and Authority
by Virtue of these Presents to bear and Detennloe all and all
manner of Petty Larcenyee Riots Routs Oppressions Extorcons
and other trespasses and Offences whatsoever within the aaid
Citty of New Yorke and the IJbertyes & Precincts aforesaid
from time to time Arriseing and Hsppening and which Arrise
or happen and any wayes belong to the Oflice of Justice of the
Peace and the Correccon and Punishment of the Offences afore-
said and every of them according to the Laws of England
and the Laws of the said Province and to Doe and Execute
all other things in the said Citty Libertyes and Precincts afore-
said Boe fully and in Ample Mann«- as to the ComiconefS
Assign and to be Assigned for the keeping of the Peaoe in
the said County of New Yorke doth or may belong AND more-
over I Doe by these Presents for and on the behalfe of his
Most Sacred Majesty aforesaid his Heires and Successors Ap-
point that the Aldermen Assistants High Constable and Petty
Constables within the said Citty be Yearly Chosen on the feast

Day of St. Michael the Archangel! for ever (\izt) one Alderman one Aasistaiit and out? Constable for each Respective ward and one Constable for each Division in the out Ward in such Pub- lique Place in the said Respective Wards as the Aldermen for the time being for each Ward shall Direct and Appoint and that the Aldermen Assistants and Petty Constables be Chosen by Majority of Voices of the Inhabitants of each ward and that the High Constable be Appointed by the Mayor of the said Oitty for the time being AND that the Chamberlaine shall be Yearly Chosen on the said ffeast Day in the Citty Hall of the said Citty by the Mayor and Aldermen and As^stants or by the Jfayor or three or more of the Aldermen and three or more of the Assistanta of the said Citty for the time being AND I doe by these Presents Constitute and Appoint the said John West to be the Present Towne Clerke, Gierke of the Peace and Clerke of the Court of Plefls to bee holden before the Mayor Recorder and Aldermen within the said Citty and the Libertyes and Precincts thereof AND further I Doe by these Presents for and on the behalfe of his most Sacred Majesty aforesaid his Heires and Successo's require and Strictly Charge and Comand that the Sherriffe Towne Oerke Clerke oif the Peace High Con- stable Petty Constables and all other Subordinate Officers In the said Citty for the time being and every of them ReapectlTely

Digi-jzedbyGoOgiC

jdntlj and Severally as Cause shall require shall attend upon the said Major Kecorder and Aldermen of the said Citty for the time heing and every or any of them According to the Dutj- of their Respective Places in and about the Eiecuteing of Bueh the Couands, I'recepts Warrants and Trocesse of them and every of them as t>elongeth and Appertaineth to be done or Executed AND that the aforesaid Mayor Recorder and Alder- men and every of them as JuHticea of the Peace for the time being by their or any of their Warrants all and every Person and Persons for high Treason or Petty Treason or for Suspicion thereof or for other fellooyea whatsoever and all Malefactors and Disturbers of the Peace and others Offendersi for other UiBdaneanore who shall be Apprehended within the said Citty or Libertyes thereof shal! and may send and Comitt or Cause to be Sent and Committed to the Comon Goale of the said Citty

there to Bemaine & be kept in safe Custody by the keeper of the said Ooale or his Deputy for the time being untill such Offender and Offenders shall I^awfully delivered thence AND I Doe by these Presents for and on the behalfe of his moet Sacred Maj^'sty aforesaid his Heires and Successors Charge and require the keeper and keepers of the said Goale for the time being and his and their Deputy and Depntyes to Receive take and in Safe Costody to keepe all and Singular such Person and Persons 80e Apprehended or to be Apprehended sent & Committed to the said Goale by Warrant of the said Justices or any of them as aforesaid untill he and they soe Sent and Ccmitted to the said Ooale shall from thence be Delivered by Due Course of Law AND farther I Doe Grant and Conflrme for and on the behalfe of his most Sacred Majesty aforesaid his Heires and Successors that the said Mayor of the said Citty for the time being and noe other (according to the usage and Oustome Practised in thi? said <'itty of New Yorke in the times of my Predeeeftsors the Severall tei^'tenants GoTemours and Commanders in Cheife of this Province shall have Power and Authority to give and Grant Lycences Annually under the Publique Settle of the said Citty to all Tavern keepers Inkeepers Ordinary keepers Victuallory and all Pnblique Sellers of Wine Strong waters Slder Beer or :iny other Sort of Liquors by Retaile within the Citty aforesaid Manhatan Island or the Libertyes and Precincts thereof AND tbat it shall and may be Lawfull to and for the said Mayor of the B^d Citty for the time being to aske Demand and Receive for meh Lycence by him to be Given and Granted aa afwes'd such Same or Homes of Mony as he and the Person to whom such Ljewice shall be Given or Granted shall agree for not exceeding fte Snme of thirty Shillings for each Lycence ALL which Mony

Lc;−,:uJbyC00gIC

as by the said Mayor shall be Soe Received shall be used and Applyed to the I'ublique use of the said Mayt^ Aldennen and Commonalty of the said Citty of New Ywrke and their Successors without any Account therecrf to be Rendred made or Done to any of the Lelvtenants or GoYemours of this Province for the time being or any of their Deputyes AND know yee that I for the better Government of the said Citty and for the wellfare of the said Cittizens Tradesmen and Inhabitants thereof Doe by these

Presents for aJid on the behalfe of his most Sacred Majesty his Heirea and Successors Give and Grant to the said Mayor Alder- men and Comonalty of the said Citty and their Kuccessors that the Mayor Recorder and Aldermen or the Mayor aod any three or more of the Aldermen for the time being shall froon time to time and att all times hereafter have full I'ower and Authority under the Comon Seale to make Ifree Cittizens of the said Citty and Libertyes therf?of and noe I'ereon or Persons whatsoever other then such ffree Cittizens shall hereafter use any art trade Mistory or Mannuall Occupacon within the said Citty Libertyes and Precincts thereof Saveing in the times of faires there to be kept and Dureing the Continuance of such faires only AND in case any Person or J^ersons whatsoever not being ffree OittizenB of the said Citty as aforesaid shall att any time hereafter use or Exercise any Art Trade Mistory or Mannuall occupacon or ^all by himselfe themselves or others sell or expose to sale any Manner of Merchandize or Wares whatsoever by Retaile in any House Shopp or Place or Standing within the said Citty or the Libertyes or I'recincfs thereof noe fair being then kept in the said Citty and shall presiat therein after warning to him or them Given or left by the Appointmt of the Mayor of the said Citty for the time being at the Place or Places where such Persons or Persons shall soe use or Exercise any Art Trade Mistory or Mannuall occupacon or shall Sell or expose to Sale any Wares or Ifarchandizee as aforesaid by Retaile then it shall be Lawfull for the Mayor of the said Citty for the time being to Cause such Shopp Windows to be Shutt up and also to impose such ReaatMiable fine for such Offence not Exceeding five Pounds for every Respective Offence and the same fine and fines so imposed to I^evy and take by War- rant under the Comon Seale of the said Citty for the time being by nistrcHse and Sale of the Goods and ChattJefl of the Person or Persons soe Offending in the Premissess found within the Libertyes or Precincts of the said Citty Rendring to the Party or Partyes the overplus or by any other Lawfull wayes or meanes whatsoever to the only use of the said Mayor Alder- men and Comonalty of the said Citty of New York© and their

byGoogic

Successors without aay Account to be Beudred made or Bone

to the Xjeivteuants UoverBour» or OoiuiDaiid's in Cheife of tliiH Province for tiie same PROVIDED that noe Person or Perscma Blmll be made free as aforesaid butt sncb as are his Majestys Katurall Borne Subjects or such as sliall first be Naturalized by Act of Generall Assembly or shall have obtained Letters of DenisatioD under the hand of the Leivtenant Goveraour or Com- noander in Cheife for the time being and Seale of the Province AND that all Persona to be made free as aforeaald shall and Doe pay for the I'ublique use ot the said Mayor AJderauen and Comonalty of the sd Citty such Sume & Sumes of Mony as here- tofore hath been used and Accustomed to be paid dud Heeeived on their being Admitted ffreemem as aforesaid Provided it is not Exceeding the sume of five Pounds AND further I Doe by tlieae Presents for and on the behalfe of his most Bacred Majesty aforesaid his Hcires and Successors Grant to the Mayor Aldermen and Oomonalty of the said Oitty that they and their Succesfiors be forever Persons able and Capable and shall have Power to purchase have take and Possesse in ffee Bimple Lands Tennemts Bents and other Possessions wthin or without the same Citty to them and their Successors for ever soe as the same Exceed not the Yearely valine of one thousand Pounds per aunum the- Statute of Mortmaine or any other Law to the Contrary Notwithstanding and the same Lands Tennements Hereditaments and Premissess or any Parte thereof to Demise Grant Lease Settover Assigne adid Dispose at their owne Will and Pleasure and to make Seule and Accomplish any Deed or Deeds Lease or Leases Evidences or Writeings for or Coo- ceming the same or any Parte thereof which shall happen to be made and Granted by the seid Mayor Aldennen &, Comon- alty of the said Citty for the time being AND further I dge by these Presents for and on the behalfe o* his moet Sacred Majesty aforesaid his Heires and Sucoewors Grant to the Eiaid Mayor Aldermen and Cffluonalty that they and their Successors sliall and may forever hereafter hold and keep wthin the said Citty in evei7 weeke of the yeare three Markett Days the one opon Tuesday the other upon Thursday and the other oo Satur- day Weekly forever AND alsoe I Doe by these Presents for and on the behalfe of his most Sacred Majesty aforesaid his Heires & Succeesors Grant to the Mayor Aldennen and Oomon- alty of the said Citty that they and their Successors and Assignes shall and may att any time or times hereafter when it to them shall seem fltt & Convenient take in fill and make up and Lay out all and Singular the Land and Ground in and about the said

Digi-jzedbyGoOglC

Cltty aDd Island Mauliatans and the Btuue to Build upon or make uae ot in an; other mauner or way aa to tbem. ahall seem fltt as farr into the Kirere th«-eof and that Encompasse the same as Low Water marke aforesaid AJND I Doe by these Freseuta for and on the behalfe o(his moat fiacred Majeaty aforesaid hie Ueires & tjucceasois Oive and Orant unto the aforesd & Mayor Aldermen and OomooaJty at the said Citty of New Yorke and their Succesaora tliat the; and their Suc- cessors shall and may have bold & keep within the said Citty and libertjes and i'recinctB thereof in every wedte in every Yeare for ever upcm Tuesday <me Court of Common Pleas tor all Accons dt Debt Treaspasae Tresapasse upon the Case Dertioue Ejectments and other Persooall Accons and the same to be held before the Mayor Kecorder and Aldennea or any three of tbem whereof the Mayor or Recorder to be one who shall have Power to hear and Determine the same Pleas and Accons According to the Rules of the OomoD Law Acta of Generall Aaaembly ot the said Province ASD I Doe by these Presents for and on the behalfe of hia most Sacred Majesty aforesaid his Ueires and Successors Orant to tlie said Mayor Aldermen and Comonalty of the said Citty of New Yorke and their Snc- ceeaora ttmt IJie aaid Mayor AJdermen and Oomtntalty of the aaid C^tty and their Bucceaaora ahall have & Enjoye all the Privilidgea ffranchizea and Powe« that they have and use or that any of thedr Predecessors at any time within the space of twenty Yearee last past bad tooke or enjoyed or ought to have bad by Reason or under pretence of any former Charter Grant Prescriptioin or any other Right Custome or uaage although the same have bees forfeit or Lost or have been ill used or noit used or Abused or Discontinued Albeit they be not Perticularly menconed and that noe Officer shall Disturb thou therein under any Pretence wliataoever not only for their future but their Present Enjoyment thereof PROVIDED alwayee that the said Privilidgea ifranchiseH and Powers be not incon- sistant with or Repugnant to the Laws of his Matis Kingdom^ of England or other the Lawa of the Generall Assembly of this Province as aforesaid and Saveing to his most Sacred Majesty aforesaid his Henres Successors and Asfrignee and the Leivts Govemonrs and Commanders in Cheife and other o^Qcera

under him and them in ffortt JAMES in or by the Citty of New Yorke and in all the Libertjes Boundaryee Extents Privi- iidges thereof for the Maintenance of the said ffortt and Gar- rison there all the Right use title and Authority which they or any of them have had used or Exercised there and also one Messuage or tenn«nt next the Citty Hall and one Mesanage

J by Google

by the fFottt now in the Poesesaion of Thomas Coker Gent the Peice of Ground by the Gate Called the Governo'e Garden and the Laud without the Gate Called the Kings Sarme with the Swamp next to the same. Land by the ffresh water and Saveing the Severall Kents and Quitt Bents Reeerved Due and Payable from Severall Persons inhabiting within the said Citty and Island Monhataus by Virtoe of former Grants to them made and Given and Baveing to all other PersooB Bodyee Pollitiqae and Corporate their Heires Successo's and Assignes all such Right Title and Claime Poasessions Rents Services Comons Emoluments Interest in and to any thing which is thedreB (save only the ffranchizes aforesaid) in a^ ample manner as if this Charter had not been made AND further I Doe Appoint and Declare that the Incorporaoon to be founded by this Charter ■hall not att any time hereafter Doe or Suffer to be Done any thing by means whereof the Lands Tennements or Heredita- ments Stock Goods or Chatties thereof or in the Hands Custody Poeseesion of any the Cittizens of the said Citty such as have been Sett lett Giv«i Granted or Collected to and for PiouB and Charitable uses «hall he wasted or Misemployed Contrary to the trust or intent trf the founder or Giver thereof and that such and noe other Construction shall he made thereof then that which may tend most to Advantage Rell^on Justice and the Pnblique Good and to Suppresse all Acts and Contrivances to be invented or Putt In nse Contrary thereunto IN WITNESSE whereof I have Caused these Presents to he Entred in the Secre- tarys OfBce and the Scale of the said Province to be hereunto AfUxed this Seaven & twentyth Day of April] in the Second yeare of the Reigue ot his most Sacred Majesty aforesaid and in the Yeare of our Lord God one thousand six hundred and Eighty Six

Thomas Dongan.

DONOAK OHASTXB OF THE CITT OF ALBAXT, 1B86.

THOMAS DONGAN Lievt. and Governour <rf the Province of New Yorke and Dependencyes in America under his most Sacred Majesty JAMES the Second by the Grace of God of England, Bcottland, ffrance and Ireland King Defender of the faith &c and Supream Lord and Proprietor of the said Province of New York and its Dependencyes TO all Persons to whom these- Presents shall or may come or In any wise Conceme SENDETH GREET- ING WHERAS the Towne of Albany is an Antlent Towne within

.., C A.>(.>glc

the said Province and the Lihabitants ct the said Towoe have held used and enjoyed as well within the same as else where within the said Province Diverse and Sundry Rights LibertyeB Privilidgee, ffranchizes, ffree. Customes, PreheminencjeB Advantages JuriBdiccoos fkneluments and Lumunityes as well by prescription as by Grants Oonflrmacons and Proclamacons not only by Diverse Governours and Commandera in Cheife in the said Province under his said Majesty but also of Beverall GovemoTirs Generalls and Conunanders in Cheife of the neitiier Dutch Matimi whilst the same was or ha^ been under their Power and Subjeccon AJnI) whereas Diva's Lands Tenements ■ and Hereditaments Jorisdiceons Libertyes Immunityee and Privilidges have heretofore been Given and Granted to the Inhabitants of the said Towne some times ^by the Mame of Commissaryes <rf the Towne of Beverwyck Sometimes by the Kame of the C<Hnmis8aryes of the Towne of Albany Sometimes by the Xame of Schepenon of Willem Stadt and Sometimes by the Name of Justices of the Peace for the Towne of Albany and by Divers other Names as by their Severall Grants Writings Records and Minuuements Amongst other things may miOTe fully Appeaj^ AND whereas the Inhabitants of the said Towne have erected Built and ApiHToprlated at their owne Proper Costs and Chaises Severall Publick Buildings Accomodacons and C(m- veinencyes for the said Towne as also Certaine Peeces of Parcells of Ground for the nse of the same (that is to say) the Towne

Hall or Stadt House with the ground therennto b^onging the Church or meeting Place with the Ground about the same the Baryall Place Adjoyneing to the Pallisadoes att the South E^st end (rf the Towne the Watch House and Ground thereto belong-ing a Certaine Peece or Parcell erf Land Comonly Called op Knowne by the Name of the Pasture Scituate Lyeing & being to the Southward of the said Towne neare the Place where the old ffort stood and Extending Alongst Hudsons lUver till it comes over Against the most Northerly Pointe of the Island Comonly called Martin Garetsons Island haveing to the East Hudsons River to the South the Manor of Renslaerswick to the West the Highway Leading to the Towne the Pasture late in the Tenure and Occupacon of Martin Garetson and the Pasture late in the tenure and Occupacon of Casper Jacobs to the North the Severall Pastures late in the tenures and Occupaccons of Robert Sanders, Mindart Harmanse and Evert Wandall and the Severall Gardens late in the tenures and Occupacons of Dirick Wessells, KilHaD Van Ranslaer and Abraham States with their and every of their Appurtennces and also have Established and Settled one fferry from the said Towne to Greenbush Scituate on the other side of Hudsons River for the AcccHUodacon and Conveniency of

Paflsengera the Baid Cfittizens aind Travaiers AJND whereas SeTerall the iDhabitajits of the said Towne Doe hold frmn and under hia most Sacred Majesty Bespectivelj as well by Severall and Respective Pattents, Grants and Conveyances made & Granted by the late Governours and Commanders in Oheife of the said Province as otherwise Several! and Respective Messaugee, Lauds Tennements and Heriditaments in the Towne of Albany aforesaid AND that the said Inhabitants of the said Towne (rf Albany and their Heiree and Assignes Respectively may hold Exercise and Enjoye Dot only such and the same Libertyes Privilidges, Sranchizes, Rights, Royal tyes ffree Customes, furisdiccons and Immunity es aa they Antiently have had held used and enjoyed but also such Publick Bnildiugs Accommodacona, Conveniencys, Messuages, Lands, Tenements and Hereditaments in the said Towne of Albany which as aforesaid have been by the Inhabitants Erected and Bnilt or which have as aforesaid been held enjoyed Granted & Conveyed unto them or any of them Respectively KNOW YEB therefore that I the said Thomas Dongan by Virtue of the Com-mission and Authority unto me Given and Power in me Besideing

att the Humble Petlcon of the Justices of the Peace of the said Towne of Albany and for Diverse other Good Causes and Con- MderacoDS me thereunto moveing HAVE given Granted Rattifled and Confirmed and by these Presents for & on behaJfe of his most sacred Majesty aforesaid his Heires and Successors Doe Give Grant Battifle and Conflrme unto the said Inhabitants of the said Towne herein after Agreed to be Called by the Name or Names of the Mayor Aldermen and Oomonalty of the Citty of Albany ALL and every such and the same Libertyes Privilidges, flranchizes Rights BoyalHes ffree Customes Jurisdiccons and Immunityes which they have Antiently had held and enjoyed PROVIDED alwayes that none of the said Libertyes Privilidges, ffranchizes. Rights, (Free CuBtomes, Jurisdiccons or Immunityes bee Inconsistent with or Repugnant to the Laws of his Majestyes Kingdom of England or other the Laws of the Generall Assembly of this Prorince and the aforesaid Publick Buildings Acomoda- cons and Conveniencyes Peeces or Parcells ot Ground in the said Towne (that is to say) the said Towne Hall <k- Stadt House with the Ground thereunto belonging the said Church or Meeting Place with the Ground about the same the said Burying Place the said Watch House and Ground thereto belonging the sd Pasture and the aforemenconed fferry with their and every of their Rights Members, and Appurtennces together with all the ProfBtts beneffltts and Advantages that shall or may Accrew or rise att all tymes hereafter for Anchorage or Wharfa^ in the

Lc;-,:.tll:yG00gIC

Harbour Port or Wharfe of the said Oitty with all and Singnlar the Bents Isauea TroiHtts Gainea and Advantages which BhaJI or may arise Grow or Accrew by the said Towne HatI or Sta4t HouBe and the Ground thereunto bel(»iging Church or Meeting Place wth the Ground about the same Burying PlacG watch Honse Pasture fferry and other the above menconed Premisseas or any of them and also all and every the Streets Lanes Highwayes and Alleyes within the said Citty for the Publick use and Service of the said Mayor Aldei-nien and Comonalty of the said Citty and of the Inhabitants of the Places Adjacent and TraveJIers there t(^ether with full Power Lycence and Authority to the Bald Mayor Aldermen and Commonalty and their Successors torever to establish Appoint Order and Direct the establishing making

Layeing out Ordering Amending and Bepayreing of all Streets Lanes Alleys Highwayes and Bridges Watercourses and tterryea In and throughout the said Citty orieading to the same* Necessary NeedfuU and Convenient for the Inhabitants of the said Citty and the Partes Adjacent and for Travellers there PROVIDED aiwayes that this said Lycence so as above Granted for the Establishing makeing and Laying out of Streets, Lanes, Alleys Highways fferrys and Bridges bee not extended or Construed to extend to the takeing away of any Person or Persons, Bight or Propra-ty without his her or their Consent or by some koowne Law of the said Province AND for the Considerac<His aforesaid I Doe likewise Give Grant Battifle and Conflnne unto all and every the Respective Inhabitants of the. said Oitty of Albany and their Severall and Respective Heires and Assignes AJLL and every the Severall and Keapective Messuages Lands, Tenne- ments and Heriditaments Scituate Lyeing and being in the said Citty to them Severally and Respectively Granted Conveyed and Confirmed by any the late Govemo's Leivetenants op Com- lOanders in Cbeife of the said Province or by the CommlBsarys or Justices of the Peace or other Magistrates of Albany aforesaid or otherwise howsoever TO HOLD to their Severall and Respect- ive Heires and Assignes forever AND I Doe by these Presents Give and Grant unto the said Mayor Aldermen and Comonalty of the said Citty of Albany all the Wast Vacant Unpattented and miappr<^riated Land Lyeing and being within the said Citty of Albany and the Precints and Libertyes thereof extending and Beaching to the Low water marke in by & through all Parts of the said Citty together with all Rivers, Rivoietts Coves, Creeks, Ponds, Waters, Water Courses in the said Citty not heretofore Given or Granted by any of the former Govemo's Leivtenants OP Commanders in Cheife under their or Some of their Respective Hands and Seales or the Seale of the Province to Some siespent-

Digi-jzedbyGoOglC

Ive Person or Feraons late lahabitants of the eaid Citt; or of Other Parts ot the said Province and also the Royalties of fBshing ffowleing Hunting Hawicing, Mines Mineralls and other Rojaltyes and Fririlidgee belonging or Appurtaineing to the Citty of Albany (Gold & Silver Mines only excepted) AND I do by these I'resents Give Grant & Conflrme unto the said

Mayor Aldermen and Oomonalty of the Citty of Albany and their Succesaors for ever full and free Lycence or Liberty of fltshing in Hudaons River not only within the Limitts ot the said Citty butt without even sO' farr No^rthward & Southward as the said River does Extend it selfe within the said County of Albany togather with free Liberty Lyceoee & Authority to and for the said Mayor Aldermen and Oomonalty of the Citty of Albany aforesaid and their Buccesaora att alt time & times hereafter FOR and dureing the space of one and twenty Yeares from and after the fourth day ot November last Past to be Accompted and fully to be Compleate and ended to Cutt Downe and Gary away out of any Parte of the Manner of Renslaerswlck (proWded it t>e not within any ffenced or Inclosed Lend) Such ffirewood and Ttmher for Bnllding and ffencing as to them shall seem meete and Conv«iient AND I Do by these p'sents Grant unto the said Mayor Aldermen and Oomonalty of the Citty of Albany and their Successm^ forever hereafter alt such StraycB as shall be taten within the Limitts Precincts and Bounds –of the said Citty AND I Do by these Presents Give and Grant unto the said Mayor Aldermen and ComoneJty of the Citty of Albany and their Successors full Liberty and Lycence att their Pleasure to Purchase from the Indians the Quantity of fBve hundred Acrefl of low or Meadow Land lyeing att a Certalne Place Called or knowne 6y tHe Name of Shachte–gnc which Quantity of five hundred Acres shall and may be in what Part of Schachteoogue or the Land Adjacent they the said Mayor Aldermen & Comonajty of the Citty of Albany shall think most Convenient AND I Do by these P'sents Give and Grant unto the said Mayor Aldermen and Oomonalty full Power and Lycence att their Pleasure likewise to Purchase from the Indians thp Quantity of one thousand Acres of Low or Meadow Lend Lyeing aft a Certaine Place called or knowne by the name of Ticonondaroee WHICH Quantity of one thousand Acres of Low or Meadow Land shall and may bee in what Parte of Tionandorage or the Land adjacent on both sides of the River as they the said Mayor Aldermen and Oomonalty of the said Citty of Albany shall think moat Convenient which said Reverall Parcells of Low or lieadow I/Rnd I Do hereby in b^alf of his said Majesty his Heires and Successo's Give

. Liooglc

Grant and Conflnne unto the said Major Aldermen and Cmq-
onaltj of the Cltty of Albany aforesaid to bee and Bemaine
to the use & behoofe (rf them and their Succe^aora ftM- ever
TO HAVE AND TO HOLD all and Hinguiar the Premissesa
to the said Mayor Aldenuen and Comonalty of the said Citty
of Albany and their Successors forever RENDRISQ and paying
therefore unto bis most Sacred Majesty his Heires Successors
and Assigues or to such OBicer or Receiver as shall be Ap-
pointed to Receive the same Yearly forever hereafter the Annuall
Quitt Bent or Acknowledgmt of one lie\'er skinn in Albany
on the five and twentyth Day of March Yearly forever AXD
moreover I will and by these Presents for his said Majesty
his Heire« and Successors Doe Grant Appointe and Declare
that the said Citty of Albany and the C(mipas8e Precincts
and Limitts thereof and the Jurisdiccons of the same shall
from henceforth extend and reach its selfe and shall and
may be able to reach forth and extend its eelfe as well in
Length and In Breadth as in Circuite on the East By Hudsons
Biver so farr as Low water raarke to the South by a Line
to be Drawne from the Southermost end of the Pasture at
the North end of the said Island Called Martin Garitsons
Island Running bacli into the woods sixteen englisb Miles
Due Northwest to a Certain kill or Creeke called the Sand kill
on the North to a Line to be Drawne from the Post that was
sett by Governor Stuyvesant neere Hudsons River Buning like-
wise North West sixteen English Miles and on the West by a
Streight line to bee Drawne from the Points of the said South
and North Lines WHEREFORE by fhese Presents T Doe firmly
Enjoyne and Oomand for and on behalfe of his sd Majesty his
Heires and Successors that the aforesaid Mayor Aldermen and
Cotuonalty of the Citty aforesd & their Successors shall and may
freely & Quiettly have hold use and enjoye the aforesaid
Libertyes Authorityes Jurisdiccons, flranchizes Bights Royaltyes
Privilidgea Advantages E^empcons Lands Tenements Heredita-
tnents and Premissess aforesaid in manner and forme Aforesaid
according to the Tenure and effect of the aforesaid Grants
Pattents CustcHnes and these Letters Pattents of Grant and
Confirmacon without the Lett Hindrance or Impedimt of any
of his Majestyes Governours Liertenants or other OfQcers what-
soever and that the said Mayor Aldermen & Comonalty of the
Citty aforesaid and their Successors or any of them in the free
use and enjoymt of the Premissess or any of them by the
Leivtenants or Govemo's of his said Majesty his Heires and
Successors or by any ot tham shall not be hindred Molested or io

any wise Disturbed AND also I Doe for and on the behalfe of Mb

DgizedbyGoOglC

moBt Bacred Majesty liis Heires and Successors Ordeyne and Grant to tlie Mayor Aldermen and Comonalty ot the said Gitty of Albany & their Successors by these p'sents that for the better Governmt of the said Citty Libertyes and Precincts thereof there shall bee for ever hereafter within the said Citty a Mayor Recorder Towne Gierke and six Aldermen and rax assistants to be Appointed Nominated Elected Chosen and Sworne as herein after is Particularly and respectively menconed who shall be forever hereafter called the Mayor Aldermen & Gomonalty of the Citty of Albany and yt their shall be forever Mie Chamberlaine or Treasurer one Sherrifle one Coroner one Gierke of the Markett one high Constable three sub. Constables and one Marshall or Berjant att Mace to be Appointed Chosen and 8worne in manner herein after menconed 2VSD I Do by these Presents for and on the behalf of his most Sacred Majesty his Heires and Successors Ordeyne Declare Constitute Grant and Appoint that the Mayor Recorder Aldermen and Assistants of the said Gltty^ of Albany for the tyme being and their Successors forever hereafter be & shall bee by force of these p'sents one body Corporate and Polotick in Deed fact and name by the Kame of the Mayor Alder- men and Gomonalty of the Citty of Albany and them by the Name of the Mayor Aldermen and C(nn<malty of the Citty of Albany ONE Body Corporate and Politique in Deed feet & Name I do really and fully Create Ordaine make Constitute and Conflrme by these p'sents ■ AND that by the Name of the Mayor Aldermen & C«nonalty ot the Citty of Albany they may have Perpetuall Succession A^NT) that they and their Successors forever by the Name of the Mayor Aldermen and Comonalty of the Citty of Albany be and shall bee tocever hereafter Persons able & in Law Capable to have gett Receive and Poesesse Lands, Tenements Rents Libertyes Jurisdiccons, ffranchizes and Hereditaments to them and their Successors In ffee Simple or for term of Life Lives or Yeares or otherwise and also Goods & Chatties and also other things of .what Nature Quality or kind soever AND also to Give, Grant Lett sett and Assigne the Same Lands Tenements Hereditaments, Goods and Chatties and to Doe and Execute all other things in & About the

same by the Name aforesaid AND also that tliey bee and forever shall bee Persons able in Law Capable to Plead and be impleaded Answer & be Answered unto Defend and be Defended in all or any the Courts of his said Majesty and other places whatsoever and beforeanyJudgesJustices and other Person or Persons what-soever ia all and all Manner of Accons Suites Complaints Demands Pleas Causes and ilatters whatsoever of what nature kind or Quality soever In the same and the like mann^* & forme

IbyCoOt^lc

aa other People of this Province being p'aona able and in Law Capable naaj I'lead ajid bee Impleaded Answer and bee Answered unto Defend & bee DEFENDED by any Lawfull wajes or means whatsoever AND that the said Mayor Aldermen & ComonaJty <rf the said Citty trf Albany and their eucceasof* shall and may forever hereafter have one Comoo Seale to Serve tov the Sealing of all and Singular their Affairs and Bulsnessess touching or Concerning the said Corporacon and it shall and may be Lawful to and for the said Mayor Aldermen and Comoualty of the sd Citty of Albany and their Successors an they shall see Cause to brealie Change Alter and New make their said Coonon Seale when and as often as to them it shall Beeme Convenient AND further KNOW YEE that I have Aa-sigued Named Ordained & Constituted and by these p'sents doe Assigne Name Ordeine & Constitute Peter Schuyler to be the p'sent Maj-or of the said Citty of Albany and that he"e the said Peter Schuyler Bhall retnaine and Continue in the Office of Mayor there untill another fltt Person shall bee Ap-pointed and Swome in the said Office as in and by these p'sents Is hereafter menconed and Directed AND I have Assigned Named Ordained and Constituted and by these p'sents doe Assigne Name Ordaine & Constitute Isaac Swinton to be the p'sent Recorder of the said Citty ta Doe and Execute all things which unto the Office of Recorder of the said Citty Doeth or may any way Appertaine or belong and I have Assigned NAMED Ordained and Constituted and by these p'sents Doe Ordaine Constitute Create and Declare Robert Livingston Towne Clerk of the Biiid Citty to Doe and execute all things which unto the Office of Towne Clerk Doth or may belong AND also I have Named Assigned Constituted and make and by these p'sents

Doe Assigne Constitute and make Dirirk Wessells, Jan Janse Bleecker David Schuyler Johannes Wendall, Levinus Van Rchaick and Adrian Gerritae Citizens and Inhabitants of the said Citty of Albany bee the present Aldermen of the said Citty AND also I have made Assigned Named and Constituted and by these p'sents Doe make Assigne Name and Constitute Joachim KtateB John Lansing Isaack Verplank, Lawrence Van Ale Albert Byckman and Melgert Wynantse Clttizens and Inhabitants of of the said Citty to be the Present Assistants of the said Citty also I have Assicned Chosen Named & C—onstituted Jan Beeoker Cittizen and Inhabitant of the said Citty to be the Present Chambfrlaine or Treasurer of the Citty aforesaid AND I have Assigned Named Constituted and Appointed by these pres— ents Doe Aaaicne Name Constitute and Appoint Bichard Pretty One other of the said Clttizens there to be the Present Sheniffe

1 1., Google

of the said Cittj ANI> I have Assigned Named Owistituted and App(Hi)ted and by these p'sents Doe Assigne Name Ocm— stitate and Appointe James Parker one other of the said Citti— aeaa to be the p'sent Marshall of the said Citty AND I Doe by these Presents Grant to the said Mayor Aldermen and Commonalty of the said Citty of Albany and their Successors that the Mayor Becorder Aldermen and Assistants of the said Citty for the time being or the Mayor and any three or more of the Aldermen and any three or more of the Assistants of the said Cttty for the time bein^ bee and shall bee Called the Comon Comicil of the said Citty and that they or the Greater Parte of them shall or may have full Power and Author— ity by Virtue of these p'sents from time to time to call and hold Comon Council within the Comon Council House or Citly Halt of the said Citty AND there as Occasion shall be to make I«WB Orders Ordinances and Constitutions in Writeing and to Add Alter Deminish and Heforme them from time to time as to them shall seeme Necessary and Convenient (not Repugnant to the Perrogative of the Kings Majesty) his Heiree and Sue— oesBors or to any the Lawes of the Kingdom of England or other the Lawes of the GeneraJl Assembly of the Province of New Yorte aforesaid) for the Good Rule oversight Cor— reccon and Govermt of the said Citty & Libertyes (rf

the same & of all the Officers thereof and of the Severall Tradsmeu Victoallers Artificers & of all other People & In- habitants of the said Citty Libertyes & precincts aforesaid and for Preservacon of Govemmt the Indian trade and aJl other Commerce and Dealing and for Dispo»all of all the Lands Tenements and Hereditamts Goods and Chatties of the said Corporacon which aaJd Lawes Ordinances and Con- st! tntkms shall bee binding to all the Inhabitants of the said Cittj' Libertyes and Precincts aforesnid and which lawes orders Ordinances and Constitutions so by them to be made as aforesaid shall bee and remaine in force for the space of one Teare and no longer unless they shall bee Allowed and Conflraoed by the Governor and Conncill for the time being AND farther I Will and Grant that the said Comon Council of the sd Citty for the time being as often as they make ordeyne and Establifih Rnch Lawes Orders Ordinances and Constitutions as aforesaid shall or may make Ordeyne Limitt Provide Sett impose and Tax reasonable fflnes & Amerciamts against and "upon all Persons Offending agt Such Lawes Orders Ordinances and Constitutions as aforesaid or any of them to be made Ordeyned and Established as aforesaid and the same fflnes and Americiamts ■Iiall and may Require Demand Le\-y take and Receive by Wax-

Lc;-,:uJbyC00gIC

rants tmder the Comon Seale & (or the use and behoofe of the Mayor Aldemmk and Comonalty of the said Oitty and their Succeaaora either by Bistrease and Sale of the Goods & Chatties of the Offenders thereio If such Oooda & Chatties may be found within the said Citty Libertyes & Precincts thereof Eendring to such Offender AOffenders the Overplus or by any other Lawfull wajes or meanes whataoever AND I Boe by theae P'senta for the Kings Majeaty hia Heirea & Succeaaors Appoint & Ordeyne the Aaaiguedng NAMELSG and Appointmt of the Mayor and Sherriife of the aaid Citty that it ahall be aa followeth (vizt) upon the feaat Day of St. Michael the Archangell Yearly the Leiytenant Govemour or Commander in Cheife for the tim^e being by & with the Advice of hia Council ahall Komiuate and Appointe such a Person aa he ahall thinke fit to bee Mayor of the said Oitty for the Yeare next Knaueing and one other Person of Sufficient Ability in Eatate and Capacity in understanding to be Sherriffe

of the said Citty of Albany for the Yeare next Ensueing and that such Person as ahall be Asaigned Named and Appointed Mayor and such p'aon aa shall be Xamed Assigned and Appointed Sherriffe of the aaid Citty as aforesaid ahall be on the fouertenth day of October then next following in the Citty Hall or Stadt House aforesaid take their Several! & Reapective Corporall Oaths before the RecOT-der Aldermen and Aasiatants or ally three of the Aldermen & fouer of the Assistants of the said C^tty for the time being for the Due Eiecucon of their Respective offlcea as aforesaid Am> that the said Mayor and Sheriffe so to be Notninated and Appointed as aforesd shall Remayne and Con-tinue in their aaid Respective Offices untill another fltt p'son shall be Kominatod Appointed & Swome in the Place of Mayor & one other p'aon ahall be Nominated Appointed and Swome in the Place of Sherriffe of the ad Citty in manner aforesaid which Oaths the aaid Recorder Aldermen and Assistants or any three or more of the Aldermen shall and may Lawfully Administer and have hereby Power to Administer to the said Mayor and the said Sheriffe ao Nominated and Appointed from time to time Accordingly AND further that According to usage & Custome the Recorder & Towne Clerke of the said Citty shall be Persons of Good Capacity & Understanding auch aa his Most Sacred Majeaty his Heirea and Successors shall in the said Respective Offices of Recorder & Towne Clerke respectively Appoint & Commiasionate and for Defect of such Appointment & Conunis-sionateing by his moat Sacred Majesty as aforesaid his Heires and Succi-ssors to bee such Person as fthe said Governor Leivt. or Conmiandr in Cheife of the said Province for the time being shall Appoint or Conunisaionate which I'ersona ao Commisaionated to

Digi-jzedbyGoOgiC

the said Office of Recorder and OfHce of Towne Clerke Kespect-irely shall have hold and enjoy the eaid Offices Bespectirely According to the Tenui-e and effect of the said respective Com-miBsioDB and not otherwise ANI> further I will that the Becorder Towne Clerbe Aldermen Aseistanta Chamberlaine High Con-stables Petty ConBtables and all other Officers of the said Citty before they or any of them shall bee Admitted to enter upon and execute their respective offices shall be Sworne ffaitbfuUy to ezecnte the same before the Mayor or any three or

more of the Aldermen for the time being AND I Doe by these Presents for and on behalfe of his said Majesty his Eeires and Successors Grant and Give Power and Au^ority to the Mayor and Kecorder of the said Citty for the time being to Administer the same Kespective Oaths to them Ac- cordingly AND further I Will and by these p'sents Doe Grant for and on belialfe of his most sacred Majesty bis Helres and Successors that the Mayor Aldermen and Becorder of the sd Citty for the time being shall bee Justices and keepers of the Peace of his said Majesty his Heirea and Successors and Jus- tices to heare and Determine matters and Causes within the said Citty Libertyes and I'recincts thereof and that they or any three or more of them shall and may for ever hereafter have Power and Authority by Virtue of these Presents to here and Determine all and all manner of Petty Larcenjs Biots Bouts OppresiODs Extortions and other trespasses and Offences whatsoever within the said Citty of Albany and the IJmitts Precincts and Libertyes thereof from time to time Acriseing and happening and which shall arise or happen and any wiso belong to the Office of Justices of the Pease and Correccon and Punislunt of the Offences aforesaid and every of them According to the Laws of England- and the Lawes of the said Province and to Doe and Execute all other things in the said Citty libertyes and Precincts aforesaid so fully and in as ample manner as to the Commissioners Assigned & to be Assigned for the keeping of the Peace in the said Citty and County of Albany Doth or may belong ANT) moreover I Doe by these p'sents for his Majesty his Heires and Successors will and Appointe that the Aldermen and Assistants wthin the said Citty bee Yearly Chosen on the foflst Day of St. Michaell the Arch Angell forever (vizt) two Aldermen and two Assistants for each respective ward in such Publick Place in the said Respective Wards as the Aldermen for the time being for each ward shall Dirp<'t and Appoint and that by the Majority of voycee of the Inhabitant;! of each ward AND that the Chamber- laine shall be Yearly Chosen on the said ffeast Day in the

Digi-jzedbyGoOJ^Ic

Citty Hall ol the said Citty by the said Mayor Aldermen and AseiBt&nts of the said Citty or by the Mayor or three or more

of the Aldermen and tbre or more of the AaBistanta of the said Citty for the time being AND I Doe by these p'sents Constitute and Appoint Robert Livingston to be the p'sent Towne Clerke Gierke of the Teace and Clerke of the Conrt of Pleas to be holden before the Mayor Recorder and Aldermen within the said Citty and the Libertyes and I'recincta thereof AND further I Do by these p'sents for his said Majesty his Heires and Successors Require and Straitly Charge and Comand that the Sherrifte Towne Clerk Clerite of the Peace High Con-stable Petty Constables and all other Subordinate Officers in the said Citty for the time being and e^-ery of them respect-ively Joyntly and Severally as Cause shall require shall Attend upon the said Mayor Recorder and Aldermen of the sd Citty for the time being and every or any of them. According to the Duty of their Respective Places in and about the Executing of such the Oomands, Precepts, Warrants and Processe of them and every of them as belongeth and Appertaineth to be Don or Executed AND that the aforesaid Mayor Recorder and Alder-men and every of them as Justices of the Peace for the time being by their or any of their Warrants all and every Person and PeTBons for High treason or Petty treas<Hi or for Bus-piccon thereof and for other ffellooyes whatsoever and all Male-factors and Disturbers of the Peace and other offenders for any other Misdemeano's who shall be Apprehended within the said Citty or Libertyes thereof or without the same in any Parte within the said County shall and may send and Comitt or Cause to be Sent and Comitted to the Comon Goale of the said Citty there to Remaine and bee kept in safe Custody by the keeper of the said Qoale or his Deputy for the time being untill such Offender and Offenders shall bee Lawfully Delivered thence AND I Do by these p'sents for his said Majesty his Heires & Sticcpssots charpp and Require the keeper & Keepers of the said Goale for the time being-and his & their Deputy and Deputies to Receive and take into safe Custody to keep all and Singular such Person & Persons 80 Apprehended or to bee Apprehended Pent & rommitted unto the said Goale by warrtt of the sd Justices or any of them as aforesaid untill he or they so Sent and Committed to the said Goale shall from thence bee Delivered by Due Course of Law And further I Grant and Conflrme for his said Majesty his Heires and Successors that the said Mayor of the said Citty for the time being and no other shall have Power and Authority to Give and Grant Lycenses Annually under the Publick Scale of the said

Digi-jzedbyGoOgiC

Oitty to all TaTemekeepere Innkeepere Ordinary keepers Victuallera and all Pnblick Sellers of Wioe StroDg waters Sider Beere or any other Sort of Liquors by Betaile within the Cltty aforesaid or the Libertyes and Preoints thereof or without the same in any Part of the said County and that it shall and may be Lawfnil to and for the said Mayor of the said Citty for the time being to Ask I>enuiiid & Receive for each Lycence by him to be . Oiven and Granted as aftwesald Such Some or Sumes of Mony aa hee and the Person to whoDi such Lycence shall be Given or Granted shall Agree for not exceeding the' Same of thirty fihlllingB Ourrtt mony erf this Country for each Lycence all which mcmy as by the said Mayor Shall bee so Received shall bee used and Applyed to the Pnblick use of the said Mayor Aldermen and Cranonalty of the said Citty of Albany without any Account theretrf to be Rendred made or Bon to his said Majesty his Helrefl Successors or Assignee or any of his Leivtenants or GoverniH'S of the said Province for the time being or any of their Deputyes AND further I Do Grant for his said Majesty hia Heires and. Successors that the sd Mayor of the said C^tty for the tilne being and noe other be & forever shall bee Gierke of the Markett within the Citty aforeeaid & the Libertyes &. Precincts thereof and yt. hee & no other shall & may forever Doe Execute & Per- fonne all & Singular Acts Deeds & things whatsoever belonging to the Oflace of Clerke of the Markett wthin the Citty aforesaid and the Libertyes & Precincts thereof to bee Don Executed & Performed AND that the said Mayor of the said Citty for the tfaue being & no other F'sou or Persons shall or may have As^ze or Assay of Bread Wine Beere and Wood and other things to the Office of Clerke of the Markett belonging or Concerning aa well In the Presence aa in the Absence of hia said Majeaty his Heires A Successors or hia or their Lie^'tenanta or Govemo's here AISO 1 will and Grant for his said Matie his Heires and Successors unto the Mayor Aldermen and Cranonalty of the said Citty for the time being and tlieir Successors for ever that the Mayor of the Citty aforesaid for the time being During the time that hee shall Bemaine in the said Office of Mayor and no other be or shall bee Coroner of his said Majesty his Heirea and Successors as well within the Citty aforesaid and the Libertyes and Precincts thereof aa without the Same within the Limitts and hounds of the said County and that hee and no other shall doc or Cause to

be Don and Executed within the said Citty Limitts and Precincts thereof or without the same within the Limitts and Bounds of the said County all and Singular Matters and ihings to the eaid Office of Coroner belonging thereto be Don and that the said Mayor of the said Citty for the time being shall take hia Corporall

D,g,;,zeclbyG00t^lc

Oath before the RecopdOT or any th»ee or more of the Aldermen of the said Citty well and Duty to Execute the said Offices of Gierke of the Markett and Coroner, of the said Citty & County before hee take upon him the Execucon <rf either of the said Offices AND also I Do by these p'sents Grant unto the Mayor Aldermen & Comoaalty of the said Citty of Albany that if any of the Cittizens of the said Citty or Inhabitants within the Libertjea and prechicts thereof that shall after be Elected Nominated and OhoBen to the Office of Mayor Alderman Assistant Sherriffe or C^amberlaine of the said Citty as aforesaid and have Notice of hia or their Eleccon shall refuse or Deny to take upon him. or them to execute that Office to which they shall bee so Chosen or Nominated that then and so often it shall and may be Lawful 1 for the Mayor Recorder Aldermen and Assistants of the said Citty for the time being or the Mayor or any three of the Aldermen and three or more of the Assistants of the said Citty for the time being to tax Assesse & Impost upon such Person or Persons so Refoseing (h> Denying such Reasonable or Moderate fines and Sumes of Mooy aa to their Discretion shall bee thought most fltt so aa the said fflne Penalty or Bume for Befuseing or Denyelng to hold and EzecQte the office of Mayor of the said Citty do not exceed the Bume <rf twenty Pounds Currant Mony of this Cbnntrey and the fflne for Refuseing or Denying to hold and Execute the Place of an Alderman Doe not Exceed the Some of tenn Pounds like Currtt Mony and the flue for Denyeing or Refuseing to hold & Execute the Place of Chamber^aine Assistant or Sherriffe the Sume of five Pounds like Currtt Mony AND I Doe- by these p'sents for his sd ifajesty his Heires and BuccesacNrs Authorize the Mayor Recorder Aldermen and Assistants erf the said Citty for the time being aod the Mayor w any three or more of the aldermen and three or more of the Assistants there for the time being to frustrate and make Voyd the

Elecoon of such Person & Persons so refuseing or Denyelng-
as aforesaid and then and in such Cases any other fitt and
able Person and Persona Cittizen or Cittizens of the said Citty
or Inhabiting within the Libertyes & Precincts thereof in Con-
venient times to Elect a New in manner aforesaid Directed
& Prescribed to execute such Office & OtBces bo Denyed or
Refused to be Executed as aforesaid and that if It shall happeir
that such p'son and Persona bo to be Elected Anew shall
refuse or Deny to fake upon him or them any of the sd Office-
OP Offices unto which hee or they shall be Chosen and Elected"
as aforesaid then and in snoh Case the Mayor Recopder Alder
men and Assistants of the said Citty fop the time being or

ttke aaid Ma^or or three or more of the said Aldermen and
three or more of the Aasistants of the ad Cittj for the time
being shall or may tiett and Impose upon thein so Denyeing
or Refnseing such and the like moderate ffyues as is before
Sett Downe in the like Cases to the Heapective Offices with such
limitacoDS as aJoresaid and also in such and the like manner
as aforesaid to Continue and make Void such Election and
EleccoinB and make new Elections as often as Need shall bee
and Bequire all which said fBnes ao Sett and Imposed I Doe
by these Presents for and on behalfe of his said Majesty his
Heires SoccesBors and Assignes Grant to bee and shall bee
and Bemaine and bdong unto and shall bee putt into the
Possession & Seizin of the Mayor Aldermen & Ckmionalltj for
the time being and their Successors to be levyed and taken
by warrtt under the Comon Scale and by Distresse and Sale
ot the Goods & Chatties of the Severall Persons so Befuseing
or Denying as aforesaid if such Goods and Chatties may bee
found within the said Citty Libertyes and Precincts thereof
Bendring to the Partjea the Over plus or by any other wajea
or Lawfnll meanes whatsoever to the only use of the said
Mayor Aldermen & Comonalty of the said Citty of Albany
and their Successors without any Acoott to bee Rendred made
or Done to the said Kings Majesty his Heires Buccesaora or
Assignes for the same AND know yee that for the better
Goverrant of the said Citty and for the Wellfaire of the Cittl-
zens Tradrauen & Inhabitants thereof I Do by these Presents
for his said Majesty his Heires and Successora Give and Grant
to the said Mayor Aldermen and Comonalty of the said Citty
and their Successors that the Mayor Recorder and Aldermen

or the May<M" or any three or more of the Aldermen for ye time being shall from time to time and att all timea hereafter have full Power and Authority under the Comon Seale to make free Cittizena of the aaid Citty & Libertyes thereof and no Person or Persons whatsoever other then such ffree Citti- tens shall hereafter uae any Art Trade Mistory or Manuall Occupacon within the said Citty Libertyes and Precincts thereof Paveing in the times of ffayres there to be kept and During the Continuance of such ffayres only & in Case any p'son or p'sons whatsoever not being free Cittlzens shall here-' after use or Exercise any Art Trade Miatory or Manuell Occnpaoon or shall by himselfe themaelves or others Bell or Expose to Sale any manner of Merchandizes or Wares whatsoever by Eetaile in any House Shop or Place or Standing within the said Citty or the libertyes or Precincts thereof no

DgizedbyGoOgiC

faire being then kept in the said Citty and shall persist therein; after warning to him or them Given or left by the Appointment of the Mayor of the said Citty for the time being att the Place or Places where such Person or Persons shall soe use and Exer- cise any Art trade Mistory or Manuall Occupacon or shall Sell or Expose to Sale any Wares or Merchandizes as aforesaid hy Betaile then it shall be Lawfall for the Mayor of the said Citty for the time being to Cause such Shop windows to be Sbntt and also to impose such Reasonable fflne for such offence not exceeding twenty Shillings for every Respective offence and the same fflnes so Imposed to Levy and take by Warrtt under the Comon Seale of the said Citty for the time being by Distresse and Sale of the Goods and Chatties of the Person or Persons bo Offending in the Preraissess found within the Libertyes and Precincts of the said Citty Rendring to the Partyes the Overplus or by any other Lawfnil wayes or meanes whatsoever to the only use of the said Mayor Aldermen and Comonalty (rf the said Citty of Albany & their Successors without any Account to be Rendred made or Don to bis sd Majesty bis Heires & Successors or to his or their Leivetenants Governours or Commanders in Cheife for the same PROVIDED Alwayes that noe Person or Persons shall be made free as afwesaid but such as are his

Majestyes Xaturall borne Subjects or such as shall be first Naturalized by Act of Genorall Assembly or have Obtained Letters of Denization under the Hand of the Leivt. or Governoup or Commander in Cheife for the time being and the Seale of the said Province and that all Persons to be made free as afore-said shall & Doe Pay for the Publick use of the said Mayor Aldermen and Comonalty of the said Citty such Sum or Sumes of Mony as such Person or Persons so to be made free sliall respectively agree for not exceeding the Sume of three Pounds twelve Shillings for the Admission of each Marchant or trader and the Rume of ^ix and thirty Shillings for the Admission of each handicraft or tradsman AND whereas amongst other ye Rights Privilidges I*reheminences & Advantages which the Cittizens and ffremen of the sd Citty of Albany & their Predeces-sors have for many Yeares last past held used & enjoyed the Privllidge Preheminence & Advantage of haveing within their owne Walls the Sole Managmt of the Trade with all the Indiana Liveing within & to the Eastward Northward and Westward of the said County of Albany within the Compasse of his said Majestyes Dominion here wch hath been from. time to time Confirmed to them & their said I'redecessors as well by Prescription as by Divers and Sundry Grants Orders Con-flrmacons & Proclamations Granted Ordered Confirmed and

Digi-jzedbyGoOgiC

isBued forth not only by & from Divers Governo's and Com-numders in Cheife in the said Province since the same hath been QDder his said Majestyes Dominion but also of Several! Qover-noars General! & Coounanders in Cheife of the Neither Dutch Nacon whilst the same was or has been under their Power and Snbjeccon which has Always been found by Experience to be of Qreate Advantage not only to the said Citty in Particular butt to the whole Province in Generall and that by the Care Caution and InapectioD of the Magistrates of the said Citty to the well and Orderly management & Keeping the Trade with the Indians within their walla it has turned Vastly to the Advanc^nent of Trade and the increase of hia Majestyes Revenue and been the Sole meanea not only of Preserving tbia Province in I*eace & Quiett whilst the Neighbouring Colonyea were imbrued in Blood & Warr but also of Putting an end to the Miseryes those Colonyes

Laboured under from the Insulting Cruilty of the Northern Indians whereas on the other hand it has been no lease evident that whenever there has been any Slacknesse or Bemissnesse in the Begulacon & keeping the Indian Trade within the Walls of the sd Citty Occasioned by the encroachmt of Some Persons trading with the Indians in Places remote some Clandeatinly others upon p'tence of Hunting Paaaea and the Like ye trade not only of the said Citty but of the whole Province has Apparently Decreased the Kings , Revenue has been much impaired & not only Soe but this Goremmt has lost much of the Reputa- con and Management amongst the Indians which it otherwise had and enjoyed WHEREFORE for and on behalfe of his said Majesty his Heires and Successors I have Given Granted Rati- fied and Confirmed and by tliese Presents l>oe Give Grant Batlfle and Conflrme unto the Mayor Aldermen & Cmuonalty of the said Citty of Albany and their Succeasors forever the Bight Privilidge Preheminence and Advantage of the Sole & only Managmt of the Trade with the Indians as well within this whole County as without the »ame to the Eastward North- ward and Westward thereof bo farr as his Maties Dominion here does or may extend to be Managed & Transacted only by the ffreemen being Actuall Inhabitants within the ad Citty & within the Now Walls or Stockados thereof and not else where And I Do hereby for his said Majesty hia Heirea and Succesaora Absolutely forbid and Prohibile all and every the Inhabitants of the said Provinre of New Yorke {the Inhabitanta of the said Citty of Albany only Excepted) to Trade or trafBque with any ot the five Nations of Indians Called the Sinlcas Cayiigaes Onondagues Oneidea & Maques who live to the Westward or with any other Indian or Indians whatsoever

Digi-jzedbyGoOJ^Ic

within the Conntj of Albany or to the Eastward Northward or Westward thereof bo ffarr as hi& ed Majestjes Dominlona here do or may extend or to have or keepe in their Houses op else where any Indian Goods or Marchandizes upon the Payne & Penalty of the fforfeiture and Conflacacon of each Indian Comodityes whether the same be Beavers Peltry or other Indian Comodityes whatsoever (Except Indian Oome VeniBon &, Drest Deere Skins so traded for and upon Paine and Penalty

of the fforfeiture and Conflscacon of all such Indian Goods and Marchandizes as Gunns Powder Lead Dufflls Bum & all other Indian Goods & Marchandizes which shall att any time hereafter be found Concealed or kept in any House or Place without the Walls of the said (Stty & within the said County of Albany and the other Limitts and Boundaryes herein bef<Mre sett forth and Prescribed and in case any Person or Persons whatsoever shall att any time hereafter out of the Walls of said Cltty and within the said County or the other limitts and Boundaryes herein before Sett forth and Prescribed trade or traffique with any Indian or Indians for any Bever Peltry or other Indian Comodityes (Except before Excepted) or there shall Oonceale & keepe. any Indian Goods Wanes or" Mar^ chandizcs in any House or Place as aforesaid then it shall and may be Lawfull for the Mayor Recorder or any of the Aldermen for the time being by wairtt under their or any of yr Hands to Cause such Indian Comodityes so Traded for and such Goods or Marchandizes so kept & Concealed without the Walls of the sd Citty wheresoever they shall be found within the said Citty or County or without the same within the Limitts and Boundarj-es before Expressed to be Seized & the same to be Condemned and Confiscate in the Court of Pleas or Comon Pleas in the sd Citty or any other Court of Record within the said Citty or Province one third Parte to the Mayor of the sd Citty for the time being one third Parte to such Person or Persons as shall informe or Sue for the same and the other third Parte to the use of the Mayor Alder- men and Conionalty of the said Citty of Albany and their Ruccessora forever and also that it shall and may be Lawfull to and for the Mayor Ii('cord(>r and Aldermen of the said Citty for the time beinp by a Warrtt under their or any of their Hands and Scales to Cause such Person or Persons as shall Presume to Trade or trafRqiie with the Indians Oontraiy to the forme & Effect of these p'sents to be Apprehended where ever they shall be found within the Limitts & Boundaryes herein before Prescribed to Answer the same at the Court of Pleas and Comon .Pleas in the said Citty or any other Court of

Digi-jzedbyGoOgiC

Record within the said Citty or Province where being Legally

Convicted thereof auch PerBon or PCTBons over & besides the fforfeltare and Conflscacon of snch Goods Marchandizea and Comodityes as aforesaid shall be fflneable and flined in snch 8ume or Bnmes of Mony (not exceding twenty Pounds Currtt Mony of this Country) as at the Discretion of such Court before whom hee M they shall be prosecnted shall be thought Seasonable and Con- venient which said fflnes shall be one third Parte to the Person who shall informe and Prosecute for the same and ye other two thirds to the use of the Mayor Aldermen & Cwnonalty and their SnccesBorB for ever AND further I Doe by these p'sents for and on the behalfe of his said Majesty his Heires & Successors Qrant & Declare to the said Mayor Aldermen and Comonalty of Albany and their SuccesstHv that his Majesty his Heires & Saccessors or any of his or yr Governor's Leivts Comand's in Cheife or other Officers shall not or will not from hencefcH-ward forever hereafter Grant unto any Person or Persons whatsoever and Lycence or Lycences to Hunt within the said County -of Albany op to the Eastward Northward and Westward so farr ae his said Majestyes Dctninions here Doth or may extend with- out the Consent and Approbacon of the Mayor Aldermen and Cmnonalty of the ad Citty erf Albany for the time being by tUe said Person or p'sons first to be had and obtained AND farther I Doe by these P'sents for his sd Majesty and his Successors Grant to the said Mayor Aldermen & Comonalty of the said Citty that they & their Successors bee foreier Persona able and Capable and shall have Power to Purchase have take & Possesse in ffee Simple Lands Tcnncmts Bents & other Possessions within or without the same Citty to them & their Successors for ever so as the same exceed not the Yearly Value of one thousand Pounds p Annum the Statute of Mortmaine or any other Law to the Contrary Notwithstanding and the same Lands Tennements Heriditaments & Premi^^ssorany Parte thereof to Demise Grant Lease Sett over AssigneA Dispose at yrowne will & Pleasure & to make Seale and Accomplish any Deed or Deeds Lease or Leases Evidences or Writteings for & Concerning the same or any Parte thereof which shall happen to be made & Granted by the said Mayor Aldermen and Comonalty of the said Citty for the time being AND further for and on behalfe of his said Majesty his Heires and Successors I Doe by these p'sents Grant to the said Mayor Aldermen and Comonalty that they and their Successors shall and may for ever hereafter hold & keep within the said Citty in every Week of the Yeare two Markett Dayes the one upon Wednesday & the other upon Patturday weekly forever A^ND also I Doe by these p'sents for and on behalfe of his said

Digi-jzedbyGoOJ^Ic

Majesty Mb Heire» & SucceBsora Grant to the ad Mayor Alcl^pmeii & Comonalty of the sd Citty that they and their Successors and Asugns shall and may at any time or times hereafter Build a Publick Weigh House in such Parte of the said Citty as to them shall seem Convetiient and that they the sd Mayor Aldermen & Ct-monalty shall and may Keceive Perceive and take to their own proper aae & behoofe all and Singular the Issues & Profltts tbere from or thereby Arriseing or Accrewlng as also yt: they the said Mayor Aldermen and Comonalty of the said Citty of Albany their Heires and SuecesBors shall and may att any time or times hereaftw when it to them shall seem fltt and Convenient to talie in fflll and make up and Lay out all & Bingalar the Ground & Land within the Umitts & Precincts of the aaid Citty and the same to Build upon and make use of in other Manner or way as to than shall seem fltt farr into the River that Passeth by the same as low water marke aforesaid AND further for and on behalfe of his sd Majesty his Heires & Successors I by these p'sents Doe Give & Grant unto the aforesaid Jlayor Aldermen & Comonalty of the said Citty of Albany and their Ruccesao's that they and their Buccessors shall and may have hold & keep wthin the said Citty Libertyes & Precincts thereof once every ffortnight in every Yeare forever upon tue«day one Court of Comon Fleas for all Accons of Debt treapasse iipon the Case Detinue Ejectmt and other Personal! Aocons and the same to l>e held before the Mayor Recorder & Aldermen or any three of them (whereof the Mayer or Eec«rder to be one) who shall have Power to heare & Determine the same Pleaa and Accons According to the Rules of the Conuon Law Acts of Genii Assembly of the sd Province & the Course of other Corporacons in the like Nature AND further for and on behalfe of liia said Majesty his Heires and Rucresso's I Do by these Presents Give and Grant to the said Mayor Aldermen & Comonalty of the sd Citty of Albany and their Successors forever that the Mayor of the sd Citty for the time being shall & may Determine all & all mannOT of Accons or Causes whatsoever to be had moved or Depending between Party & Party so alwayes as the samei Exceed not the "^'alne of fforty Shillings Currtt Mony of this Province AND further for and on behalfe of his said Majesty

his Heires and Succeaao's I Do Grant to the sd Mayor Alder-
men & Comonalty of the said Cittv & their Pnccessora for ever
that the Mayor Recorder and Aldermen of the said Citty shall
alwayes bee so Long as they shjill Continue in thoir sd Respect-
ive Offices Justices of the Peaee for the said County and as
such shall and may Sett in the Court of Sessions or County

Digi-jzedbyGoOglC

ConrtB & Courts (rf Oyer & terminer that shall from time to
time be held & kept within the fid County and that the Mayor
Recorder or some one of the said Aldetmen of the said Citty
for the time being shall & may Alwayea Preside in or bee
President of such County Courts or Courts of Beesions to be
held within the sd County as afoi-esaid and that the Sherriffe
of the said Citty for the time being shaJl alwayea bee BherrifFe
of the said County also that the Towne Gierke of the sd Cltty
for the time being shall Allwayes bee Gierke (rf the Peace and
Gierke of the Courts of Se8Bi<Mi8 or County Courts for the
said County AJND further I Do for and on behalfe of his said
KEajefity hia Heires & Successors by these p'sents Grant to the
said Mayor Aldermen and Comonalty of the sd Citty of Albany
& their Successors that the said Mayor Aldermen & Comonaity
of the ad Oitty & their Successors shall hare & Enjoye all the
Privilidges ffrauchizes ^ Powers that they have & use or that
any of their Predecessors at any time within the Space of
twenty Yeares last past had tooke or Enjoyed or ought to
have had by-Beaaon or under Pretence of any further Charter
Grant Prescripcon or any other Right Custome or Usage Altho
the same have been iforfeite or lost or hath been ill used or
not used or abused or Discontinued Albeit they bee not Par-
ticularly menconed herein AND noe offner shall Msturb them
therein under any Pretence whatsoever not (miy for their future
butt their p'aent enjoymt thereof PROVIDED alwayes that the
said Privilidgefl Franchizes and Powers bee not inconsistant
with or Repugnant to the Laws of his Majestyes Kingdom of
England or other the Laws of the Generall Assembly as afore-
Mid and Saveing to his Majtie his Heires Successors and As-
signes and his Comanders in Cheife Leivts Govemo's & other
Officers under him or them in his ffortt Albany in or by the
catty of Albany and in all the Libertyes Boundaryee Extents

and Privilidges thereof for the Maintainance of the sd ffortt & Garrison there all the Right use Title & Authority which his said Majesty or any of his sd Comanders in Cheife Leivts and other Officers have had used or Exercised there) Excepting the said Pasture here in before Granted or menconed to bee Granted to the said Mavor Aldermen & Comonalty of the Oitty of Albany aforpsd and Raveing to all other Persons Bodyes Politique and Corporate their Heires Surcessors and Assignes all such Right Title & Claime Posaessions Bents Services Comons Emoluments and Interest of in and to any thing that is theirs save only the ffranrhizes aforesd in as ample manner as if this Charter had not been made AN'D further I- Do App(Hnt A Declare that the Incorporacon to bee founded by this Charter

., Google

shall not at any time hereafter Do or Suffer to he Don any- thing by nieanes or of the Lands tenetuts or Hariditamts tStoUi Goods or Chatties thereof or in the Hands Custody or Fosaee- sion of any the Cittizens of the said Citty such as have bees sett lett Given Granted or Collected to and (or Pious & Charita- ble uses shall be Wasted or misimployed Contrary to the Truat or intent of the founder or Giver thereof AND that 8uc& and no other Ckmstruccon shall bee made thereof then that which may tend most to Advance RELIGION Justice and the Pub- lick Good and to BuppresBe all Acts and Contrivances to bee Invented or Putt in use Contrary thereunto IN wittnesse whereof I have to these p'sents sett my Hand and thereto have AflSxed the Beale of the said Province and Caused the Bame to be Enrolled in the Secretaryes Office of the said Province this two & twentyeth Day of July in the Second Yeare of his said Majestyes Heigne and in the Yeare of our Lord 1686.
Thomas Dongan

coHmBSioir of btb, xsicirND Aimnoa, less.

[A portion of the commissioD relatlufc to the enactment of law's la printed here and was copied from Doc. Rel. to Col, HisL of N. T., p. 637. Tlie original l9 In London, In records relatlne to New Bnel XXXIII, 381.]

James the Second by the Grace of God King of England, Scotland France and Ireland Defender of the Faith &c. To our trusty and welbeloved Sir Edmund Andros, Knight Greeting: Whereas by our Commission under our Great Seal of England bearing date the third day of June in the second year of our reign wee have constituted and appointed you to be our Captain Generall and Governor in Cheif in and over al) that part of our territory and dominion of New England in America known by the names of our Colony of the Massachusetts Bay, our Colony of New Plymouth, our Provinces of New Hampshire and Main and the Nairaganset Country or King's Province. And whereas since that time Wee have thought it necessary for our Ber\-ice and for the better protection and security of our subjects in those parts to join and annex to our said Government the neighboring Colonies of Road Island and Con- necticutt, our Province of Ne\i' York and East and West Jersey, with the territories thereunto belonging, as wee do hereby join annex and unite the same to our said government and dominion of New England.

.....

And Wee do hereby give and grant unto you full power and authority, by and with the advice and consent of our said

Council! or the major part of tbem, to make constitute and ordain lawes statutes and ordinances for the public peace wel- fare and good goremmt of our said territoir; & domJDion and of the people and inhabitants thereof, and sach others as shall resort thereto, and for the benefit of us, oar heires and suc- cessors. Which said lawes statutes and ordinances are to be, aa near as conveniently may be, agreeable to the lawes & statutes of this our kingdom of England:

Prorvided that all such lawes statutes and ordinances of what nature or duration soever, be within three months, or sooner, after the making of the same, transmitted unto Us, under our Seal of New England, for our allowance or disapprobation of them, as also duplicates thereof by the next conveyance.

It Witness whereof Wee have caused these our letters to be made Patents. Witness our self at Westminister the seventh

day of Aprill in the fourth year of our raign. [1688.]
By Writ of Privy Seal

Gierke.

INBTB1TCTI0N8 TOB BIB EDKUNS AITSBOS, 1088.

[A portion of the iDBtructlone relating to tbe eDactment of laws 1b

printed here and was copied from Doc. Rel. to Col. Hist, of N. Y.,

p. 543. Tbe original 1b la London, In records relating to New Eng

KXXIII, 302.]

Instructions to our trusty and welbeloved Br Edmund Andros
Knt our Captain Generall and Governor in Cbelf in and over our
STerritory and Dominion of New England in America.

Our will and pleasure is that all lawes. statutes and ordinance
within our Territory and Dominion of New England aforesaid
shall continue and be Id full torce and vigor, so farr forth as th
do not in any wise contradict impeach or derogate from our
said Commission Orders or instructions uctill such time as with
the advice and consent of the Council! you shall pass other lawes
for the good government of our said Territory and Dominion,
which you are to do with all convenient speed.

And Wee do further charge and require you to transmitt
authentick copies under the public Seal, of all lawes statutes and
ordinances which at any time shall be made and enacted within
our said Territory and Dominion, unto Us as aforesaid and to
our Coaumittee for Trade and Plantations, within three months,
or sooner, after their being enacted, together with duplicats
thereof by the next conveyance, upon pain of our highest dis-

:yG00t^lc

pleasure, and of the forfeiture of that years aalary, wherein yon
shall at any time or upon any pretence whatBoeyet omit to send
over the said lawes and ordinances as aforesaid, within the timie

above limited, as also of such other penalty as wee shall please to Inflict.

And if any lawes statutes and ordinances made and enacted by jon and our Cotlncill, or hy the Commander in Cheif and Councill of New England for the time being, shall at any time be dis- allowed and not approved, and so signified by Us, our Heire» or successors, under our or their Sign manual and Signet, or by order of our or their Privy Councill unto you the said Sr Edmund Andros or the Commander in Cheif of our said Territory and Dominion for the time being; then such and so many of tkem as shall be bo disallowed and not approved, shall from thence forth cease determine and bectnne void.

And you are to observe in the passing of lawes that the Stile of enacting the Bame by the Oovemor and Council, be henc€f(wtb used and no other.

Given at our Conrt at Whitehall the 16th day of April! 1688, in the fourth year of our Beign.

By His Majesty's Gommaiid
Sunderland P.

OENEBAL ASSEMBLY, HELD ES THE CITY OF IJEW YORK.
Mr0t Seaeion, April 24, 1690.

iTaOOB LbDELBB, LlEUrEHAKT Q-OVSBSOS.

[Mr, 8, Van Cortlandt, in a letter to Sir Edmund Andros, dated May 19, 1690, stated tbat tbe Aaaembly held in April, paaaed the above act and " tbat tbis la all that this wise assembly did." (Doc. Rel Hist of N. Y. Ill, .p. 717.) The latter portion may have consUtnted separate act. If so there were two acta passed at this session. Tbe original of fhls act Is not In the ottice of the Secretary of Stat Revision CommlssloD has been unable to discover a copy elsewbere.]

An Act to raise throughout the whole gonver- ment three pence in every potind real! and per- Bonall to be paid the first of June and that all townes and places should have equall free- dom to bonlt and bake and to transport wh^e they please directly to what place or country they think it fitt, anything their places af- ford, and that the one place should have do

more privileges than the other.

[Passed, April. 1600.]

D,g,;,zeclbyG00giC

Second Session, September 15, 1690.

JaOOB LsULEB, LlBnTBKAST GOVBBNOB.

tlientenant-Oovemor Leisler, In a letter to the Bart of Shrewsbury, dated October 20, 1690, states tbat tbe AsBembl)' hatli granted a ta three pence per pound to be levied In January and March next. See BeL to Col. Hiat of N. Y. Ill, p. 753, In a copy of an order of UeDtenaut-GoTemor requiring tbe election of assessors and collectors fn pursuance of the act, dated Jan. 25, 1691, the title of the act Is u above, and the date of Its passage as October 2d. See Doc. HiBt. of N. Y., II, p. 181, by E. B. O'CttllaBhan. The original of thla not iu the office of the Secretary of State, and the Revision Commi bu been unable to discover a copy elsewhere.]

An act for Baising Three pence in the Pound ot all Reall and Personall vi^hle Estate of all and singular the Inhabltance of this Pro- vince, one halfe thereof to be paid at or be- fore the 21 January Then next Ensuing and the other halfe at or before the 25th of March next Ensuing & that Assessors and Collectors for executing of sd Act be chosen by the fre- hollder of each Towne within this Province.

[Passed, October 2, 1690.]
[Co^ed from the orlgrlnal in the <fflce of the Secretary of State.]

A bill for amending & fining all per- sons whhin this Province of New Yorit refusing to Serve In Comission of Civin or Military Power within ye Province under his Maj'ties Lieu't Gov- ernor of the Province aforesaid & that none of ^e Inhabitants oif ye

City & County of Albany & Ulster
Leave or Depart the City or Oountys
aforesaid Withcut Spetiall lycense of
the said Authority or Carry of or
transport from Said places any Wares
or Merchandises Except Such here-
after Exppest.

[Passed, October 4, 1690.]
WHEBEAS his Maj'ties Espetiall Servic in ye Pr'sent Warr
with the ffrench & their adherents requires that there be
apolnted Beverall Officers Civill & Military for due Administer-
ing ye Lawes Pr'serving the Peace & Keeping the Inhabitants
b a good Posture of Defence ag'st said Ennemys & that gererall

.,, Google

persona might not refuse or be backward Id Serving bU said
Maj'tie In any Employment Civill or Military Under the Com-
ission of bis said Maj'ties Lieu't Governor of a'd Province
whereby his a'd Maj'ties Senit-e & Safety of this Province might
be much hlndred & obstructed Bee it therefore Enacted & it
Is hereby Enacted by the Genii Assembly & by ye Authoritj
of ye Same That if any Person or Persons Chosen, nominated,
Conslituted, ordained or Comissionated by his s'd Maj'ties
Lieu't Governor to serve In any EnLpIoj'ment Civill or Military
w'tbin any of ye Countys of s'd Province & shall refuse to
accept receive or Execute any Commission or Commissions unto
him or them directed by the Said Lieu't Governor that then
& in such Case ye Said persons or Persons be Amended ft
fined to Pay ye Sume of Seaventy five Pounds Curr't Money at
this Province & by refusall thereof that the Same be forth-
with Strained by Warr't from said Lieu't Governor on the good**
ftChattlea of Every PersOTi or Persons so refu»ing to serve as
aforesaid PROVIDED always & be it further Enacted that ye
s'd fine so payd or Strained as aforesaid shail be apiied for
his Maj'ties use In Suporling & defraying ye Charges of
this Pr'sent Warr against ye ffrench and their adherents in
ye City County or towne where the Same shall happen to be
payd or Strained as aforesaid & be it further Enacted by the
Authority aforesaid that all persons who ^all Depart ye City

ft County of albany or County of Ulster being Inhabitants or flreeholders Without Spetiall Lycense frma the authority Com- issionated by the Said Lieu't Governor shall forfeit & Pay the Sume of ome hundred Pounds Curr't money to be Levyed 'on ye goods Chatties of Every person or persons so departing as aforesaid & for any such person whose Estate shall not amount to the Said Sume of one hundred Pounds that the s'd Persons be fined to ye Discrecion of ye Lieu't Governor ft his Councel which Said Sume or fines are to be applyed to the use afore menconed & that no Wares Goods or Merchandises shall be brought downe hudsons River or Transported out sd City ft Counties w'thont such lycense as aforesaid under Penalty of Confiscacon of ye Same & to be aplyed^to ye use aforesaid Except Coine (after Sufficient Store left for the Militia & In- habitants of ye s'd City & Counties) bevers & Peltry & other necessaries & be it further Enacted by the Authority aforesaid that all persons all ready departed from the Said City S: County's to returne w'tbin tlie time of fourteen dayes after Publicacon hereof (Except absolute necessity at their utmost Perills.

Digi-jzedbyGoOgiC

OOHKISSIOK POB HSNBT SLOUOHTSB, ESQUIBX!, TO BB GOVBBNOB or NEW TOBK.

[A. portion of the commlgalon relating to the enactment of lawa is printed here and was copied from Doc. ReL to Col. Hist, of N. Y., p. 623. Tbe original la in London, In New York Entry, II, 204.]

William & Mary by the grace of God King and Queen of England, Scotland, France and Ireland DefendOTB of the Faith &c.
To onr Trusty and welheloved Henry Sloughter Esqre Greet- ing. Wee reposing especial trust and confidence in the Pru- dence courage and Loyalty of you the said Henry Slonghter, out of our especial Grace, certain knowledge and meer motion, and thought fit to coQBtitate and appoint you the said Henry Bloughter, to he our Captain General and GoTernor in chief in and OTCP our Province of New York, and the Territories depend-

ing thereon in America.

And We do hereby require and command you to do and execute all things in due manner that shall belong nnto yonr said Cosomand and the Trust we have reposed in you according to the severall Powers and Directions granted or appointed you by this present Comission and the Instmctiona herewith given you or by puch further Powers, Instructions and Authoritys as shall at any time hereafter be granted or appointed you under our signet and sign Manual or by our order in our Privy Council & according to such reasouable Laws and Statutes as now are in force or hereafter shall be made and agreed upon by you with the advice and consent of the Council and Assembly of our said Province under your Government in such manner and Forme as is hereafter expressed.

And we do hereby give and grant unto you full power and authority with the advice and consent of our said councill from time to time as need shall require, to summon &, call generall Assemblies of the Inhabitants being Freeholders within yonr Government, according to the usage of our other Plantations in America.

And our will and Pleasure is, that the persons thereupon duely elected by the Sfajor part of the Freeholders of the respective Countys and places and so returned and having before their sitting taken the oaths appointed by Act of Parliament to be taken Instead of the Oaths of Allegiance and Supremacy and the Test, which you shall ctmunissionate fit persons under our seal of New York to administer, and without taking which, none shall be capable of sitting though elected, shall be called and held the General Assembly of that our Province and the Territories

.., C A.>(.>glc

tliere unto belonging And that you the said Henry Slonghter by and with the conBent of our said Couacill and Asseaobly or the major part of them, respectively have full power and authority to make coaetitute and ordaine Laws Statutes and ordinances for ye publique Peace, welfare and good Government of our said Province and of the people and Inhabitants thereof and such others

as shall resort thereto & for tbe benefit of us our Heirs & Successors.

Which said Laws Statutes & Ordinances are to be (as near as may he) agreeable unto the Laws & Statutes of this our kingdotne of England.

Provided that all such Laws, Statutes & Ordinances of what nature or Duration soever he within three months oc sooner after the making thereof, transmitted unto us under our seal of Kew York for our Approbation or Disallowance of the same, As also Duplicats thereof by the next conveyance.

And in case any or all of them being not before conflrmed by Us shall at any time be disallowed and not approved, and so signified by Ub our Heires & Successors, under our or their Sign Manual and Signet or by order of our or their privy Council unto you the said Henry Sloughter or to the Commander in Chief of the said Province for ye time being, then such and so many of them as shall be soe disallowed and no^ approved sfiall from thenceforth cease determine and become utterly voyd and of none effect, anything to the contrary notwithstanding.

And to the end nothing may be passed or done by our said Gouncill or Assembly to the Prejudice of us our Heires and Successors, We will and ordaine that you the said Henry Sloughter, shall have and enjoy a negative voice in the making and passing of all Laws, Statutes and ordinances as aforesaid.

And that you shall and may likewise from time to time as you shall judge it necessary Adjourn Prorogue and Dissolve all General Assranblies as afwesaid.

At the Court at Whitehall the 14th of Nor 1689.

Digi-jzedbyGoOgiC

THE FIB8T! ASSEMBLY.

Jf^st Seanon.
(Begun April 9, 1691, 3 Wm & Mary, Henry Sloaghter Oovernour.)

[CHAPTER 1.]

[Chapter 1, of UTlngston & Bmltb and Van Scbaacfc, where the flrat two paragraphs of the acts are printed. Printed In full Id Fowler'* Bradford, p. 1. First two paragraphs printed In full in Baskett, p. The last clause of this act la repealed by ch. 145. For note in r to thlB act, see Fowler's Bradford, p. CV. The act waa confirmed by Klnj, May 11, 16D7, see Fowler's Bradford, p. CXXXV.]

An Act for the Quieting and Betling the Disorders that have lately happened within this Province and for the Establishing and Securing tJiedT Maje&tyes present Qoreen- ment against the like Disorders for the Putnre.

[Passed, May 6, 1691.]

FORASMUCH m the good and quiet; Case profit & benefit, and Advantage (rf the Inhabitants within this Province doth chiefiy Consist in, and altogether rely and depend upon their bearing trne fdith aud Allegiance unto their Majestyea Crown of England which is and can only be the Support and defence of this province. AND WHEREAS the late hasty and inconsiderate Violacon of the same by the settiog up a power over their Majestyes Subjects without Authority from the Crown of England, bath vitiated and debauched ^e Minds of many people &c. and hath also brought great waste, trouble and Destrucon upon the good people of this province, Their Majestyes Loyall Subjects, For the prevention whereof in the time to come BEE IT THEREFORE ENACTED and OR- DAINEd By the Govemour and Cooncil and R^resentatlvee mett in Generall Assembly, AND it la hereby Fubtished Declared Enacted and Ordained by the Authority of the same That there can be noe power and authority held and Exercised over their Majestyes Subjects in This Their Province and Domin- ion but what must be derived from their Slajestyes Their Heira and Successours And Wee doe hereby Recognize and acknowl- edge That Their Majestyes, William and Mary are and aa of Right they ought to be by the Laws of the Renlme of England our Leige Lord and Lady King and Queen of England France and Ireland and the Dominions thereunto belonging &c. That thereby their princely persons are only invested with the right to Rule This their Dominion and province And That none traghf

Lc;-,:.tll:yG00gIC

or can have power, upon any pretence whatsoever, to use or exercise any power over their Subjects in this I'povince, but by Their Immediate Authority under Their Uroad seale of The Bealme of England as now Established

AND BEE IT FUBTHEE ENACTED by the authwity afore-said That whatsoever person or persons shall by any manner of way or upon any pretence whatsoever Endeavour by force of arms or otherwise to disturbe the peace good and quiet of this their Majestyes Government as it ia now Established shall be Deemed and Esteemed as Bebells and Traitors unto their Majeetyes and incurr the pains penalties and forfeitures as the Laws of England hath for such Offences made and provided.

[CHAPTER 2.]

[Chapter 2, of Livingston & Smith and Van Scbaack, where the act Is printed In full Printed in fall in Fowler's Bradford, p. 0; Basketr. p. 5. For note In reference to this act, see Fowler's Bradrord, p

An Act for the Setling, Quieting and Con-finning unto the Cities, Towns, Mannora and ffreeholders within this Province, their several Grants, Pattents and Rights Respectively. ■

[PasBed, May 6, 1691.1

FORASMUCH as the many changes, alterations and disturb-ances that have been lately given unto their Majesties Sub-jects Inhahiteing within this their Province, hath and doth very much discourage the Selling, Improveing and the growth and strength thereof; AND that it is now absolutely necessary for the Quieting and satisfieing their Majesties good Subjects within the same; that the rights and priviledges formerly held by and granted, to the respective Cittys, Towns, Mannors and ffree-holders within this Province &c. should be now ratified and confirmed.

BE IT THEEEFOBE ENACTED by the Governour Councill and Representatives convened in General Assembly, And it is hereby enacted and declared by the Authority of the Same; That all the Charters, Pattents, Grants, made, given and granted, and well and truely executed under the seale of this Province, Consti-tuted and Authorized by their late and present Majtys the Kings of England, and Eegistred in the Secretaryea office, unto the severall and respective Corporations of bodys politick of the Cittys Towns and Mannors, and alsoe to the severall and respec-tive ffreeholders within this Province, are and shall for ever be deemed, esteemed and reputed good and effectual, Charters Patents and grants Authentick in the Law against their

DgizedbyGoOgiC

MajefltleB their helree and Baccesaors f<Mr ever notwithBtanding lA the want of formes in the Law or the NonfeazeDce of any right pririledge or Cuatome which ought to have been done heretofore by the ConstltTitiona and Directiona contained in the respective Charters, pattents and granta aforeaaid.

AND BE IT FURTHER ENACTTED by the Authority aforeaaid, niat all the Charttera Pattents granta, made given and granted as aforeaaid, unto all and every the aeverall and respective Cor-porationa, or bodyea politick of the Cfttya Towns and mannora »nd their succesaora, and alaoe nnto all and every the respective flre^otdera, their heirea and aaaignes forever; within this Province, ARE to all intenta and purpoaes whatsoever hereby ratified and cwiflmied To have hold exerciae Occupy, Possess and Enjoy all their and every of their former rights Customes Prerogativea, priviledgea preheminenciea practiaes Immuni-tjes Libertya, Sranchisaes, Royaltyes and uaages whatsoever, In as full and ample manner as If none of these Changea Alteracoos, disturbances want of other forms in the Law; or the Nonfeazance of any rights, priviledgea or Customs of any of the Corporations aforesaid, had never happened or been neglected any thing herein contained or in any other Law to the Contrary in any wise Notwjthatanding ITtOVTDED that jiothing herein contained shall be Constraed or taken to barr any person or persona of his or their former and Just right or pretences to any house, tract or parcel] of Land within this Province. ALLWAYES PRO-

VIDED, that he or they that have any such Just right or pre-
ttsxce doe make his or their Claime within the space of five
jeares; next after the Date hereof AND ALSOE PROVIDED
that noething herein Contained ahall be intended or Construed
to the Prejudice or hindrance of the title or Claime of any
Person under age Feme Covert, Non Compos Mentis, Impriaon-
meot or beyond the seas.

[CHAPTER 3.]
ICbapter 3, of Livingston] Smith and Van Scbaack. where tlie act I prtnted la full. Prlated In full In Fowler's Bradford, p. 7: Baekett CoDfirmed by the Kinfc, May 11, 1607. (See Fowler's Bradford, p. CXXXV.) For note In reference to this act, see Fowler's Bradford, p. CVIL]

An Act for the Enableing each Respective
Towne within this Province to Regulate
their Fences and Highwayes and make
Prudentiall Orders for their Peace and
Orderlv Imppovennents, ,

[Passed, May 6, 1691.]
IWHEREAS the respective Towns within this Prorinre &c. Are
see Circnmstanced as to have different and distinct wayea in

. '.".ooglc

their ImproTements of Tillage and Pasturage; And that itt is
altogether necesBar; that they may be qualified and made capable
in the Law; to make snch prudentiall rnies and Orders for the
better ImproTement of their respective Towns, and the regulatelng
their ffencea and Highwayes accordingly. BE IT THEREFORE
ENACTED by the Governoor and Councill and the repreaenta-
tives mett In Generall Assembly, and by the Anthority of the
same; That the ffreeholders of every respective Town within this
Province are hereby Impowered and Authorized to meet and
assemble themelves together at such times and places as are
appointed and expressed In th«r respective grants and pattenta,
and when soe assembled to make, establish, constitute and
ordaine from time to time such prudentiall orders and rules for
ihe better improveing of their respective Lands in tillage

pastureage or any other reasonable way as shall by the MajMdty of the ffreeholders, soe assecnbled or Convened as aforesaid be thought good and convenient. And alsoe when the ffreeholders <rf each respective Town within this Province &c Are Assembled as aforesaid; they are hereby further Authmzed and Impowered to make Choice and Nominate in each of their respective Towns Annually and once every Yeare Three persons to be Survayors and orderers of the wwk for the laying out and the Amendment . of the High-Wayes and fences within the bounds and Limltts of their respective Towns within this Province, which persons, soe nominated and Choosen shall take upon them the said office, and are hereby Impowered to lay ont, sett forth, regulate and Amend all such highwayes and fences as shall be established in such manner form and way as shall be agreed upon and directed by the Majority <rf the ffreeholders of each of the respective Towns as aforesaid ALLWAYES PROVIDED that such orders as are made Constituted and ordained aimtt be kept and regis- tered in the Towns book for that purpose And consented to. And Approved by the next Court of Sessions of peace in the Countyes where the respective Towns are Otherwise to be of noe force Dor virtue whatsoever.

[CHAPTER 4.]

[Chapter 4, of Livingston & Smitli and Van Scbaack, where rhe title only Is pHnted. Printed in full In Fowler's Bradford, p. 2. Titl printed in Baskett, p. 8. The act expired Slay G, 1G03. For reference to this act, see Fowler's Bradford, p. CV.j

An Act for the Establishing Courts of JudicatureforttheEaseand benefltt of each respective Citty Town and Oonnty within this Province.

[Paased. May 6. 1681.]
Whereas the orderly Regulation and the Establishment of Courts of Justice throughout this Province as well in the

Bespect <rf l^me aa place doth tend very much to the honor

and Dignity ot the Crowne as well as to the Ease and benefltt of the Snbject Be it Enacted by the OoYemoar & Councill and Bepreaentatives Convened in GeneraJl Assanbly; And it ia hereby enacted and Ordained by the Aathority of the same That ever; Jastice of the Peace that ResideB within any Town or County within this Province are hereby fully Impowered & Authorized to have Cognizance of all Caasee, Cases of Debt or Trespass to ye Value of Forty shillings op onder; which CaoBes & Cases sball be heard Tryed & finally Determined with-out a Jury by every Justice of the peace, that resides within any Towne or County within this Province, he takeing unto his Assistance, at the Time of his hearing & Determining Such Caasee or Cases of Debt and Trespass to the Value of forty Shillings and under, One of ye freeholders of the Towne & place where the Cause of Action Doth arise. The Process of Warning shal] be by a Sonunons under ye hand of ye Justice Directed to the Constable ot the Towne or Precinct, or any Depated by him where the party Complained against doth live; whi<-h Summons being personally served or left at yv defend-ants house two dayes before ye Day of hearing of the plaint, shall be Sufficient Authority to and for ye said Justice assisted with one of the freeholders as aforesaid, to proceed on such Cause and Causes and Det^mine ye same in ye Defendants Absence. And to grant Execution thereon: against the Defend-ants person or for want thereof his Estate which the Constable of the Towne or Precinct or his deputy sball and may serve. AUways Provided and be itt further ena:Cted by ye Authority aforesaid, that if the Plaintiff or Defendant shall Desire a Jury it shall be allowed but at the proper Cost & Charges of the Person Desiring ye same And for the Increase of Virtue and the IMsconraging of E^il-doera through out this Province. Be it further Enacted by the Authority aforesaid. That there shall be held and kept in every Respe^ve City & County within this Province att ye times and places hereaftler named & Ex-pressed A Court of sessions of the Peace That Is to say, For the City & County of New York at ye City hall of ye said City, four times every yeare Vizt ye first Tuesday in May, the first Tuesday In August ye first Tuesday in November & the first Tuesday in February; for ye City & County of Albany at ye Citty hall of the said Citty, the first Tuesday In June, the first Tuesday in October & the first Tuesday in February; for West Chester att West Chester the first Tuesday In June, and the first Tuesday In December; for Ulster at King8t<me the first

Digi-jzedbyGoOgiC

Tuesday in September & the flrat Tuesday in March for the County of Hiclunond at ye Court house the first Tuesday in September, & ye first Tuesda; in Marcli, The Kings County at Flatbuah (alias Midwout) the second Tuesday in May & ye second Tuesday in November Or Quems County at Jamaica, the Third Tuesday in May & the Third Tuesday in September; Suffolk att Southould the Last Tuesday in Sept«nber and the Last Tuesday in March att Soutliamptoa. Orange County to be annexed to the County of New Yorke And Dutchess County to ye County ot Ulster. Which BessiotiB of the peace shall only hold and Continue for the space and Time of two dayes & No Longer. And for the more B«gular and beneflciall Distribution of Justice to the Inhabitants of each Bespectire City and County within this Province Be it further enacted by ye Authority aforesaid; that there be kept and held a CiDurt of Common Pleaa in each Bespectlve Cltty and County within this Province att the Times & places hereafter named and Expressed, That is to say, att such places in each respeictiye County as the said Court of sessions are to be kept; and to begin the Next day after the sessioos Tenniuates and only to hold and Continue for the space and thne of two Dayes; and noe Longer. And that there be one Judge with three Justices in each County appointed & Ccunissionated to hold the same Court of Fleas three whereof to be a Quorum And that the sererall and Bespective Courts hraeby Estahlished shall hare Jurisdiction to hear Try and finally to Determine All actions or Cause of Actions, And all matters and Things and Cause« Tryahle att the Comon Law of what Nature or kind soever. Provided always And it is hereby enacted That there shail not he any Appeale or Bemovall by habeas Corpus, ot any Person or of any Action or suite, or of any Judgement or Execution that shall be Determined in this Court to the Value of Tiv-enty pounds or under anything herein Contained to the Contrary in any wayes notwithstanding. Provided arwayes and it is hereby enacted That the Courts of the Mayor & Aldermen of ye Respective Cittyes of New Yorke & Albnnv shall have in each of their Respective Cittyes the power and Authorityes to hear Try and finally to determine all such actions & Suites, as is Comonly Cognizable before them from which finall Deter-mination there shall not bee any Appeale or Eemovall by

habeas Corpus of any person or of aay Action or suite or of any Judgement or Execution to the Value of Twenty pounds or under Anything herein Contained to the Contrary in nny wayes Notwithstanding. To which Respective Court of Comon

Digi-jzedbyGoOgiC

Pleas there shall belong & be appointed & OtHnissionated for that purpose one Clerke of the Court to draw Enter and keep the Records, Declarations Fleas, Judgements there to be had and Made, And One Marshall or Cryer of ye Court to call the Jurors & proclaime the Comands & Orders of ye said Court. Aad for the more Regular proceedings in ye said Couii^ all processes and Writts of what nature soever for the Comand of persona to appeare and to execute the Judgements & Executions of the Respective Conrts aforesaid shall be directed to the Respective Sherriffes of each Citty & County within this Province & exe-' coted by them, their under Bheriffes or Deputy or Deputyes. ' And all processes & Writts for Actions betwixt Party & party in the said Court shall Issue out of ye Otace of the Gierke of the Court in Each Citty and County respectively signed P Curiam. And that their Majestyes subjects Inhabiting within this province may have all the good proper and Just wayes & meanes for ye securing and Recovering their Just Bights and Demands within the same, Be it further enacted, And itt is hereby enacted and ordained, by the Authority aforesaid that there shall be held and kept a Supreame Court of Judicature, which shall be Dnely & Constantly kept att the Citty of New Yorke and not Elsewhere, att the several] & Respective times hereafter mentioned. And that there be five Justices att Least appointed & Comissionated to hold the same Court, two whereof together with one Chief Justice to be a Quorum. Which Supream Court are hereby fully Impowered and Authorized to have Cognizance, of all pleas. Civil! Criminall, and Mixt, as fully & amply to all Intents & purposes whatsoever, as the C-ourts of Kings Bench, Comon Pleas, & Exchequer withTn their Majestyes Kingdome of England, have or ought to have, In & to which Supreame Court, all & every person & persons whatsoever shall or may if they shall soe see meet. Commence, or remove any Action, or suite the Death or Damage Laid in such Action or suit being upward of Twenty pounds And not otherwise, or shall or

may, by Warrant, Wrltt of Error, or Certiorari, Remove out of any of the Respective Courts of Mayor &Aldermen Sessions and Coiaon Pleas any Judgement Information or Indictment, there had or depending & may Correct Errors in Judgment, or Reverse the same, if there be just cause. PROVIDED always, That the Judge-ment removed shall Ije upwards of the Value of twenty I'ounds. Alwayes PROVIDED, and be it further ENACTED by the Authority aforesaid, this Supremm Court Shall be Duely and Constantly kept, once every Six Months, and noe oftener, that is to say on the first Tuesday of October, and on the first Tuesday

Digi-jzedbyGoOgiC

of Aprill Annually, and every yeare, att the Citty hall of the said Citty of New Yorke PROVIDED they shall not sitt Longer then Eight DayeB. AND BE IT FURTHER ENACTED by the Anthority aforesaid, that itt shall not be Lawfull for any person oi' Persons whatHoer\-er appointed, elected, or ComlsBionated to be A Justice or Judge of the aforesaid Courts to Execute or ofBciate, his or their said place, or Office, nntill such time he o they shall Respectively take the Oaths appointed by Act of Parliament, to be Taken in stead of the Oathes of Allegiance & Suprtsnacy and subscribe the Test In Open Court. AND BE IT FURTHER ENACTED by the Authority aforesaid that all and every of the Justices or Judges of the severall Courts before-mentioned be and are hereby BuIBciently Impowered, to make, order, and Establish, all such Rules and Orders for the more orderly practizeing & proceeding in their said Courts, as fully and amply to all intents and purposes whatsoever as all or any of the said Judges of the severall Courts of the Kings Bench, Domon Pleas & Exchequer in England Legally doe. PROVIDED plwayes, and be it further ENACTED by the Authority afore-said that no Persons Right or property shall be by any of the aforesaid Courts Determined, except where matters of Fact, are Either acknowledged by the Partyes or Judgement be acknowl-edged or passeth by the Defendants faults for want of Plea or Answer, unless the fact be found by the verdict of Twelve Men of the Neighbourhood, as itt ought of Right to be Done by the Law. BE IT FURTHER ENACTED by the Authority aforesaid that there shall be a Court of Chancery within this Province which said Court shall have power to hear and Determine all

matters of Equity, and shall be Esteemed & accounted the High Court of Chancery of this Province: AND BE IT FURTHER ENACTED by the authority aforesaid, that the Governour & Councill be the said High Court of Chancery, and hold and keep the said Coiirt; And that the Governour may Depute, Nominate & Appoint in his Stead A Chancelor, and be assisted with such other Persons of the Councill as shall by him be thought fitt and Convenient, together with all Necessary officers, Clerks, and Registers as to the said High Court of Chancery are needfuU. PROVIDED allwayes and itt is hereby further ENACTED by the Authority aforesaid, That any Freeholders, Planter, Inhabitant or Sojourner within this Province, may have Liberty if he or they see meet, to make his or their Appeale or Appeales, from any Judgement obtained against him or them in Case of Error, in the severall Courts aforesaid, in such manner and fonne as Is hereafter Expressed, That is to say, From the Courts of Mayor & Aldermen and Courts of Comon Pleas, to the Supream Court,

Digi-jzedbyGoOgiC

for any Judgemeot above the Value of Twenty Pounds. And from the Supreame Court at New Yorke to ye Governour ft ConnciU for any Judgement above the Value <rf one hundred pounds; And from the Governour & Councill to their Majestyes ta Council! for any decree or Judgement above the Value of three hundred pounds, as in their Majestyes Letters Pattents to his Excellency, Doth and may more fully appeare. ALWAYES PROVIDED that the Party or Partyes soe appealing, shall first pay all Costs of such Judgement or Decree from, which the appeale ariseth. And enter into Recognizance with two suflBcient Suretyea for Double the Value of the Debt, Matter, or thing recovered or obtained, by Judgement or Decree against him or them to the said Court frtsn which they Appeale that they will prosecute the said Appeale or Appeales with Effect, and make Beturne, thereof within Twelve Months after the said Appeale or Appeales here made; And if Default happen thereon then Execu- tion to Issue out upcm the Judgement against the party or their Buretyes, in course without any Scire faciaa. PROVIDED alwayes that the Establishing criF those Courts, shall not be or reonaine Longer in force, then for the time & space of Two Years, and untill the End of the sitting of the next Asaonblj after the

Expiration of the Said Two Years.

[CHAPTER 5.]

[Chapter 5, of Livingston & Smith and Van Schaack, where the title only iB printed. Printed In full In Fowler's Bradford, p. 10. Title printed Id Baekett. p. 8. Defects In tbla act were supplied by ch. The act was repealed by ch. 114. For note In reference to thla act Fowler's Bradford, p. OlX.i

An Act for settling the Militia

[PaBBcd, May 6. 1691.]

WHEREAS the present State and Condition of this Prorince Doth of necessity require That the Inhabitants thereof Should be well armed and Trained up in Art military as well for the honour and Ber\-ice of Their Most Excellent Majestyes as the preservation of their own lives and fortunes BEE IT ENACTED AND ORDAINED By the Governour and Council and Repre- sentatives Convened in Generail Assembly, and It is hereby ENACTED and Ordained By the authority of the Same That noe person whatsoever from flftteen to Sixty years of Age remaine unlisted by themselves or masters mistresses or im- ployers under the Captains in the respective places of tlieir abode in foot or horse the space of one Calendar month after

Digi-jzedbyGoOJ^Ic

their arrivall or Coming to reside or sojourne in any place within ttkie Province, on penalty of twenty Hhillinga and aoe for every month Such person Shall remaine unlisted and that e\ery foot Soldier be provided with a well fixed muskett or fuzee (or if the Officer Soe appoint with a good pike or Sword or Lance and pistoll Eiax^h musketteer Six charges of powder and one Cartouch box and so shall appeare when and where appointed upon penalty of five Bhillings for his Default in not appearing and three shiltingB for want of each Charge of powder gunn pike Sword pistoll or Cartouch box so as the whole j»enaity for any person at one time exceed not tenn shillings and That

every Soldier belonging To the horse Shall when and where C<Hnmanded appear and be provided with a good Sen-iceable horse of his Own Covered with a good Saddle with holsters breast plate and crupper and a Case of good pistolls hanger Sword or rapier and halfe pound of powder with twelve Ser- viceable bullette on penalty of Tenn Shillings for each times absence and fire Shillings for default of each of the particulers abovementioned soe as the whole penalty for one time Exceed not fifteen Shillings And that every foot Souldier Shall have att his habitation and abode one pound of good iK>wder and three pound of Sizeable hnlletts and every Tropper have at his usnall place of abode a well fixed Carabine with belt and Swivell and two pounds of fine powder with Six poande of Sizeable bulletts on penalty of Tenn Shillings for each default and that each of tbetn Shall bring the same into fie4d when Commanded upon penalty of answering the same at a Court Martiall And for the Supply of the Troops of horse in the Cittyes of New Torke and Albany anS the County of Ulster It shall be in the power of the Collonell or Cheife Officer of the Militia of the Cltty of New Yorke County of Albany County of X'lster for the time being whensoever any of the said Troops shall not Compleate the number of fifty to present double the num- ber insteade of such as are dead removed or wanting out of the principal! Inhabitants and Gentlemen of the Respective Cittyes or Countyes aforesaid unto the Govemour for the time being who from time to time may list and order so many of them to be of the said Respective Troops as may Compleate the number of fifty for their Majestyes service and the eecnrity of this Province And every person so Presented to the Govemour for the time being and by him listed and Ordered to be of the said respective Troops Shall be and are hereby obliged to serve in the said Respective Troops upon the penalty of five pounds PROVIDED neverthelesa That noe Clause herein be Construed to

Digi-jzedbyGoOgiC

extend to force or Compel! an; pet^on That hath or shall be in Commission in this Province to list themselves in any C<Hnpany or Troop (NT to serve in any Capacity beneath the former Canuniasion unlesse such person hath been degraded by a Court MartiaJl AND IT IS PURTHEB ENACTED by the authority aforesaid That noe

person see listed as aforesd shall depart thence without a dis-
charge from the Commander of the Company or Troop where
listed on penalty of Twenty Shillings And That noe Commander
of any Cotnpany ot Troop shall refuse when desired to give a
discharge in writing to any that is removing his abode out of
the precincts or province under the penalty erf five pounds AND
WHEREAS att the Citty of New yorke guards and watches are
every night sett and apprinted BE IT THEREFORE ENACTED
and declared by the authority aforesaid That it shall and may be
lawfull for any person or persons listed in the Regiment of the
Citty and County of New yorke (Except on Extraordinary
Occasions) to put a well armed man in their rooia who if approved
off by the Captaine of the guard Shall excuse his or their
absence PROVIDED allwayes That the CommisBlon Officers and
Serjeants of the respective Company es be obliged in Their
respective turns to Mount the guard in their proper persons And
That noe person shall refuse to be a Serjeant Corporall ot
iDrumaner in tlie Company wherein he is listed under the pmalty
of two pounds AND BEE IT FURTHER ENACTED and Ordained
by the authority aforesaid That all Captains of Companyes of foot
or Troops of horse shall within twelve months from and after
the publication of this Act Provide for Their Companyes and
Troops Drumms and Collours Trumpetts Trumpeters and
Banners att the propper Charge of the respective Officers Troops
and Companyes under the penalty of Tenn pounds and soe for
every four months Such Commanders shall remaine unprovided.
And That all the Collonells of the respective Regiments or nert
Cheife Officer in Their absence shall once every yeare at the least
issue out their warrant To their Inferiour Officers Coomuinding
them to make diligent Search and Inquiry in Their Sererall
precints That all be duly listed armed and Equipped and to
reftume to them such defects as shall be found to the end the
Same may be reformed <hi penalty of twenty pounds and that
once every three months or oftener as Occasion shall require and
Command be given by the Captaine Gaierall or Commander in
Cheife the Severall Companyes and Troops in each Regiment Shall
meet att the next and most Convenient places toi be appointed by
their respective Officers to be then and there by them mustered
and Exercised AJJD IT IS hereby ENACTED and ordaln'd by the

Digi-jzedbyGoOJ^Ic

authority afopeeaid That during the time the Said Offlcere and Soldiers are itt arms tbej Shall observe and Keep all and every of the Laws and Articles of warr and give all due obedience to their Superiour Officers which Laws and Articles the Captfune Generall or Commander in Oieife with advice of a General! Council of warr is to make and Establish And the Commandos of the several] Regiments to give out Copyes of the said Articles unto their respective OfBcers that the Same may be publickl; read once every three months unto the Soldiers whilst they are in arms that all persons may the better know and obsa-ve their Duty, and if It shall happen That any of the Officers or Soldiers shall when they are out of arms endeavour to take revenge by force for any thing his or their Superiour Officers lawfully did in pursuance of his or their duty and This Act The Said Officers and Soldiers shall be brought to a Court Martiall and there punished as if the Offence had l>een done in time of service or Exercise. PROVIDED That the Said punishment doe not extrad to life or limb and BEE IT FURTHER EiNACTED By the authwity aforesaid T^at once every yeare or oftner if thereunto Commanded each particular Captaine shall give to his feild Officer and the feild Officer to the Captaine Gteuerall or Oom* mander in Oieife fair written rolls of their respective Ocan- panyea and Regiments and if any feild Officer Captaine or otho- inferiour Officer or souldier shall, neglect or Oontenme performing the Lowfull CoTOimands of their respective Superiour Officers he or they ^ail be punished by fine Casheering or other piini»h- ment according to the discretion of a Court Kartiail which the Captaine Generall or the Commander in Cheife is to app<^t and Establish AND the orders of the said Court Martiall are hereby declared to be binding in all Military affairs And It any perscm upon any invasion or other publick mllltaiy service be wounded or disabled he shall be cured and maintained out of the Publick Revenue And if any person whatsoever shall be sued molested or impleaded tor any thing lawfully Com- manded in the Execution and pursuance of this present Act he shall plead the generall issue and give this, act in Evidence and shall thereupon if found for him recover Goiits of saite and triple damages PROVIDED alwayes and IT IS HEBEBT ENACTED and declared by the authority aforesaid That the seTerall fines and forfeitures mentioned In this Act shall be recovered and disposed (rf aa followeth Vizt That all such as Doe relate to any persom under the degree ot a. Captaine ^all be to the respective Captains i^ defray the CHARGE of their Ootnpanyes or Troops and to be levyed before the next SHxes-

Digi-jzedbyGoOgiC

cUing day Bj distresse and Sale of the OffeDders goods by the Captains warrant to the Bei^eant or Corporall And if no distresse be found the punishment to be b; rideing the wooden horse or being tyed neck and heels not exceeding an hour att the discretion of their Officers but if the Offender be a servant the Owners Goods shail be lyable to the distresses and sale as aforesaid So that Satisfaction may be made And for all other penaltyes mentioned In this Act the Same shaJI be leryed by distresee and sale of the Offenders goods and Chattells by the Provost Marschall by warrant from the Captaine Generall or Commander in Cheife or the Cheife feild Offlcer where such Offenders are One half thereof shall he unto the Captaine Qenerall and the other halfe unto the said feild Officer nf that Regiment where the Offence Is Committed And if the flne» that doe rdate to any person under the degree of «, Captaine shall not amount unto a simie sufficient to defray the Charge of the Captains Cmnpanyes or Troops That then the overplus wanting he levyed upon the Beverall soldiers equally by war- rant or order of Collonell or Cheife Offlcer of the Regiment Troops or Companyes and BEE IT FURTHER ENACTED by the authority aforesaid that It shall and may be lawfull for any CommlsBlon Officer belonging to the Regiment of the Citty of New yorke under the degree of a Captaine in the absence of the ^id Captaine to grant Warrants of distresse against any persons whatsoever that shall absent themselves from their duty on the night guards without Sending a Sufficient perstm to serve and watch in their steade which said warrants soe granted shall be as effectuall to all intents and purposes what- soever as if they or any of them had beene granted by the Captains themselves PROVIDED allwayes and it is hereby further Enacted and Declared by the 'Authority aforesaid That nothing in this Act Contained be expounded Construed or understood to IMminish alter or abridge the power of the Captaine Generall or Oommander In Cheife for the time being but that in all things and upon all Occasions be may act as fully and freely as Captaine Generall and Commander in Cheife to all intents and purposes as if this Act had never been made Any thing in this Act to the Contrary notwithstanding

AND IT is FURTHER ENACTED by the Authority aforesaid That all persoms listed as aforesaid Shall readily attend and serve on the watches when appointed under tlie penalty of three Shillings for each default AND IT IS alaoe further ENACTED by the Authority aforesaid That noe person what-soerer presume to fire any small arms after Eightof the Clock at

Digi-jzedbyGoOJ^Ic

Digbt uulesse in caaeof anj alarm Insurrection or anj other law-full Occation And In either of the said Caaes four mnsketts or . small arma diatinctly fired or where great gunns are The firing of One great gunn and Two muaketta or amall arms distinctly and beating of Drumm aball be taken for an alarme And ere^ person That ^all neglect bia duty in taking and giving forward an alarm by firing as aforesaid, or shall be guilty of firing any Small arms after Eight of the clock att night unlease aa aforesaid BhaJl be fined or otherwise punished att the discretion of a Court Martiall not extending to life or limb and in case of such alarm every Souldier is immediately to repair armed to his Colours or Court of Ouard upon the penalty of five pounds and for the better prevention of false alarms That noe Captaine Master or Commander trf any Bhipp or Vesaell rldeing at Anchor in any the harbours Ports or bayes within this Province or any other person fire any gunn after Eight of the Clock att night under penalty of forty Shillings for every gunn so fired to be levyed by warrant from the Cheife Officer not under the degree of a Captaine who is hereby impowered to Administer an oath and give Judgement thereupon by Distresae or sale of the Offenders goods and for want of distresse the Said Cheife Officer Is hereby impowered to Conunitt such Offenders to the goale there to remain untill pay-ment be made of tlie same and that in Case the said Cheife Officer shall not perform his duty therein he shall forfeite tenn pounds to be levyed by warrant from the Captaine Generall or Commander in Cheife for the time being PROVIDED allwayes that this Clause shall in noe ways Conceme or Extend to any Captaine or Officer of any of his Majestyes riiipps of warr for thrfr firing att setting of the watch PROVIDED allwayes and it la hereby further Enacted and declared by the Authority aforesaid That all Trumpeters and drummers lately in Service or that shall by the severall Captains be put into That aervice

during the Captaina pleasure ahall serve upon the Sallary ot fourty Shillings per annum- for a Trumpeter and Twenty abil lings per annum for a Drummer finding their Trumpet t and drumm And Twenty Shil lings for a Trumpertef and tenne Shillings for a DrummCT if the Captaine flnde them upon penalty of forty Shillings PROVIDED allwayes and it is hereby Enacted and Declared That all the members of tlieir Majestyes Council Justices of the peace sherriffes Coroners and all Officers of Courts Ministers Schoolmasters Physicians and Cheirurgeons shall be freed from being listed in any Troop or Company within this Province any thing contained herein to the Contrary in any wise notwithstanding.

Digi-jzedbyGoOgiC

LAWS OP THE COLONY OF NEW YORK

[CHAPTER 6.]

[Chapter Q, of LIvlDgston & Stultli and ^'an Schoack, where the potU ot the act in relatiou to vagabonds is printed. Printed, in full, i Fowler's Bradford, p. 8; Baskett, p. Q. All of this act except the relating to Tagattonds, was repealed by ch. 90, and was explained by eh. 133. For note in reference to this act, see Fowler's Bradford, CniL]

An Act for the defraying of the Puh- lique and necessary charge throughout this Frorince and maintaining the poor and preventing Vagabonds.

[Passed, May 13, 1S91.]

Forasmuch as it is uecesoary that each respective County within this Froviaoe should have power to establish a Bate for the defraying of their respective and publique- Charge^ Be it therefore Enacted by the Governwir and Oonncill and repre- ■eotatives convaied in Oenerail Assembly and by the authority of the flamie tliat there be elected and Chosen annually and once A yeare in each respective Towne within this Province; two freeholders who are hereby knpowered to assess and estab- lish a oertaine Bate upon eadi of the ffpeeholdera and inhab-

itantB within their respective Townes which assessment or oer-
tiUne rate shaJl upon a certaine day as the Inhabitants of the
respective Towns shall appoint be delivered to a certaine ffree-
holder which shall be likewise Chosen in each respective Town
afores^d to supervise and examine the publique and necessary
charge of each respective County which person soe duely Chosen
■hall elect and constitute A oertaine treasurer for each respect-
Itc county which tpeasurer shail make such payments for the
idnyiag of a]] the publique and necessary chaises of each
iwpectlTe County as shall be appointed and ordered by the
petHOns soe cboosen for the superviseing the publique Charges
<tf each pespective County. And Be it further Provided by the
anthority aforesaid, that any such assessment or Bate made
ord^ed oc appointed by the persons soe Chooeen shall be
collected ftnd gathered by the Constable or any other person
chooson or Appointed thereunto. As alsoe if any person or
persons shall refuse to pay the said AssesKnent or rate. That
ttt may be lawful! for them, that are Choosen as aforesaid.
And they are hereby authorized to Issue out their Warrant to
the Coostable under their hands and seales, or any other person
appt^ted by them to collect and Levy the same by distress on
ftrfr goods and Chatties. .And Be it further Enacted by the
Anthority aforesaid. That the Treasurer for each respectiTe

. '.jQogle

County withia this Province ehall keiep A distinct Book of
Accompts ooutaineiDg A perCicular acoot of all the mone;
Bates and aaeesemeDts aforeBaid, And alsoe of ail disburse
meota and paymentB by Warrant aforesaid and once erery
yeare he eball biing his accota to Buch person aa riiall be
appointed for the audit of the same under the penalty of One
hundred pounds, eioept prevented by Death or Kcknesa, And
further Whereas it is the CuEtoin.and practice of their Majesties
Bealm of England; and all the adjacent OolloneyB in jVmerica
tliat every respective Towne and parish doth take care and
provide for the poor, who doe inhabitte in their roBpective
precdncta as aforesaid. Therefore it is Enacted by the authoritie
aforesaid that for the time to oome, that the respective ffree-
holders, Elected and chooeen bb aforeacdd In every Town parlBh
and precinct shall make pnoviBion for the maintenance and

support of their poor respectively. And for the prevention and diBoourageinent of Vagabmids and Idle persons to come into this Province from other parts and alsoe from one part of the Province to another: Be it Enacted by the* Authority aforesaid that all persons that sluill couLe to Inhabit within this Province, or any part or place tiiereof and hath not A visible Estate, or hath not A manual! occupation ^all before he be admitted an Inhabitant give sufficient suerty, that he shall not be A burden or Charge to the respective places, he shall come to Inhabits, which security shall oontinne for two yeares Pro- vided allwayes that all those that have Manuall Crafts or occupations May at all times oosne and Inhabite in any place within this Province and be allwayes admitted. Provided he maketh application within eight dayee after his arrival in any Citty Town or County as aforesaid unto such person or persons as are appointed for governing the respective parts. And alsoe all vessells that shall bring any passengers Into this Province; the masters of such Vessells shall within four and Twenty hours after ArrivaJl bring a list of all such passengers he brings into this Province with the qualitie and Conditions unto the cheflf Magistrates of eaeh respective Citty Town or County as aforesaid, under the penalty of tenn pounds currant money of this Province, Alwayes Provided that if any vessell bring In any person as aforesaid not able to give suerty for their well demeanour That then and in such Case, that the master of such Vessell or Vessells shall be oblidged to transport all such to the place from whence they came or at least out of this Province, and dependencies. And alsoe if any Vagabonds, beggars, or others remove from one town to another and cannot ^ve security as aforesaid it shnll be lawful! for the ronstable ijo return such persons to the town from whence tbey came.

LAWS OF THE COLONY OF NEW TOBK.

[CHAPTER 7.]
[Chapter 7, of Livingston & Smith and Van Scltaack, where the title onlf la printed. Printed In foil in Fowler's Bradford, p. 19. Ti printed In Baskett, p. S. The act was repealed by ch. 99. For reference to this act, see Fowler's Bradford, p. CXY.]

An Act for the Allowance to the Re- presentatives.

[Passed, May 13, 1691.]

Whereaa the Severall Bepresentatives of the AsB«nbly cannot Officiate & Discharge that honoorable and Great TruBt reposed in them without being att great Charge & Expence. BE IT THEREFORE ENACTED hy the GoTernoar & CouncllI & Bepre-•entatives Convened in GeneraJl Assembly AND ITT IS HEREBY EyACTED by the Authority of the same, That the Wages or AllowaDce to each Representative of the People shall be Tenn ShillingB Currant nuoney of this Province pr Diem to Commence from their C<Mneing out till their Eetume home ALWAYES PRO\TDED it shall not exceed Eight dayee before the meeting of the Assembly, and Eight Dayes after the adjourning, prwogueing or Dissolving of the same. AND BE ITT FURTHER EXACTED by the Authority aforesaid that each Respective dtty and County thronghout this Province shall bear and Defray the Charge of their own Representatives, which Charge or Allow-ance as aforesaid shall be paid to the respective Eepresentatives by the Treasurer of Each respectlTe Citty and County by Warrant under the hand and seale of the Mayor of the respective Cittyes for the time brfng and by warrant of any two of the Justices of the Peace to the Treasurer of the respective Countyes within Tenn dayes after the returne of the said Representatives from the Anembly.

[CHAPTERS.]

tCtupter 8, of Ltvlngston & Smith and Van Scbaack, where the title uUy U printed. Printed in full In Fowler's Bradford, p. 27. Title o printed In Baskett, p. 8. The act expired May 13, 1692. For note I nfarace toJhlB net see Fowler's Bradford, p. GXTII.]

An Act for the Raising and Levying of two Thousand pounds for paying and defraying the Incidentall charge^ according to establlsh-ni»it of one hundred fusileers with their ofQcers tfor one whole Yeare.

rPassed, May 13, 1691.]

For the secnreing the Frontiers of this Province in the County of Albany it is thought convenient that his Excellency the Captalne G^ierall Doe Raise one Company to Conedst of One

Digi-jzedbyGoOglC

hundred fasileers with their proper offlcere which shall retnaine in the said County tor the Defence thereof one whole Yeare to Oonunence on the Eight and Twentith daj of March now last past BE rr THEREFORE Enacted hy the Governour and CouQcill and represcmtatiTes Convened in generall assembly and it is hereby Enacted by the Authority of the same. That a Levy of two 'niousand pounds Currant money of this Province be laid assessed, Raised and Levyed upon all and every of the Inhabitants. Residents and freeholders of and in this Province for the paying and defraying the Incidentall Charges of the said Company of fusileers and their officers for one whole Yeare as aforesaid, and for noe other use Intent or purpose whatsoever; to be laid assessed, Raised levjed and pa^d unto their Majesties C<diector and receiver generall for the time being att their Majes-ties Custom house in the (Stty of New York at the times hereafter mentioned, that is to say one half or Moytie of the said two Thousand pound at or before the five and twentyth day of July now next ensueing And the other Moytie or half part at or brfore the five and twentith day of March which shall bee in the Yeare of our Lord One Thousand six hundred nintie and two according to the rates and proportions following that is to say for the Cittj and County of New York four hun-dred pound for the Citty and County of Albany one hundred and eighty pounds for the County of West Chester one hundred and forty pounds for the County of RichnLond one hundred and Twenty pounds, for Qie County of Ulster and IMtcheas Connty two hundred and fifty pounds for the Ckranly of Suffolk Three hundred and fifty pounds for Kings-County two hundred and mzty pounds for Queens County Two hundred and sixty pounds for the County of Orange fifteen pounds for Dukes County five and Twenty pounds and he it further Enacted by the Authority aforesaid that for the better Assessing Raising and paying the siunme of twO' Thousand pounda aforesaid the Mayor and Aldermen within the Citty of New York the Mayor and Aldermen of the Citty of Albany with the Justices of the peace for the C^tty and County of Albany for the time being 'and the Justices of the peace for the time being for the Beverall ^amd reepeotive Countyes aforesaid for the eeyerall Countya respectively for the which they shall be Justice* of the peace doe forthwith upon the publication hereof assemble and meet

itogether in the Court houses for the severall respective Cittys and Oountys, or such other place or places as they ^all agree upon amongst themselves and shall there order that the assess- ors and Collectors for the severall and respective Cittys Towns Mannors And libertys within their several Jurisdictions for the

Digi-jzedbyGoOgiC

a^Beesing Collecting and receiving of the PubHque rates for the defraying the pnbliqoe and necesssary Charge of each respective Citty and County aforesaid be the ABsessors and Collectora for the assessing Colecting and receiving the Summi or Summs of money herein before mentioned according to the proportiMis before expressed as to the said Mayors Aldermen and Justices shall seem meet and reasonable BE IT further Enacted by the Authority aforesaid That the said Mayor Alder- men Justices of the peace for the respective CTttys and Countys Mannors and Jurisdictions have and shall have Power and Authority by vertue of this Act, each of them by himself to administer an oath to the said Assessors; well truely and equally and according to their best understanding to assess and rate the Inhabitants residents and freeholders of the respective places for the which they shall be Chosen assessors. AND BE IT FURTHER ENACTED By the Authority aforesaid that if any person or persons whoi shall be Chosen assessors or col- lectors shall deny, neglect or refuse to take oath as aforesaid ae shall in any wayes deny neglect or refuse to make such Assessment as by this Act is required, or shall deny neglect or refuse to Collect any Sume or aumes of mMiey in form before mentioned assessed that then and in such case it shall and may be Lawfull, for any two of their Majesties Justices of the peace of the County where such offender shall happen to dwell or reside and who by virtue of this Act are required and Impowered to doe the same by warrant under their h'ands and seales to Commit Such afisessor or assessors Collector- or Collectors soe deneying, refuiseing OR neglecting to the Com- mon Goale there to remain without Baile or mainprise till he or they shall make fine and Ransome to their Majesties foe such Contempt aa above said And be itt further enacted by the Authority aforesaid That if any person or persons of what degree or Qnalitie soever he or they be within the Province

who shall be Assessed or Rated any Sume or sumes of money by vertue of this Act to be raised and Levyed shall deny refuise or delay to pay and satisfle the same That then it shall and may be Lawfull for any such Collector by virtue of A warrant from under the hand and seaJe of any Justice of the peace for the Citty and County where such offenders shall dwell or reside who by virtue of this Act are required and Authorized to grant and Issue forth such warrant to Levy the same by distress and sale of such person and pers<Hi8 poods and Cbatles returnelng the overplus of such goods and Chatles to the owner of the Sume assessed and Charges of distress and

Digi-jzedbyGoOglc

sale b^Dg first deducted. II any such overplus shall happ^i to be And alsoe Be it further enacted by the authority aforesaid that if any Mayor Alderman or Justice of the pea^-e within this province who are hereby required Empowered and Authorized to take efCectuall care, that this Act and every Article and clause therein be duly Executed according to the true and Gen- uine sence and Intent thereof shall Deny refuise neglect or delay to doe performe fullfill and execute all and every or any the dutyes powers and authority by this Act required and Impowered by him or them to be done performed fullfilled and Executed and shall thereof be Lawfully Convicted before any o* their Majesties Courts of Record within this Province; he or they shall Suffer such paine by fine Imprlsomneut as by the disoreti'oii of the Justicee of the said Courts shall be ad- judged. And be it further Enacted by the Authority aforeeaid That if any Actitm bill plaint or Infonuatlou shall be brought moved or presented at any time hereafter against any person or persons for any matter Cause or thing done or Acted in pursuance or Execution of this Act such person or persons soe sued or presented In any Court whatsoever shall and may plead the generall IsBue not Guilty and upon any Issue Joyned may give this Act and the speciall matter in evidence and if the plaintifT or prosecutor shall be nonsuited or forbeare further prosecution or suffer discontinuance or verdict to pass against him the defendant and defenders shall recover their ' trible OoBte for which they shalT have like Liberty as in any Case where Goets by the law are given to Defendants Pro-

vided allwayea That noe Mayor Alderman or Justice of the peace shall be troubled sued prosecuted or Molested for any omission offence or neglect by virtue of the Act but within the space of one yeare after such omission offence or neglect and not at any time hereafter any thing herein Owitalned to the Ooirtrary in any wise notwithstandiug.

[OHAPTEai 9.]

[Chapter 9, ot Livingston & Smith and Van Scbaack, where the title only Is printed. Printed in full In PowlefB Bradford, p. 20. Title printed In Baakett, p. 8. The act expired May 13. 1694. For note i reteteoce to thla act, see Fowler's Bradford, p. CXV.]

An Act to Enable the atty & Coun^

of Albany to Defray their necessary Cbarga

[Paaaed, May 18. 1691.]

Fwasmuch as the Inhabitants of the Citty ft County of Albany

have been During the Time of the I^ite Disorders very much

aggrieved, wasted, Distroyed & impoverished by ye Incursiona

of the French their Majesties Declared Enemyee, and that it is absolutely necesBary that some suitable and Convenient way should be found out for their Belief and moat easy defraying the necessary Charge of that Citty & County. BE IT THEEEFORE ENACTED by the GoTernour & Councill & Bepresentatlves Con- vened in Generall Assembly AND IT IS HEREBY ENACTED by the Authority of the same that the Imposition or rate of two pr Gait, shall be Raised & Levjed upon all Indian Goods that are brought up to that City & County of Albany and there solde & Consumed and also that the Impost of three pence be Raised & Levied upon each Gallon of Rum that is sold & Consumed within that Citty & County & for the due & orderly Colecting of the said respective Imposts & Rates the Treasurer of the said Citty for the Time being, or any appointed by him & the Mayor of the said Citty, under the Publick Scale of the Said Citty are hereby linpowered and Authorized to appoint, Constitute & Establish a

Collector or Receiver of the Rates & Imposts aforesaid who shall have power to Receive the same, & to enter in fair Books kept for that purpose all Such sume & Sumea of Money as shall be so Entred & Received for the Respective Dutyes aforesaid, the said Collector or Receiver appointing Certaine Convenient times & places for the keeping of the office as shall be Directed by the Court of Mayor Aldermen & Assistants of the said Citty; and all persons that Trade & and bring up the said Citty & County the aforementioned Indian Goods & Rum are hereby required to make a Report of the quantity & value of such goods & Rum they so bring up & sell in the City & County aforesaid, and pay the Dutyes & Impost hereby Established without being att any further Charge then the said Duty and in Default thereof itt shall be Lawfull for the Mayor Treasurer or any other Officer hereby Authorized to Issue his or their warrant under his or their hand & Seale for the seizing of all such goods & Rum. that shall be Imbezeled & not pay the Dutyes aforesaid one Third to the Informer, one Third to said Citty & County trf Albany, & one Third to his Excellency the Govemour, or Comander in Chief for The Time being PROVIDED that all the sume &8umes of Money that are hereby Received shall be only appropriated and applyed to the Defraying the necessary Charge of the Citty & County aforesaid, and that the Treasurer, Collector or Receiver for the Time being shall not pay any of the money received as aforesaid, but by warrant from the Mayor of the said Citty & Approved by the Court Of Aldermen and Assistants. PROVIDED that this act shall onely Bemaine in force for the Space of three Yeares & noe Longer any thing Contained herein to the Contrary in any wayes Notwithstanding.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 10.]

[Chapter 10, of UviDgBton & Smith and Van Schaack, where the title only la printed. Printed In full In Fowler's Bradford, p. 15; Basket 2. Livingston & Smith, Van Schaick and Baskett state that thlB act repealed by the King, May 11, 1697. See Report of Lords of Trade I Doc. Rel. to Col. Hist, IV, p. 263. For valuable note In reference act, see Fowler'a Bradford, p. CXI.]

An Act declareing what are the Bights aocl Priviledges of their Majesties Sub-jects inhabiting within their Province of New York.

[Passed, May 13, 1691.]

Forasmuch as the BepresentatiTes of this their Majesties Province of New York iiow Convened in Generall AssemWy are deeply senaible of their Matjs most gratious favour in restoring to them the undoubted Bights and Priviledges of Englishemen by declareing their Boyall will and pleasure in their Letters Pattents to his Excellcy who they have appointed their Gaptaine generall and Governonr in Cljef over this their Province; that he should with the advice and consent of their Councill from time to time as need shall require to summon and call generall Assemblys of the Inhabitants being freeholders according to the usage of their Majesties other Plantations in America. And that iliiB most excellent constitution soe necessary and soe much Esteemed by our AncestOTS may ever continue unto their Majesties Subjects within this Province of New YoA; the Bepre-sentativee of this their Majesties Province Convened in GeneraJl Assembly doe with all duty and Submission humbly pray that the rights, Priviledges Llbertyes and francheses according to the Lawes and statutes of their Majesties Bealm of England may he conflnued unto their Majesties most dutyfull and loyal! Objects Inhabiting within this their Province of New York by Authority of this generall assembly. Be it Therefore Enacted by the Governour and Councill and the Eepresentatives mett in generall Assembly. And it is hereby enacted and declared by the Authority of the same, That the supreame Legislative power and anthorite under their Majesties William and Mary King and Qneene of England &c shall forever be and reside in A Gover-nour in Chief and Councill api>ointed by their Majesties their HeiresandsuccesBours; And the people by their Bepresentativefl mett and Convened In generall Assembly; that the exercice and administration of the goverment over the said Province shall, persuant to their Majesties Letters Pattents be in the said Governour in Chief, and Councill with whose advice and Con-

Bent or with att least five <rf them, he ia to rule and Govern

the same, according to the Lawes thereof, and for any defect therein according to the Lawa of England and not otherwise. That in Case the Govemour in Chief shall Dye or be Absent out of the Province; and that there be noe person within the said I'rovince Commissionated by their Majesties their heires or Suc- cessors to be govemour or Ooiiuiiaiider in Chief that then the Councill for the time being or soe many of them as are in the said Province doe take upon them the administration of the government and the Execution of the Lawes thereof and powers and authorities belonging to the Govemour in Chief and Councill, the first in nominatioQ in which Councill is to preside until] the said Governour shall return and arrive in the said Province againe, or the pleasure of their Majestyes their heires or Successors be further known. That for tjie good government and rule of their Majestys Subjects a session of a general! Assembly be held in this Province once in every yeare. That every freeholder witliin this province and free- man in any Corporation shall have his free Chcrice and voat in the electing, of the Representatives without any manner of Constraint or Imposition; And that in all elections the Majority of votes shall carry itt, and by freeholders is to he understood every one who shall have fourty shillings P Annum in freehold. That the persons to I>e elected to Sitt as Repre- sentatives in the Generall Asflembly frcsn time to time for the severall Cittys, Towns, Countys, Shires, Divitions or Mannors of this province and all places within the same shall be according to the proportion and number hereafter expressed, that is to say for the Citty and County of New Yorke foure for Suffolk County two for Queens County two for Kings County two, for the County of Richmond two, for the Oonnty of West- Chester two, for the County of Ulster two^ (or the Citty and County of Albany two, for the CoUoney of Renslaerswick, one, Dukes County two; and as many more as their Majesties their heires and succewors shall think fitt to establish. That all persons Chosen and Assembled in manner aforesaid or the Major part of them shall be deemed and acooiinted the repre- sentatives of this Pnxvince in generall assembly, that the Bepre- sentatives convened in generall AssCTibly may appoint their own times of meeting during their sessions and may adjoam their house from time to time as to them shall seem meet and oonvMiient. That the said representatives as aforesaid Con- Ten'd are the sole Judges of the Qualifications of their own Members, and likewise of all undue Ellectlons, and may from time to time pnrg the house As they shall see occation That

noe member of the generall oasemblj or their Servants dureing the Time of their SessionB and whilst they shall be going to and returning from the said Assembly shall be arrested, sued, Bnprisoned or any wayes molested or troubled or be Compelled to make answer to any suite, bill, plaint Declaration or other-wise, Cases of high Treason and fellony onely Excepted. That all Bills agreed upon by the Representatives or the Major part of them! shall be presented unto the Govemour and the Councill for their approbation and Consent all and every which said Bills soe approved of and consented to by the Governour and the Councill shall be Esteemed and accounted the Laws of this Province which said Lawes shall oontinue and remaine in force untill they be dissallowed by their Majesties their heirs and Successors or expire by their own limitation. That in All Cases of death or Absence of any of the said Representatives the-Govemour for the time being, shall Issue out A writt of Sammons to the Respective Cittys Towns Countys Division or Manoors; for which he or they so deceased or absent were Chosen, willing and requireing the freeholders of the same, to Elect others in their places and stead That noe freeman shall be taken and Imprisoned or be desiezed of his freehold, or liberty or free Custom's, or out Law'd or Exiled or any other wayes destroyed, nor shall be passed upon, adjudged or Condemned but by the Lawfull Judge-ment of his peers and by the Law of this Province, Justice nor right shall be neither sold denied or delayed to any person within this Province. That noe Aid, tax, tollage, assessment, Custome Loan, Benevolence gift. Excise duty or Imposition whatsoever shall be laid assessed Imposed, Levyed or required of or on any of their Majtys Subjects within this Province &c or their estates upon any manor of Colour or pretence whatsoever but- by the Act and Consent of the governor and Councill and Bepresenta-tlves of the people In generall Assembly mett and Convened; That noe man of what estate or Condition soever shall be pot out of his Lands, tenements, nor taken nor Imprisoned nor dis-inherited nor banished nor any wayes destroyed or molested without first being brought to Answer by due Course of Law. That A freeman shall not be Amerced for A small fault but after the maner of his fault. And for A great fault after the greatness thereof, saveinir to him his freehold and A husbandman saveing to him his wainage; and A merchant saveing to him his Merchandize; and none of the said Amercements shall be Assessed but by the Oath of twelve honest and Lawfull men oi the

Vicinage provided the faults and Slisdemeaners be not In Con-
tempt of Courts of Judicature. All tryalls shall be by the
Terdict of Twelve men and as nere as may be Feares or eqnalls

.., C A.>(.>glc

of the neighbourhood of the place where the fact shall arise or
growj whether the same be by Indictnient declaracon or Informa-
tion or otherwise agaiuat the person or defendant. That in all
cases capital! or criminall there shall be a grand loqneBt who
shall first present the offence; and then twelve good men of the
neighbourhood, to try the offendor, who after his plea to the
Indictment shall be allowed his reasonable challenges. That in
all Cases whatsoever bayle by sufBcient auretjes shall be allowed
and taken unless for Treason or fellony plainely and specially
expressed and mentioned In the Warrant of Committment; and
that the ffellony be such as is restrained from Bayle by the Law
of England. That noe freeman shall be Compelled to receive
any souldiera or Marrinors; Except Inholders and other houses
of Publique entertainment; who are to Quarter for Beady money
into his house and *heir Suffer them to Sojome againat their
Wills, Provided It be not in time of actuall warr within this Pro*
vince. That noe Commiesion for proceeding by Martlall Law
against any of his Majeaties Sabjecta within this Province &o
shall Issue forth to any person or persona whatsoever least by
Colour of them any of his Majesties Subjects be destroyed or
put to death. Except all such otBcers and souldiera that are in
Oarrison and pay dureing the time of actuall Warr. That all
the Landa within this Province shall be esteemed and accounted
Land of ffreehold and Inheritance in free and Common soccage
according to the tenure of East Greenwich In their Matya Beolm
of England. That noe Estate of A feme Covert ahall be sold or
Conveyed but by deed acknowledged by her in Some Court of
Record the woman being secretly examined if She do^h itt
freely without threats or Compulsion of her husband. That All
wills in writeing; attested by tliree or more Credible Witnesses
shall be of the same force to Convey lAnds as other Convey-
ances being proved and Regeatred in the proper offices in
each County within dayea after the Testators death

That all lAnds and heritages within this Province and depend-

encies shall be free from all fines, Hcencea upon Alienations; and from all hariotta, ward shipps, leveries primer, Seizins yeare and day waist Escheat and forfeitures upon the death of parents and Ancestors, naturall, unnaturall Cassuall or Judlciall and that for ever. Cases of high treason onely excepted. That noe person of what degree or Condition soever throughout this Province Choosen appointed Commiaionated to OfBdate or Exe- cute any office or place Civill or Military within this Province &c shall be capable in the Law to take upon him the Charge of such places before he hath first taken the oaths appointed by act of ParliameDt to be taken In Lieu ot the Oaths of

Digi-jzedbyGoOglc

Supremacie and allegiance and Subscribes tbe test. That noe pson or pBona which profess faith in God by Jesus Christ bis onelj soon shall at any time be any wayes molested {mnished disturbed disquieted or called in questioD for any diffei-euce in opinion, or matter of Conscience in Keligeous Concernment who doe not under that pretence disturb the Civil! peace of tlie Province and that all and every such Person or pei-sons may from time to time and at all times hereafter freely and fully Enjoy his or their (pinion persuasions Judgements in matters of conscience and Religion throughout all this I'rovinee and freely meet at Convenient places within this Province, and there worshipp acoording to their respective perswasiona without being hindred or molested, they behaveing themselves peaceably Quietly, modestly and religiously, and not useing this Liberty to Licentiousness nor to the Civill Injury or outward disturb- ance of others. Allwayes provided that noething herein men- tioned or Contained shall extend to give Liberty for any persons ot tbe Bomish Religion to exercise their manor of worshipp Contrary to the Laws and Statutes of their Majeaties Kingdom of England.

[CHAPTER 11.]

[Chapter 11, of Livingston & Smith and Van Schaack, where tbe title only la printed. Printed In full In Fowler's Bradford, p. 21.

printed In BaBkett, p. 8. The act expired May 16, 1603. For no reference to this act, see Fowler's Bradford, p. CXVI.]

An Act Cor the Establishing a Revenue
for the Defraying the Publick Charges ot the
Province.

[Passed, May 16, 1691.]

For the better Defraying of the publique & necessary Charges and ezpences of this Province which cannot Otherwise be effected, without great Charge unto their Majestyee BE IT EXACTED by the Gorernour Council! and Representatives now mett in General! Assembly; and by the Authoritj" of the same that the Dutyes, Customes and Excise hereafter speoifyed Bee given and granted unto their said Majestyes to the Intent afore-■ said That is to say for every gallon of Rum brandy & distilled Liquors that shall be Imported into this Province and Depend-encyes the sum of four Pence Currant money of this Pro\inee. AND for every pipe of Madera Wine Fyall, St. Georges, Canary, Malago, Sherry and all Sweet Wines the Bume of Forty shillings Currant Money aforesaid, and for every hogshead of White Red & Rhenish Wines the sume of Twenty Hhillings Cuirant money aforesaid and upon all other Merchandize impoirted into this

DgizedbyGoOgiC

ProTinoe & Dependeocyes the same of fort; shilliogs currant mone; aforesaid for ever; hundred pounds ralue at the prime Ck»tB, Except those hereafter specified (vizt.) Salt, Bricks Pan-tiles Ooales, fish, Sugar, Molessea, Cottonwool, Ginger, logwood, brasiletta, fustick or any other sort of Dying wood, Cocoa, hides Tobacco Bullion & Plate, PoA, Oyle, Tar, flax, soape, Candles, Cheese Batter, Beefe, fish Whalebone, hope, apples, Pearsy syder, firewood, plants, boards, pelti^. Beavers, sheepswool, onyons, Dressed and undressed Bearskins, Tallow, hides, salt, honey, beewax, baywax, Lidian Corne, wheat, barley, I^e, pease, or any other sort of Graine or any other thing of the growth & production of our neighbouring CoUonyes & Plantations in America. AND BE IT FUBTHEE ENACTED

by the Authority aforesaid that there be alsoe given & granted unto their said Majestyes for the Intent aforesaid upon all Merchandizes Oomonly called by the name of Indian goods Duffles, strowds, blanketts I'lain halfe thick Woolen stockings white oesenbrigges, kettles, hatchetts, hoes, redlead, Vermillion, Cotton red kerseys, knives, Indian haberdashery and other Indian goods the sume of Tenn pounds Currant money aforesaid, for every hundred pounds value prime Cost that shall be carried up hudsons Biver in any vessell sloope, Boate or Canow, or any other way, and that the value of the Prime Cost shall be att the Rates hereafter mentioned. PROVIDED, that all kettles that Shall Containe above eight gallons shall pay none ot this D-jty, vizt: Indian Duffles to be valued at two shillings & four pence the yard, Indian strowds half a peece four pounds a whole piece Eight pounds Indian Blanketts each peece four Pounds, Indian plaine Cottons, pr. yard one shilling and six pence, Indian halfe thicks pr. yard one shilling and tenn pence. Indian white Osaen-briggs the English Ell Eight pence; Indian kettles each hun-dredweight six pounds, Indian hatchetta the Douzen twelve shillings, Indian hoes, the Douzmi twelve shillings, Bed Lead Each hundredweight Twenty shillings, Vermillion each Pound four shillings, Cotton pr yard one sliilling and four pence, Red Kersey eacli yard tM-o shillings and six p«ice. Knives pr Douzen three shillings, Indian shirts pr Douzen Twenty Shillings, Indian Drawing knives. Looking Classes, Indian Wooden Combs, Indian Bends, Tobaco in Bolls, Indian Belts, sissers, Jews harps, Indian points, Drills, Tot>acco pipes, Little painted boxe^ Awles Sword Blades, Copper Tobacco Boxes, tinsey Lace, Indian gimp, Lace, Ne€>dlc8, tobacco tongs, Indian Powder homes, Indian woolen stockings, Indian Stf^ela, the sume of tenn pounds Currant money aforesaid for every hundred pounds Value prime Costs that shall be Carryed up as aforesaid. And for every barell of

Lc;-,:.tll:yC00t^lc

powder six BbilHngB, for eTerj hundred weight of Lead six shilliagB and for every Gun with or without a Lock six shillings which shall be Carryed hudsons Biver as aforesaid. And also for every gallon of Rum which shall hereafter be Carryed up hudsons River as aforesaid four Pence AND he it further ENACTED hy the Authority aforesaid that there be given

and granted and there is hereby given and granted unto them for the use aforesaid, an Excise upon all Brandy Ruim, and othtT Distilled Liquors to be retailed within this Province under flfte^^n gallcms the Sume of twelve pence Currant money aforesaid for each gallon soe Retailed, And alsoe an Excise of twelve pence Currant money aforesaid on each gallon of Wine under the quantity of five gallons soe Retajrled as aforesaid, And alsoe that all beer and syder retayled throughout this Province & Depend- encyes shall pay six shillings for each barrell soe Retayled AND it is further ENA(YPED by the Authority aforesaid that there be given and Granted and there is hereby further given & granted unto their said Majestyes for the Use aforesaid a Custome and Duty that is to say, upon every Beavor Skin Comonly called a whole Beavor the sume of Nine pence Currant money aforesaid, And that all other furs and Peltry be Valued and Rated accord- ingly, That is to say for two halfe Beavors nine pence, for four Lappa nine pence for three Drillings one shillings & Six. pence, for tenn Racoons nine pence, for four foxes Nine pence, for four flshers nine pence, for five Catts nine pence, for six Minkes nine pence, for one Otter six pence, for two bear Bkins nine pence, for four Wolves nine pence, for four and Twenty Mush Batts nine pence, for tenn Matters nine pence for every twenty four Pounds of Mouse and Dieer skins, Nine pence, Ox, Bull & Cow hides six pence per hide, Spanish and West Indian Hydes only Excepted, and all other peltry, to be valued Equivalent to a Whole Beavor ninepencetobeexportedoutof this Province AND be it furthw ENACTED by the Authority aforesaid for the Due and orderly Collecting of the aforesaid Dutyes, Customes and Excise, and alsoe for the preventing of frauds and Embazilments of the said Dutyes Customes & Excise, That all Ships & Vessells whatso- ever that shall come to any Port Creek or harbour within this province and Dependencies to trade or Trafflque, the Master, Slate or Purser shall come to such place or places as Shall be appointed by the Governour or their Majestyes Collector for the Time being and there make Report of all such parcell or pareellB of Merchandize and other things as he hath on board such shipp or Vessell and alsoe declare upon his Corporall Oath that he hath not broke Bulk since his arrivall within thie Province before he made such Report as is Required. And

Digi-jzedbyGoOgiC

alsoe all Merchants tliat hare an; goods or Merchandize what-
Huever shall att such place or places as is above directed, make
a True and Distinct Entry of all auch paroell or parcells of
goods or Merchandize he hath on board such ship or Vessell
according as they Cost him att the prime Coat: And if any
Difference ahaJl arise about the Value of the said goods &
Merchandize then the Collector or any appointed for the Col-
lection of the said Dutyes & Oostomes, may Administer to
all or any such person or persons makeing such Entry their
Oorporall Oathes that the said Entry is according to the Invoyce
or Invoyces sent to him or them from the place or places from
whence Such goods dM come. AND further it is ENACTED
by the authority aforesaid, That if any Master, Mate or Purser
of any ship or Veesell whatsoever or any Merchant ffactor or
other rfiall Owitrary to the Bules ahove prescribed break bulk
or Land any Goods or Merchandize whatsoe\'er before he or
they make such Beport or Entry and pay such Dutyes as Re-
quired by this Act, Then and in such Case the Master of such
Ship or Veseell that shall break bulke before makeing such
Report, as above shall upon prorfe of two Evidences forfeit
his ship or Vessell with all her Tackle, Furniture & amunition,
one Third to their Majestyes, one Third to the Governour of
this Province, And one Third to the Informer, to be sued for
in any Court of Record within this Prwince by Bill plaint or
Information wherein noe Essoine, protection or wager of Law,
shall be Allowed and also all such goods as shall be Landed
without entry made as afore directed shall be forfeited on
the Testimony of two or more sufficient and Credible witnesses,
one Third to their Majestyes one third to the Governour, and
one Third to the Informer that shall sue as above AND BE IT
FURTHER ENACTED by the Authority aforesaid That all
Masters of shipps or Vessells that are within this Province,
and doe not belong unto this Pro\ince or any parte thereof
and bound to any port within or without this Province shall
before they take in any Merchandize above expressed, Come
to such place or places as shall be appointed for the Collecting
of the Rates Established by this Act, and there make Entry
and Report of their Designe and Enter into Bond to the Value
of One Thousand Pounds with sufficient suretyes That he or
they shall not take on Board, Directly or Indirectly without
snch pennitt or Certificate from the Collector or 8<Mne one hav-
ing Authority under him for the same, and if he or they Doe
take on Board any goods or Merchandize Contrary to the true
Intent & meaning of this Law, then he or they shall forfeite

his or their said Bond to be sued for, within three months

DigiMzedbyGoOglC

after such fact Committed or otherwise to be voide and of none rffect. And alsoe for the Due and orderly Collection of the Excise above granted BE IT HEREBY FUBTHEE ENACTED by the Authority aforesaid that all Betaylerg of Wine, Rmu, Brandy or any other strong Liquor within this Province shall upon the purchase and Keceipt of all such Liquor or Liquors before Expressed and Eiciseable, Come to the Office or Officer of the Excise and There or with him make entry of all such Liquor or Liquors as they shall buy, and Receive and pay such Dutyes as are hereby appointed within four & Twenty hours or as soone as may bee without great Incon- Teniencys, PROVTDED an Officer for that purpose be Established in each Town throughout the Province: And on Default thereof a]l such Liquors as shall be found in any BetayltTs bouse within this Province or Dependencyea, as have not been Duely Entered & paid the Bates above Bxpressed then and in such Case on the Testimony of two or more substantial Witnesses the said Retayler or Betaylcrs soe emending in the premises shall forfeit such Liquors, And in Case the value thereof shall be under the sume of five pounds Currant money aforesaid, shall Likewise and beyond forfeit and pay the Treble Value of such Liquors, one halfe to the Infonner and ye other halfe to the Publique Treasurer of this Province to be sued for in any Court of Record within each County, where any such Action or Actions shall arise, wherein noe Essoine protection or wager of Law shall be Allowed. AND be itt further ENACTED that if any person or persons within this Province & Dependencyes not being thereunto Duly Licenced shall att any time hereafter presume to sell by Retayle any the Liquors aforesaid that is to say less quantity att one time then fifteen gallons the person soe offending shall forfeit & pay the sume of five pounds for every such Offence, being thereof Convict by the Oath of two or more substantial! Evi- dences to be sued & Employed for in such manner & porportions as is Last aforesaid, AND RE IT Ft-RTHER EXACTED that all Masters & Commanders of shipps sloopes, Boates or any other Vessell, belonging to this province and its Dependencyes shall repair to the said Custome house or other place or places that

shall be appointed for that purpose and there Enter into Bond of one hundred pounds that they shall not Directly or Indirectly take on Board or Carry away out of this Province and Depend- encyes any of the aforesaid Goods or Merchandizes without pay- ing such Cutomes and Dutyes as are before Expressed, PRO- VIDED also that all Indian Traders throughout the whole province & Dependencyes Doe pay for the value of each hundred pounds prime Cost, they soe Trafflque with the Indians the sume

Digi-jzedbyGoOgiC

of Tenn ponndB money aforesaid PROVIDED alwayes &, itt is further Enacted by the Authority aforesaid that if any of the Goods Merchandize, Wines, Rum, Brandy & other Distilled Ijquors for which the Dutyes in this Act mentioned is paid or secured to be paid at the Importation, be Exported out of the Prorince within Six months after their Importation then the Moyety or one halfe of the aforesaid Dutyes in this Act mentioned shall be returned for as much as shall be so exported the Exporter makeing Oath in the Oastome house thatt the whole Duty hath been Duly paid for the said Wines & Liquors at the Importation & thatt there hath been noe fraud or Mixture used to Increase the said Liquors to be Exported and that there- upon he bring a Certificate from the surveyor or Searcher that the said Wines or liquors are accordingly shipped, any thing Contained herein to ye Contrary in any wayes notwithstanding. PROVIDED allwayes that this Act and all things therein Con- tained shail only Continue and R^naine in force for the Time and space of two Years next and after the Publication thereof and no Longer any thing Contained herein to the Contrary in any wayes Notwithstanding.

[0HAPTEE12.]

[Chapter 12, of Livingston & Smith and Van Schaack. where the title Milr is printed. Printed in full in Fowler's Bradford, p. 26, Title Iffinted in Baakett, p. 8. For note In reference to this act, see Bradford, p. CXVI.J

An Act to Enable his Excellency to Defray his Extraordinary Expence & to

Endemnify the Collector & Receiver Generall for ye Receipt of seyerall sums of Money on pretence of Cuatomes & Dutyes.

[PaBsed. May 16, 1691.J

The RepresentatiTes Convened in Generall Assembly, being Tery sencible that the Great Confusions and many Disorders that were in this Province on your Excellencyes Arrivall, must needs occasion unto your Excellency an Extraordinary and great Expence, and they being Likewise well Assured of the Good Affection your Excellency hath for the Inhabitants of this ^province, and for the Great Care your Excellency hath taken for the Conserning the peace thereof, and forasmuch as their Majestyes Collector and Receiver Generall has since the Twenty ninth Day of January Exclusive Last Past, received from the Inhabitants of thts Province severall sums of Money fbr Dutyes Cnstomes and other Impositions formerly accus- (wmed to be taken but not Warrantable by the Law, for the

Digi-jzedbyGoOglC

RemoTull of the many Controversyes, & Disputes that may Arise thereby anct also for the better Defraying the Extra- ordinary ExpenceB your Excellency haa been att Doe praj that it may be Enacted, by your Excellency & Ootincill & Representatives Convened in Qenerall Aasembly. AJND BK IT HEREBY ENACTED byyeAuthority of theBame,thatallye8um & sums of money for any Duty Custome Imposition or any other Pretence whatsoever received by their MajestyeH Receiver Generall since the Twenty Ninth day of January Exclusive now last past untill the Day of the publicocon of a Certaine ACT now made and EBtabllahed in this present eee«ous of Xssembly Intituled, An Act for ye Establishing a Revenue for the Defraying the Publique & Neceeitary Charges of ye Province are hereby given & granted unto his said Excellency for ye 'Intent aforesaid, and ye said Colleotor & Receiver Generall is hereby Required and Authorized to account & pay unto hia said Excellcy wheo he shall be thereunto Required all & every of ye said Sum & Sums of Money so by him Received, within

& Dureing ye Time aforementioned & for his flo Doing this Act shall be a Oood & Sufficient Warrant unto him ye said Collector his Executors & Administrators forever. And be it further Enacted by the Authority aforesaid that their Majesties Collector & Receiver Generall aforesaid is hereby Indemnifyed from all maner of Plaints suits or Demands whatsoever frtmi any person or Persons oo the account of any sum. or sumes of Money so Received by him During ye Time aforesaid. And that if any Action, Bill, Plaint, or Informacon shall be brought moved or Prosecuted att any time hereafter against the said Collector his Executors & Administrators for or Concerning any Some or Sumes of Money soe Received by him Daring the Time afor^aid, he or any of them so sued & Prosecuted In any Court whatsoever shall & may Plead ye General! Issue not Guilty and upon any Issue Joined may give this Act, & ye Special! Matter in Evidence: and if the PlaintifCe or Prosecutor shall be Nonsuited, or forbear farther Prosecution or suffer Discontinuance, or Verdict pass against hira the Defendant or Defendants shall Recover their Trebble Costs for which they shall have like Remedy, as in any Case where Costs by the Law are given to Defendants: And Whereas there are severall Arrearages of Customes and Dutyes In the month of June which was in ye yeare of our Tx>rd One Thousand Six hundred and Eighty nine formerly used to be Taken: Bee it farther Enacted by the Authority aforesaid that all such Person or Persons, that Remaineth Indebted for any Duty or Custome arlseing & Due in ye Month of June afiresaid, which was in

Digi-jzedbyGoOgiC

the yeare of our Lord One Thousand Six hundred and Eighty nine ate hereby Required to make their aeverall & Respective Payments unto their Majestyes CWlector & Receiver Generall for ye Intent aforesaid and their Majties Collector & Receiver Generall is hereby Authorized & Lnpowered to Receive the same, and in Default thereof, to sue for & Eecover the same in such manner & forme as is rsuall & Practicable in the Recovery of all jttst Debts Due to the King.
And for aamuch as the Eepresentatives now m«tt in Generall Assembly are Likewise sencible <rf the signall Services Done and Acted by Major Richard Ingoldsby & Captn William Kidd

before your Excellencyes ArrivaJl, Therefore pray that itt may be farther Enacted by the Authority aforesaid, that there be Paid out of the Money given your Excellency by Virtue of this Act, nnto Major Richard Ingoldsby the Sum of One hundred pounds and to Captn. William Kidd the sume of One hundred & fifty Pounds as a suitable Reward and Acknowledgement for the good services. Done by them before your Excellencyes lArrivall here.

[CHAPTER 13.]

[Chapter 18, of Livingston & Bmltb and Van Scbaacfc, wbere tbe title only Is printed. Printed In full In Fowler's Bradford, p. 31. Title Is printed In Baekett, p. 8. For aote In reference to tbls act, se Bradford, p. CXVIII.]

An Act for the pardoning of such as have been active in the late disorders.
[Passed May 16, 1691.]
The Governor Conncill and representatives convened in generall Aaaembly takeing into their serious Considerations the many great troubles and disorders that have been lately within this Province & And that by occasion thereof and otherwise many of their Majesties Subjects are fallen in danger of and lie open to great penaltyes and forfeitures. And with all Consider- ing tbe Ignorance of many and the dotyfull affections of others of their Majesties Loyall subjects out of an earnest desire to deliver them from the penaltyes and forfeitures aforesaid and to the intent that their offences may not hereafter be brought in Judgement Question or Remembrance to the least Endamagement of them either in their lives Libertyes Estates or reputations but that they haveing an entire confidence in their Majesties and perfect union among themselves may be encouraged in their duty to their Majesties government and more fully and securely Enjoy the benefltt of it. It is therefore necessary that there be extended nnto them A generall and free pardon. That all thdr Majesties

ibvCoot^lc

BubjectB by this Clemeucie and IndulgMice may be the better Induced henceforth more Carefully to observe the Lawee and

performe their Lojall and due Obedience to their Majesties Be it therefore Enacted by the Governor and Councill And repre-sentatives Convened in general) Assembly' and by the Authority of the same that all and every the said Subjects Inhabitiog within this Province their hwrea Executors and Administrators and every of them shall be and are by the Authoritie of this present Assembly Acquitted pardoned released and discharged against their Majesties their heirs and successors and every of them of and from all manner of Treasous fellonies Misprisons of Treason Treasonable or seditious words and libell, Misprisons of ffelony Seditions and Unlawful meetings and of all offences whereby any person may be charged with the penalty and danger of premunire. And also of and from all riotta routs offences, Contempts Trespasses enteries wrongs deceits misdemeaners forfeitures penaltys paines of death paiues Corporall and paines precuniary; And generally of and frwu all other things Causes Quarrells suites Judgements and Executions in this present Act not hereafter Excepted which may be or Can by their Majesties in any ways or by any meanes pardoned before the Nineteenth day of March last past to any of the Subjects aforesaid; And be it further Enacted by the authority aforesaid that this pardon shall be aa good and effectuall in Law to every of their Majesties said Subjects in for and" against all things which be not hereafter in this present Act Excepted, as the same pardon should have been if all offences Contempts forfeitures Causes matters, suits Quarrells Judgements Executions penaltyes and all other things not hereafter in this present Act Excepted had been particularly SinguUarly especially and plainely namc'd rehearsed and Speci-fied and aJsoe pardoned by express words and names in their kinds natures and Qualities by words and terms thereunto requisite to have been put in and expressed in this present act of pardon that their said Subjects or any of them the heires Executors or administrators of any of them t>e not nor shall be sued vexed or unquieted in their bodyes goods Chatles, Lands or Tenements for any maner of matter Cause Conteanpt misde-meanor forfeiture trespass offence or any other thing suffered done or C/omitted or omitted before the Nineteenth day of March against their Majesties their Crown dignity prerogative or the Laws or Statutes of their Majesties Realm of England and this Province, But only for such matters Causes and offences as be rehearsed mentioned or in swne wayes touched in the Exceptions of this present Act Excepted and for none other any statute Law Custcon or Usage heretofore had made or used to the Contrary In any wayes notwithstanding. And be it further Enacted That all

and every their Majesties subjects may by him or themselves or by his or their Attorney or Attorneys according to the Laws o* England and this Province plead and miniater this present Act of Pardon for his or their discharge of or for anything that is by virtue of this Act pardoned discharged given or granted without any fee or other thing paying to any person or persons for writeing or entering of the Jndgements or other cause concerning Buch Plea writing or enterj but onely three slullings to be paid to the oflBeer or Clerk that shall enter snch plea matter for Judge- ment or the partyes discharged in that behalf any Law Custom or usage to the Contrary in any wise notwithstanding. And be it further Enacted by the Authority aforesaid that this pardon by the generall words clauses and sentences before rehearsed shall be reputed, deemed, adjudged ^pounded ailowed and taken in all maner of Courts of their Majesties most beneficiall and Availeable to all and singular the said Subjects and to every of th«n in all things not in this present Act excepted without any Ambiguity Questions or other delay whatsoever to be made pleaded objected or alledged by their Majesties their heires or successors or their or any of their generall Attorney or Attorneys or by any person or persons for their Majesties or any of their heires or successors. Excepted and ailwayee foreprieed out of this generall pardon all and every the persons hereafter named & expressed Jacob Leisler, Jacob Mllbourn, Gerrardus Beekman, Abraham Governeure, Abraham Braisler, Thomais Williams, Minardt Coerten, Johanes ' Vermillion, Already attained of Treason and murther, And Nicholas Blank, Garrit Duykine, Hendrick Jansen, John Coe, William Lawrence, in East Jerzey, Cornelius Pleuier, William Churchill, Joast Stoll, Bamuel States, Jacob Maurize, Robert LeacocE, Michael Hanson, Richard Ponton of the County of West-Chester Joseph &nith, and John Baily, Bolouff Swarthwood, Anthony Swarthwood, Johanes ProTOfft^ Jacob UuUine, Benjamine Blagg, Johchem States and Bichard Pretty.

[CHAl'TER 14.]

[Chapter 14, of LWlngBton & Smith and Van Schaack, wberc the title only la printed. Printed In full in Fowler's Bradford, p. 30; Basbet p. 8. The act was conflnned by the King, May 11, 1C07 (see Fowler' Bradford, p. CXXXVI), but was repealed by cb, 603, and Indulgence given by that act]

An Act To Ease People that are
Bcrupnlous in Swearing.

[Passed, May IS, 1661.]
Forasmuch as their are sundry Persons within this Province and Deoendencyes out of a Tender Conscience Befuae to give their

Digi-jzedbyGoOglc

Evidence oq Oath in any Matter or thing is Depending in any of the Courts within the same Be if therefttfe Enacted by the Governour Councill and Kepresentativee now mett in Gen-erall Assembly and by the Authority of the same That in such Oaiie the Person or persons soe Eefusing the same shall give in or Deliver their Evidence or Testimony in Manner and Forme following, That Is to Say. I; A: B: Doe solemnly promise as in the Presence of God to speak the Truth the Whole Truth and f^'othing but the Truth to the Matter or thing in Qiiesti<NL And bee it further Enacted by the Authority aforesaid That il any such Person or Persons soe Befuseing as ^Vforesaid shall be sumoned to sene upon any Jury in any Court within this Province then such Person or Persons shall make the Ingage-ment follon^ing (That is to say) I: A: B: Doe solemnly Promise as in the Presence of God that I will Well and Truly Try the Issue between C: D: Plaintiffe, and P: G: Defendant according to Evidence. And in Case any such Person or Persons Boe Called to Evidence or to serve upon any Jury and Declareing as aforesaid shall afterwards he Convicted of Willfull false-hood, That then and in such Case such Person or Persona shall ITndergoe the same punishments as in Oases of willfull Per-jury is Appointed and provided.

THE FmST ASSEMBLY,

Second Session.

(Begun Sept. 13, 1691, 3 Wm. & Mary, Richard Ingoldsby, 0<»[i> mander in Chief.)

[CHAPTER IB.]

[Chapter 15, of LivlDgston & Smltti and Van Sctioack, where the titl only Is printed. Printed In full in Fowler's Bra<lford, p. 40. Title ii printed In Baalcett, p. 12. For note in reference to tlile act, Fowler's Bradford, p. CXX.]

An Act for the raising and paying One hundred and fifty men to be forthwith raised for the Defence and reinforcement of Albany for six months.

[Passed, September 29, 1G91.I
Whereas the Frontiers att Albany is in Eminent danger to be lost being daily threatned to he invaded by the French Their Majesties declared Enemeyes And forasmuch as the safety of this and all their Majeatyes neighbouring Plantations doth Only depend on having that place well secured and for the Effectual] doing thereof Application hath been made unto the neighbouring Plantations but hath had noe Effect and then

...C^ooglc

being now an absolute neoesBitj for the reinforcing of the Frontiers of this Province in the County of Albany as well for the Becuring their Majesties neighbouring Plantations as (or the preserving the Indians and this Province, Bee it there- fore Enacted By the Commander in Cheife and Council and Representatives Convened in Generall Assembly and by the authority of the same Tliat the Oommander in Cheife doe raise one hundred and fifty men with their proper OfBcers for the reinforcement of the frontiers of this Province in the County of Aibany aforesaid which shall remain in the said County for the Defence thereof six months to Commence on fhe first day of Noveml>er next and to end on the first day of May then fol- lowing and for the paying and maintaining the said One hundred and fifty men and their propper Officers Bee it fur- ther Enacted By the Authority aforesaid that a levy of fifteen hundred pounds Currant money of this Province be laid Assessed Baised and levyed upon all and Every of the Inhab- itanta, Residents and freeholders of and In this Province for the paying and maintaining of the said One hundred and fifty

men and their propper OfQcers for six months as aforesaid and for noe other use intent or purpose whatsoever to be layd assessed raised levyed and payd to their Majestyea Collector and Receiver Generall for the time being at their Majestyes Custom house in the Citty of New Yorke on the twenty fifth day of March next Ensueing which shall be in the year of our Lord One thonsand six hundred ninety two according to the rates and proportions following that is to say. For the Cltty of New Yorke three hundred pounds ftor the Citty and County of Albany One hundred thirty five pounds for the County of Westchester One hundred and five poiunds, ffor the County of Richmond ninety pounds for the County of Ulster and Butchess County One hundred Eighty seven pounds tenne shillines, For the County of Suffolk two hundred and sixty two pounds tenne flbillings, for Kings County One hundred ninety five pounds For Queens County One hundred ninety five pounds For the County of Orange Elevpn pounds five shillings And ffor Dukes County Eighteene pounds flfteene shillings and Bee it further Enacted by the authority aforesaid That for the better assessing raising and paying the sume of One thousand five hundred pounds aforesaid the Mayor and Aldermen within the Citty of New YoAe the Mayor and Aldermen within the Citty of 'Albany with the Justices' of the peace for the Citty and C-ounty of Albany for the time beine And the Justices of the peace for the time being for the several! and resnective Countyps aforesaid for the severall Countyes respectively for the which

Lc;-,:.tll:yG00gIC

they shall be Justices of the peace Doe within fourty dayes after the Publication thereof Assemble and meet together in the Court houses for the sererall and respective Cittyes and Countyes or such other place or places aa they shall agree upon amongst themaelyea. And shall there Order that the Assessors and Collectors for the several! Cittyea Townes Mannors and Libertyee within their several! Jurisdiction for the Assessing Collecting and vecnvia^ of the publick rates for the Defraying the publick and necessary Charge of each respective Citty and County aforesaid Be the Asseseors and Oolleetora for the Assessing and Collecting and receiving the Sume or sumes of money herein before mentioned according to the pro-

portions before Expressed a« to the said Mayors and Alder-
men and Justices shall seeuie meete and reasonable and for-
asmuch as there are severall Mannours and Jurisdictions within
the respective Countyes aforesaid who neglect and doe not
elect annually or once a year Assessors and Collectors whereby
the intent of this Act may be frustrated Bee it therefore
Enat^ted By the authority afoi-esaid That if the respective
Mannours and Jurisdictions within the severall Countyes afore-
said shall refuse or neglect to Elect Assessors and Collectors
for the Assessing of the respective Mannours and Jurisdictions
and for ' the Collecting of the some according to the intent
and direction of this Act then and in such case the Justices
of the peace of the Countyes where such Mannours or Juria-
dictions are, are hereby Impowered and authorized to nomi-
nate and appoint Assessors and Collectors for such Mannours
and Jurisdictions as shall neglect or refuise as aforesaid which
Assessors and Collectors shall to all intents and purposes
observe the dirrections of thi« Act anything Contained herein
to the Contrary hereof in any wayes notwithstanding. And
Bee it further Enacted Ry the Authority aforesaid that the
said Mayors Aldermen, Justices of the peace for the respective
Cittyes and Count3'cs Mannours and Jurisdictions have and
shall have power and authority by virtue of this Act
each of them by himself to Administer an Oath to the
said Ass€B8ours well, truely equally and impartially in due
proportion as it shall appear to them according to their best
understandinir to Assessp and rate the Inhabitants residents and
Freeholders of the re8pe?tive places for which they sha'I be Chosen
Assessors And Bee it further Enacted By the Authority aforesaid
That if any person or persons who shall be Chosen Assessors or
Collectors shall deny neglect or unequally and partially Assesse
or refuse to make such Assessment as by this Act is required or
shall deny neglect or refuse to Collect any sume or sumes of

mone; in forme before mentioned, assessed That then and in such
Case it Bhall and ma; be Lawful! for any two of their Majesties
Justices of the peace of the Cittyes and Countyes where such
Offenders shall happen to dwell or reside and who by virtue of
this Act are required and impowered to doe the same by warrant
under their hand and B«alB to Committ such Assessor or
Assessors Collector or Collectors aoe denying neglecting or
unequally and partially assessing or refusing to Collect as afore-

said to the Common Goale there to remaine without Bayle or mainprise till he or they shall make fine and ransome to their ^fajesties for such Contempt as aforesaid And Bee it further Enacted By the Authority aforesaid That if any person or persons of what degree or quality soever he or they be within the Province who shall be assessed or rated any same or sumes of money by virtue of this Act to be raised and levyed shall deny refuise or delay to pay and satisfy the same that then it shall and may be lawfull for any such Collector by virtue of a warrant under the hand and seal of any Justice of the peace for the Citty and C—ounty where such Offenders shall dwell or reside who by virtue of this Act are required and authorized to grant and issue forth such warrant to levy the same by distresse and Sale of such person or persons goods and Chattells returning the overplus (if any be) to the Owners the sume assessed and Charges of distresse and sale being first deducted And alsoe Bee it further Enacted By the authority aforesaid that if any Mayor Aldermen or Justices of the peace within this province who are hereby required Impowered and authorized to talie Effectuall Care that this Act and Every article and Clause therein be duely Executed according to the true genuine sence and Intent thereof shall deny refuse neglect or delay to doe performe fullflll and Execute all and Every or any the dutyes powers and authorityes by this Act required and impowered by him or them to he done performed fulfilled and Executed and shall thereof be lawfully— convicted before any of their Majesties Courts of Record within this Province he or they shall suffer such paine by fine imprison— ment as by the discretion of the Justices of the said C—ourts shall be adjudged ^Vnd Bee it further Enacted By the authority afore— said that if any Action Bill plaint or Information shall be brought moved or presented at any time hereafter against any person or persons for any matter cause or thing done or acted in pursuance and execution of this Act Such person or persons aoe sued or prosecuted in any Court whatsoever shall and may plead the generall issue not guilty and give this Act and the speciall matter in Evidpnce and if the Plaintiffo or Prosecutor shall be nonsuited or forbear further prosecution or suffer discontinuance

ibvCoot^lc

or verdict to paaae against him the Defendant and Defmders

shall recover trihle costs for which they shall have like liberty as Id case where costs by the law are given to Defendants, Provided alwayes That noe Mayor Alderman or Justice of the peace shall be troubled sued prosecuted or molested for any Omissioa Offence or neglect by virtue of this Act hut within the space of one year after such Omission Offence or Neglect and not at any time thereafter any thing herein Contained to the Contrary hereof in any wayes notwithstanding. Alwayes Provided and Bee it further Enacted By the authority aforesaid That the several! Collectors of each respective Citty and County as aforesaid shall have liberty to pay the Beverall and re8i>ective suines assessed as aforesaid at the day aforementioned in Current silver money or for want thereof in good sufficient and merchantable provisions at the Currant market price in silver money at New Yorke any thing Contained herein to the Contrary hereof in any vayeB notwithstanding.

[CHAPTER 16.]

(Chapter IG, of LlvlngatoD & Snilth and Vbd Scbaack, where tbe title only Is printed. I'rinted In full la Fowler's Bradford, p. 34. Title Ib printed In Baskett, p. 12. The act was repealed by cli. 65. For In reference to the act, see Fowler's Bradford, p. CXVIII.)

An act for regulating the Damages done in the time of the late disorders and for the uniting of the minds of their Majestyea Subjects that have lately absented themselves from their habitations and the usuall places of their abode. ^

[Passed, Septeraber 30, 16»1.!

Forasmuch as many of their Majeatyes Subjects have lately absented themselves from the usuall places of their abode and . T>ther9 through Causeless fears have also withdrawn themselvea out of this Province by which means Trade is lessened the Strength of the Province weakened and their familyes injured and Whereas it is highly necessary at this juncture being a time of warr and great danger that the minds of the' Subjects of this Province should be heartily united. And forasmuch as in the time of the late disorders when Jacob Leisler lately attainted and Executed bad usurped a power and pretended Government over their Slajestys Subjects within this Province many hurts injurys wrongs and Damages were done unto their

Majestyes good and faithfull Subjects by those tliat were aiding and assisting to him in his usurped power and fiovernment as aforesaid And It being likewise necessary That aJl their

Lc;–,:uJbyC00glC

Majesties Stibjects as afoi'esaid Should have Some just and i–easonable Saiisfaction from those that have soe injuied theiu And that it is apparent that luany thro' ignorance and fear have bin led aside to doe the huits and harms as aforesaid and if such be prosecuted by the Comon I'rocease of the Law may tend to the utter mine of thein and their famileys and noe way reeonipenoe the injuryes d<me and those that ai–e moat able to Satisfy the Damages and have bin most active in projeuting the same Eacape free ond for as much as the Generall peace and secnrity of their Majeatyes Government over this Province cannot be firmer Established then that all those that have soe absented themselves returne again unto their respective abodes and habitations and that all their good Subjects heartily unite in the Comon Defence of the Same against all Enemyes whatsoever And for eftectuall doing thereof and that a just and equitable Satisfaction may be made to the persons injured by those that have bin active as aforesaid in such equall and just proportions as the Circumstance of the fact will admitt Bee it therefore Enacted By the Commander in Cheife and Council and the Eepreacnfativea convened in Generall Assembly and By the authority of the same, That in Each of the respective Cittys and Countys hereafternamed and Expressed ther Shall be Constituted and Commiconated under Their Majeatyes aeal of this Province five Commissioners who are hereby impowered and authorized at such Certaine dayes and places as they shall conveniently appoint to meet and Assemble together and at such their Assemblyes and meet–ings to receive in writeing the Claims and Demands <^ such of their Majestyes Subjects that have been hurt or have received damage in their Estates by the force and Violence of any person or persons Imployed or pretended to be imployed by Jacob Leis–ler lately attainted and Executed or any under or olBciated with him and after they have received Such Claims and demands as aforesaid they are then to cause the Constable of the respective Towns where the persons Complained against doe reside or any

other person the said Commiconers shall think fltt to appc^t to summons the partyea Cmnplained against to make their peraonall appearance before tliem at a certaine day of which the Com- plainants shall have notice and be likewise present and upon their appearance strictly to Examine and to inquire into the matter of fact and Damages alledged and upon Denyall of the fact to summons and call before them such person or persons that knoweth anything of the fact or damage alledged or can give evidence thereof and the said Commissioners are hereby fanpowered and authorized to Administer an oath or Oaths unto

1 1., Google

auch person and persons that shall be soe Bummoned before tJiem tUat the truth may the better be discovoi-ed and upon their hear- ing and Examineing of the partyes and Inquiring into the matter of fact and Damage as aforesaid they are hereby farther impowered and authorized to assess the Damages in truth and equity as it shal] appear unto them and not otherwise and such their assessments of the Damages shall be laid on the offenders in such just and equal proportions as to them shall seem meet in equity and good ConBcience and after such their Assessment and Taxation as aforesaid shall order and decree the offenders or Defendants to pay the sume soe Assessed and Taxed in manner aforesaid unto the Complainants or give sufficient security that they shall pay the same at a reasonable day after this their Decree and Determination all which assessments TaxatiMi Decreed and Determinations done and made in manner and fonnie as aforesaid shall be good and Effectuall in the law and a good and suflBcient discharge unto the Defenders forever according to the true intent and meaning hereof any thing contained herein or in any other law to the Contrary hereof in any wayes notwith- standing alwayes pronded and Bee it further Enacted By the authority aforesaid That all persons Tliat have been harmed injured and Damaged in manner aforesaid and are at the Pub- lication hereof within this Province shall bring in their Claims and Demands unto such place or places as shall be appointed by the Commiconers in the respective Cittyes and Countyea here- after named within fourty dayes otherwise they shall forever be barred their Claime and upon any future prosecution the Defendants may plead the Generall Issue and give this Act and

the speciali matter in Evidenoe and if the Plaintiff shall become nonsuite or forbear further prosecution or suffer discontinuance or if a verdict passe against him the said Defendant shall recover his double Costs for which he Khali have the like remedy as in Case where Costs by Law are given to Defendants And all Person or Persons Tliat are out of the Province at the Publication hereof and have been wronged and injured in manner aforesaid shall within one year after the Publication hereof give in their Demands and Claims as aforesaid otherwise shall be forever barred their Claime and be under the Restriction of tliis Law to all intents and pui-poaes as aforesaid, alwayes provided and Bee it further Enacted By the authority aforesaid That if any person or persons That have offended in manner aforesaid and have been personnlly summoned or hada summons left in writeing at their habitations or usuall places of their abode and doth not appear to make their Defence or show some lawfull Cause why they could not appear shall be Deemed and Esteemed Defaulters and Sentence and Decree shall passe upon them on D^aolt

accordingly and Execution issue thereupon as aforesaid and Bee it furttier Enacted By the authority aforesaid That the Oonuniconers hereafter named for the putting this Art in Execution shall be C<amniconated under the seal of this Province and there is hereby nominated constituted and appointed for the Execution of this Act and the Clauses therein Contained for the City and County of New Yorke Captaine Jacobus Van Cort-land Peter Jacobs Marius, Lawrence Beed, Thomas Codrington, and Adolph Phillips Esqrs or any three of them whereof Cap-taine Jacobus Van Cuitland is to be One And for the City and County of Albany I'eter Schuyler Martin Gerrits, Albert Byckman, Hendrick Ranslaer, and Gerrit Ryersen Esqrs, or any three of them whereof Peter Schuyler is to be one And for the C-ouuty of Ulster Thomas Garton, Matthias Tenyed, Wil-liam Legg, William Haynes Wessell Tenbrock Esqrs or any three of them whereof Thomas Garton is to be One And for the County of Richmond Elias Duibury, Dennis Tennissen, Andrew Cannon, Abraham Lnkeman, and John Shadwell Esqrs or any three of them whereof Elias Diixbury is to be One And for the County of Westchester John Palmer, John Hunt, John Drake, Joseph Theale, & Jonathan Heart Esqrs or any three of them whereof John Palmer ia to be One, and for Kings County Jacquis CortilUan, John Tennissen Nicholas Still-

well Lacus Stevenson, JoseT)h Hef^aman, Esqrs or any three of them whereof Jacquis Corfillian is to be one. And for Queens County John Roberson, Nathaniel Piersou, James ClMuents, WUliam Hallltt junior Jonathan Smith Esqrs or any three of them whereof John Roberson is to be One I'rovided aiwayes That in Case of Death it shall be in the power of the Com- mander in Chiefe and Councill to nominate and appoint others Commiconers instead of the Commi(roner<s I>ec«i8ed which said Commiconers so as aforesaid nominated and appointed or in case of Death to be nominated and appointed shall in the respective Cittyes and Countyes respectively meet t(^ether and Execute and perfonne the severall powers authorityes and directions in any by this said Act given and appointed and for thrfr true and faithful! Execution thereof tliey shall att the time they receive their Commicon take this following Oath VIzt: "You shall swear that you to your cunning witt and power shall truely and indifferently Execute the powers and aufhoritres given you by this Commicon and Act of Assembly without any favour affection, corruption dread or Malice to be borne to any manner of person or persons and as the Case shall require ye shall consent and endeavour yourselfe for your part to the best of vour knowledge to the aflsessfng and TaJdng
84

. '.'.ooglc

the Damage oi sncb Claims and suites that aball be bronght before jou according to tmth, Equity and the Evidence given you and in such due and e«]ual] proportions as in good coo- science shall seeme meet unto you and the same powers and authorityes to your cunning witt aad power Cauee to be putt in due Execution without favour Dread Malice or afficetion So help you God. Alwayea provided and be it hereby further Enacted by the AHthority aforesaid That in Cases of Errow any person or persons sliall have liberty to make his or their appeal unto the GoTemour and Council provided the value appealed for Exceed the sume of One hundred pounds and that security be first given by the appellant to answ^> such Charges as shall be awarded in Case the first sentence or Decree be affirmed And in regard some persons have commenced, and prosecuted and tKreaten to Commence and rrosecute, Actions and suites

against such of their Majesties Subjects for and by reason of their Actings and doings as aforesaid therefore for the preventing the trouble and Charges which the said subjects might be put to by the means of such suites Bee it further Enacted By the Authority aforesaid that all personal! Actions Suites molestations and Prosecutions whatsoever and Judgements and Executions had therein if any for or by reason of any of the premises be and are hereby discharged and made void and if any Action or suite hereby declared and intended to be discharged Shall be Commenced and prosecuted in any other Court or after any other manner than what is Declared and appointed by this Act then every person so sued may plead the General Issue and give this Act and the Special! matter in Evidence and if the Flaintiffe Shall become nonsuited or forbear further Prosecution or suffer discontinuance orif A verdict passe against him the said Defendant shall recover his double Costs for which he shall have the like remedy as in Case where costs by Law are given to Defendants And since it is the Qenerall peace of this Government and the good ease and benefite of all their Majesties Subjects inhabiting within the same that it is only intended by this Act Bee it tiierefore Enacted By the authority aforesaid That all Judges and Justices of their Majestiea Courts of Records and all Mayors and Aldermen of the respective Cittyes and all Bherriffes Clerks and other Officers within this Province do take notice of the said Act and see the same traly Executed according to the powers authorityes and Clauses therein Contained, any thing contained herein or in any other law to the contrary hereof in any wayes notwithstanding And that all their Ma jeatyes Subjects concerned in the premises and who for those causes have absented themselves frwn the asuall places of their abode or have

withdrawn themselves out of this Province may have all their Causeless fears removed and fully enjoy all the benefltta priviledges and advantages intended them by this act. Be it therefore further Enacted By the Authority aforesaid That all and Every of such persons Concerned in the premises Doe within fourty Dayes after the publication hereof returne and repair to their respective habitations or places of their abode within this Pro\'ince and there use Exercise and follow their respective occupations aa Accustomed where they shall remaine without any other lett or molestations than wh^t is required by this Act and ffreely possesse and Enjoy all the benefltts and protections

of their Majesties Laws of England and this Province, alwayes provided and Bee it further Enacted by the authority aforesaid That if any person or persons concerned in the premises as aforesaid shall neglect to returne and repayr to their respective habitations or places of their abode in this Province within the time Limitted and expressed fExcept all such as shall be at the publication hereof beyond the Seas then and in such Case all such person and persons shall be Deemed and Esteemed Contemners of their Jfajestyes Authority and Government over this Province and lose aH the benefltts and advantages intended them by this Act And all and every of their respective Estates both reall and peraonall shall be lyable and Extended to mate Satisffiction to all such i*uits and Demands as shall be made in Aie forme of the Law against them any thing Contained herein to the contrary hereof in any wise notwithstanding.

[CHAPTER 17.]

Gbapter 17, of Lfvlngaton & Rmltb an(l Van Scbaack, where the act ia printed In full. Printed In full in Fowler's Bradford, p. 39; Ba p. 11. The act was conflrmed hj the KlnK, May 20, 1708. (See Fowle Bradford, p. CXXXVII.) See chapter 15.14, by which the cownty of Albany !b divided Into three countlea. Spe chnptpr 1378, which Is an to aBcci-taln part of the boundnrlea of Westchester, OranKe and Queen counties. See chapter 333, hy which a part of the manor of Livingst annexed to the county of Albany. For note In reference to this act, Powler'B Bradford, p. CSVIII.]

An Act to Divide this Province and Itependencies into Shires and Counties.

[Passed, Ootolwr 1, 1601.]

FORASMUCH as mistakes may arise about the llmitts and bounds of the respective Countyes within this Province, for Prevention whereof, BEE IT ENACTED By the Conunander in Cheife and Council and Representatives and by the authority of the same that the said Province be Divided into twdve Countyes

1 1., Google

as followeth. The Citty and County of New Torke to containe all the Island coonoiily called Mauhattaos Island Manniugs iBland the two Barne Islaitda and the three Oyster Islands Manhattans Island to be called the City of New Yorke and the rest of the Islands the County, The County of Westchester to containe EaBt and Westchestei- Bronks Land Fordham MaDnoyr of Pelham Miniford Island Biohbells Neck and all the land on the Maine to the Eastward of Manhattans Island as far as the Government at present Extends and the Yonckers Land And Northwards along Hudsons Birei' as far as the HighLand.

The County of Ulster to Containe the Townes of Kingstone Hurley and Marble Towne Foxhall and the new pallz, and all Tillages neighbourhoods and Christian Habita.tions on the west side of Hudsons River fr<Mn the murderers Creek neer the high- lands to the Sawyers Creeke, The County of Albany the Manoor of Renslaerswyck, Schenectady and all the villages neighbour- hoods and Christian plantacons on the East side of Hudson's Biver from Koeloffe Jansens Creeke and on the west side ; from Sawyers Creeke to the outmost end of Saraghtooga.

The Dutchesse County to be from the bounds of the County <rf Westehster, on the Southside of the high land along the East Side of Hudsons River as far as Itoeloffe Jansens Creek and East- ward into the woods twelve Miles. The County of Orange to beginn from the liniitts or bounds of East and West-Jersey on the West side of Hudsons River along the said River to the murderers Creeke or bounds of the County of X'lster and west- ward into the woods as far as Delaware Itiver, The County of Richmond to Containe all Staten Island Shutter's Island and the Islands of Meadow on the west side thereof, Kings County to Containe the eeverall Townes of Boswyck Bedford Breucklin Flatbush Flatlands New lltricht and Gravesend with theSeverall Settlements and Tlantations Adjacent, Queens County to Con- taine the Severall Townes of Newtown Jamaica Flushing Hemstead and Oysterbay with horse neck the Severall oat farms Necks Settlements and riantations adjacent and the Islands Called the two brother's and Huletts Island.

The County of Snffolke to containe the Several Townes of Huntington Smithfield, Brookhaven Southampton Southold Eaet- hampton to Jfantank Point Shelter Island, the Isle of W^ight Fishers Island and Plum Island with the Severall Outfanues Settlements and Plantations adjacent, Dukes County to Con- tain the Islands of Nantucket Martins Vineyard Elizabeth

Island and No Mans Land. The county of Cornwall to Containe Pemaquid and all the Territoryes in those parts with the IslandB adjacent

Digi-jzedbyGoOgiC

LAWS OF THE COLOiT OF KEW YORK.

[CHAPTER 18.]

fChapter 18, of Livingston & Smith and Van Schaack, where the act i printed in full. Printed in full In Fowler's Bradford, p. 43; Basket p. 0. For Dote In reference to this act, see Fowler's Bradford, p. This act was confirmed by the King, May 11, lOOT, (See Fowler's Bra ford, p. CXXXVL)]

An Act for Reflating the BuUdiags
Streets Lonee Wharfs Docks and AUeyes oif
thie Citty of New Yotke.

[Passed, Octotwr 1, 1691.]
FORASMUCH as the Citty of New-Yorke the Metropolia of thie I'roviDce was CheiHy Erected by the Inhabitants thei-eof for the propagating and Encouragement of Trade and Commerce and for the good benefite and welfare of their Majesties Sul> jecta inhabiting within this province AJSU FORASlCUCn as it is very necessary for TrafBck and Commerce that btiildings streets lanes wharfa docks and alleyes of the said Citty be conveniently regulated with uniformity for the accomodation of habitations shipping Trade and Coumierce. And that all impedimenta and Obatructions that mav retard so necssary a work may be removed BEE IT THEWCFORE ENACTED By the C-ommander in Cheif and Council and Representatives mett in General] Assembly and by the authority of the same That the Mayor Aldermen and Common Council of the said Citty shall and may at their will and pleasure Elect nominate and appoint one or more discreet and intelligent person or persons to be the surveyors or supen-isors of their buildings streets lanes Wharfs docks and Alleys of the said Citty and to see that the buildings streets lanes Wharfs Docks and Alleyes of the said City be conveniently regulated with uniformity for the Accom- odation of habitations shipping, Trade and Commerce according

to such rules and Orders of Building and laying out of streets lanes wharfs Docks and Alleys, as shall be Established by the Mayor Aldermen and Common Council of the said Citty who are hereby authorized and imjwwered to make such rules and orders for the better regulation uniformity and gracefulnesse of such new buildings as shall be Erected for habitations and also for such streets lanes 'WTiarfs docks and Alleys as shall he found Convenient for the good of the Inhabitants And it shall he lawfull for tlie Mayor Aldermen and Common Council or for the Mayor and Aldermen in their Court to Administer an Oath upon the holy Evangelists unto the Surveyors or super-

Digi-jzedbyGoOJ^Ic

Tiaora for tlie true and impartiaJ Execution of their Office ia that behalfe And whereas in the laying out of the new Lota for buildings some Contraversy may anse by a lott or lot or lotts of ground which if built upon would be very incom-modious and prejudicial! to one of the principal streets of this Citty and hurtfull to the trade and health of the Inhabitants BE IT THEREFORE ENACTED by the Authority aforesaid That the Mayor Aldermen and Cwnon Council of the said Citty for the time being in Oomon Council assembled rfiall and may and are hereby impowered and required to obstruct any build-ing or buildings that may narrow the said ati-eet op any other Street within the said Citty And the said Mayor, Aldermen and Conion Council shall and may by virtue of this present Act Continue the said street commtmly called the Broad street, according to ils present dhnenBiona and if in the doing thereof or in the laying out for the future any streets lanes Wharfs docks Alleys &c. they doe take any persona Grounds they are to give notice to the Owners or partyes interested in the ground to be so taken for the intent as aforesaid And to the end that reasonable satisfaction may be given for all such ground as shall be taken and imployed for the uses aforesaid the Com-mander in Cheife and Council may assesse the value of the lotts now in Controversy and for other ground the Mayor Aldermen and C'cmon Council shall and may treat and agree with the Owners and others interested therein and if there shall be any persona that shall refuse to Treat in manner afore-said that in such case the Mayor and Aldermen In their Court are

hereby authorized by virtue of this Act to Issue out a warrant or warrants to the Kheriffe of the said City who is hen> by requir to impannel and retume a jury before the said Court of Mayor and Aldermen which Jury upon their Oaths to be admlnlstred by the said Court are to inquire and Assess such Damages and recjwiipence as they shall judge fit to be awarded to the owners and others interested according to their severall and respective Interests and Estates Of any such ground or any part thereof for- their respective interests and Estates in the same as by the said Mayor Aldermen and Comon Council shall be adjudged fitt to be converted to the purposes aforesaid and such verdict of the Jury and Judgement of the said Court of Mayor and Aldermen thereupon and the payment of the some and sumes of money so awarded or adjudged to the owners and others having Estate or Interest or Tender or refnsall thereof shall be binding to all intents and purposes against the said partyes their heirs Executors Administrators and AssigDee and others

DigizedbyGoOgiC

Claiming any Title or interest to the said ground and shall be a full authority to the said Mayor Aldermen and Cmnon Council to cause the said ground to be Converted and used for the pur- poses aforesaid anything contained herein or in any other law to the contrary hereof in any wayes notwithstanding, A^D FOR- ASMUCH as the filth and Soile of this said Citt^ lying in the publick streets thereof doth often prove A Comon nuisance unto the Inhabitants and Traders to and from the said Citty and very prejudiciall to their health for the removall thereof Bee it further Enacted by the authoritj' aforesaid that the Xumbera and places for all Comon Shoars Drains and vaults and the order and manner of paving and pitching the streets lanes and alleys of the said Citty shall be designed and sett out by the Mayor Aldermen and Comon Councill of the said Citty, together with the said surveyors and Supervisors appointed in manner aforesaid and when they Assemble shall have power and authority to order and direct the maldng of Vaults drains and Sewers or to cut into any drains or Sewers already made and for the altering Inlargiug amending cleansing and scouring of any vaults Sincks or comon Sewers and for the better Effecting whereof it shall and may be lawfuU to and for the said Mayor Aldermen and Comon Council together

with the said Surveyors and supervisors at their said meeting to impose any reasonable Ta:i upon all houses within the said Citty in proportion to the beneflte they shall receive thereby for and towards the making cutting altering Inlarging amending cleansing and scouring all and singular the said Vaults drains Sewers pavements and pitching aforesaid, and in default of pay- ment of the said sume to be Charged it shall and may be lawfull to and for the said Mayor and Aldermen &c so authorized as aforesaid by order or warrant under their Hands and seals to levy the said sume and sumee of money soe assessed by distresse and sale of the goods of the partyes chargeable therewith and refuising and neglecting to pay the same rendring the Overplus if any be, ALWAYES PHOVIDED AND BE IT FURTHEB ENAOTEI) by the Authority aforesaid that nothing herein Con- tained shall be Construed to Change alter shorten lengthen narrow or enlarge any of the streets alleys and lanes within this Citty as they are now laid out and remaine at the Publication hereof nor to break through any person's ground now in fence OP enclosed or to take away any Person's houses or habitatlona any thing herein Contained to the Contrary hereof in any wise notwithstanding.

DgizedbyGoOgiC

LAWS OF THE COLONY OF NEW YORK.
THE FIBST ASSEMBLY.

(Begun Apr. 20, 171)2, i Wm. & Mary, Rlcliard Ligoldsby, Gommander in Chief.)

[CHAPTER 19;] ■

[Chapter 10, of LlvtngstoD &. Smith aud Van Scbaack, where the title only la printed. Printed lu full fn Fowler's Bradford, p. 53. Title Is printed in BaBkett, p. 12. Repealed by chapter 113.]

An Act for Destroying of Wolves.

[Passed, April 29, 1692.]

Bee it Enacted by the Comander in Cheife and Councill and Repretten tat Ives convened in generall Assembly and by the authority of the same that for the Destroying of wolves who have lately encreased very much to the great discouragement of

pasturage and cnerease of Sheepe and cattle that whatsoever Christian shall kill a growne wolfe upon Long Island or staten Island he shall have for each wolfe that shall be killed twenty shillings to be paid out of the publick Treasury of each respective County where the wolfe shall be killed and For a wolfe whelpe above halfe a yeare old there shall be paid as aforesed tenn Bbilllngs and whatsoever Indian shall in like manner kill any wolfe shall have for his reward one match coate or twelve shillings and For a wolfe whelpeiTive shillings to be paid him as aforesaid and if any other county in the province have a mind to encourage the destroying of wolves they shall d^e it in such maner and way as to them shall Seeme meet and the Justices of the peace and other ollleera of the respective Countys aforesaid shall take Effectuall care to see this act & every Clause therein duely Executed accordingly.

[CHAPTER 20.]

[Chapter 20, of LlvluRston & Smith and Van Schftack, where the title only ie printed. Printed in full In Fowler's Bradford, p. 46. Title is printed in Baskett, p. 12. For note in reference to this act, s Fowter-e Bradford, p. CXXII.]

An Act for the Raising of two hundred men with their Proper Officers for the secure-ing and reinforceing of Albany In the Frontiers of this Province.

[Passed. April 28. 1692.]
Whereas the forces lately raised for the Reinforceing and Se-cureing the Frontiers at Albany are not tO' continue in that

Service any longer than the first day of may next eanseiag aud forasmuch that it is Still absolutely Necessary for the Safety of all their Majestys NeighbouriDg Collonys and Plauta^ tions as well as for the Security of this province that there be and rranaine alt that place sufficient force for the Defence thereof and whereas the Present State and condition of this Province is such that they are not able at this time to make SufBcient Provisfon of men and money for the Beinforceing of that Place as is tpiely necessary for the maintaining so con-siderable a Post which is the only Bullwarke of Defence for

all their Majestys Neighbouring Collonys and Plantations in this main of America yet that the said place may not be deserted nor the Indians who have been so constant to ua discouraged Be it Therefore Enacted by the Comander in Cheife and Councill and Representatives Convened in General! Assembly and by the Authority of the some that ye Commander in cheife doe Issue out his warrants to Cheife Military Officer in the Respective Cittys and Countyes undernamed for the raiseing two hundred men armed as the law Directs with their Proper OfBcers in such Proportion hereafter mentioned to consist and make two Distinct Companya of Fuzileera for the reinforcement and secur- ity of the ffrontiers at this Province in the County of Albany aforesaid which shall Continue and remain In the said County of Albany for the Security and Defence thereof for the time and Space of five months to commence on the first day of may n^t and to end and terminate on the first Day of October then following And farther Be it Enacted By the Authority aforesaid that if any Persons or Persona who in pursuance of such warrant or warrants to be by the commander in Cheife Issued out to "the Cheife Military Officer of each Respective Citty and County and Oountys as aforesaid shall be warned to apeare In armes in order to the Raiseing of two hundred men aforesaid Shall Neglect Delay or Refuse to Apear or otherwise absent him or themselves from the place or places they shall Respectively be Summoned and warned as aforesaid to apear at, the persim or peraons so Neglecting Delaying or refuse- ing to appear or otherwise Absenting him or themselves shall forfeite the Sume of five pounds currant money to be levied by DietresB by A warrant under the hand and seale of any Justice of the Peace within this Province on the goods and Chatties of Every such Person or Persona so Offending as afore- said upon A Certificate of Such Default from the Captaine or cheife Officer of such Company in or to which the said Offender shall be Listed or Belong under his hand and Seal which said

DgizedbyGoOgiC

8ume of five pounds shall Be Emploj-ed for the encouragement and raiseing the Quflta of men by this Act in each respective Citty & County or Conntys to be raised as aforesaid and in case such Person or Tersons so Offending as aforesaid shall

not have goods and chatties to be found to pay and satisfie the sunie .of five pounds aforesaid Such Person or I'ersons upon such c-ertificate and by such Warrt as aforesaid Shall be <.imited to the Common Goale of the same County or Citty & Countyes there to remaine without Baile or Mainpri^ for the space & Terme of five months or untill he or they shall pay and Satisfie the Sume of five pounds aforesaid and for the paying and mnintaioing the said two hnndred men and their proper Offlccrs Be it Further Enacted by the Authority aforesaid that A levy of one thousand five hundred pounds Currant money of this Proxince Be laid Assessed Raised and Levied upon all and every of the Inhabitants Residents and Freeholders of and in this Province for the Paying and maintaining of the said two hundred men and their proper Officers for five months as aforesaid and for no other use intent or Purpose Whatsoever to be laved assessed Raised and levyed and paid to their Majesties Collector and Receiver Generall for the time being at their Majestes CustMne house in the Citty of New Yorke on the first day of September next ensueing which is in this Instant year of our Lord ene thousand Six hundred ninety and two accordingto the Rates and Proportions ffollowing that is to say, for the Citty and County of New York three hundred fourty five pounds for the paying and maintaining fourty six men being their Quota and proportion of the two hundred men aforesaid for the County of Westchester one hundred twenty seaven pounds ten Shillings for the paying and maintaining seaventeen men being their Quota & Proportion as aforesaid For the county of Bichinond Sixty Seaven pounds tenn Shillings for the paying & maintaining nin>> men being their Quota and Proportion as aforesaid For the County of Ulster and Dutchess County two hundred and ten pounds for the pay- ing and maintaining twenty eight men being their Quota and Proportion as aforeaaid for the County of Suffolk three hundred pounds for the paying and maintaining fourty men Inking tboir Quota and Proportion as aforesaid For Kings Coun^ two hundred and ten pounds for the paying and maintaining twenty eight men being their Quota and Proportion as aforeaaid For Queens County two hundred twenty five pounds for the payingandmaiDtainingthirtymen being IheirQuota and Proportion as aforesaid for Orange County fifteen pounds for the paying and maintaining two men being their Quota and proportion as aforesaid And Also Be it Enacted hj the

C-izv^tlbyGoOglC

authority afot^eaid tJmt Such Sume or Sumes of money of the BeTerall Sumes o€ two thoasand and fifteen hundred pounds Jjately Baiaed By Act of Generall ABsemblj for the paying and Defraying the Charge of two hundred and fifty fusileers with their Officers raised for the Security and Defence of Albany which Doth and shall Eemain undisposed of and not iniyloyi'd for tlie Uses aforesaid Shall be laid out and Applyed towards ye Defray- ing the incidentall Charges & Expence which Shall or may happen to be Occasioned by the raising Transporting and main- taining of the two hundred Fusiliers with their Proper OfBcers Before in this Act mentitmed and Expressed And Bee it Further Enacted by the Authority aforesaid That for the better Assess- ing Baiaeing and Paying the Sume of One thousand five hundred pounds aforesaid the Mayor and Aldermen Within the <"itty of New York For the time being and the justices of the peace for the tiime being for the Severall and Bespective Countys aforesaid for the Se\'erall Countys Respectively for which they shall Bee justices of the peace Doe within fourty Days after the publica- tion hereof Asseimble and meet together in the Court houses for the Sererall Respective Cittys and Coulitys or such other place or places as they shall agree upon amongst themselves and shall there Order that the Assessors and Collectors for the Severall and Respective Cittys Townes Mannors and Llbertyes within their Severall Jurisdictions for the Assessing Collecting and Eeceiveing of the Publick Bates for Defraying the Publick and necessary Charge of each Respective Citty and County aforesaid by the Assessors and Collectors for the Assessing and Collecting and Beceiveing of the Sume or Sumes of Money herein before mentioned according to the Proportions before Expressed as to the said Mayor and Aldermen & Justices Shall Seem meet and Reasonable and forajsmuch as there are severall mannors and Jurisdictions, Within the Bespective Countys aforesaid who neglect and Do not Elect Annually or raice A Yeare Assessors and collectors whereby the Intent of this act may be frustrated Bee It Therefore Enacted By the Authority aforesaid that if the Bespective mannors and Jurisdictions witliin the Severall County's aforesaid shall Refuse or neglect to Elect Assessors and Collectors for the Assessing of their Bespective ilaiinors and Jurisdictions and for the Collecting the Same According to the Intent and Directions of this act then id in such case the Justices of the I'eace of the Cou itye where Such Mannors or Jurisdictions are, are hereby Iiu powered

and Authorized to nominate and Appoint Assessors
and C-ollectors for such Mannors and Turi'ili'^iloiis as
shall Neglect and Refuse as aforesaid, Which aseessors and

D,g,;,zeclbyG00gIc

Collectors Shalt to all Intents and PurpoBes Observe tbe Direc-
tions of this Act any thing contained herein to the coDtrary
hereof in any wayes notwithatanding. And Bee it further
Enacted by tbe Authority aforesaid that the Said Mayor
Aldermen & Justices of the peace for the Respective Cittya and
Countya manners and jTirisdictions have and Shall have power
aiid Authority by Virtue of this Act earh of them by himself to
Administer an Oath to the said Assessors well tniely, equally,
and impartially and in due proportion as it Shall appeare to them
according to their best underatandins to Assess and rate the
Inhabitants Beaidents and Freeholders of tbe Respective places
for which they Shall be chosen Assessors And Bee it further
Enacted by the Authority aforesaid that if any person or persona
who shall Be chosen Aasesors and Collectors Shall Deny Neglect
or unequally or partially Assess or refuse to make Such Assess-
ment as by this Act is required or shall Deny N^lect or Refuse
to Collect any Sume or Smnes of money in forme before mmtioned
Assessed that tlien and in Such Case it Shall and may be Lawful!
For any two Justices of the Peace of tbe Cittys and Countys where
Such Offenders shall happen to dwell or reside and who by virtoft
of this Act are required and Impowered to do the same by
warrt under their hands and scales to Commit such Assessor
or Assessors Collector or Collectors bo Denying Neglecting
or unequally and partially assessing or refusing to collect as
aforesaid to the Coonmon Goale there to remaine without baile
or mainprize till he or they shall malie fine or ransom to their
Majeetys for such eonttraipt as aforesaid and be it further
Enacted l>y the Authority aforesaid that if any person or per-
sona of what Degree or Quality soever he or they be within
this Prorince who shall be Assessed or rated any aume or sumes
of money by Virtue of this Act to be raised and Lei-yed Shall
Deny Refuse or Delay to pay and Satisfie the same that then
it Shall and may be lawfull for any Such Collector by virtue
of A warrant under the hand and Seale of any Justice of the
Peace for the Citty or County where Such Offenders shall Dwell

or reside who by Virtue of this act are Eoquired and Author-
ized to grant and Issue forth such warrant to Levy the same
by distress and saile of Such Person or Persons goods and
Chatties Returning the overplus if any tliere be to the owners
the Sume assessed, and charges of Distress and saile being
first Deducted and alsoe Be it Further Enacted by the Authority
aforesaid that if any mayor Alderman or Justice of the Peace
within this Province who are hereby Required ImpoTvered and
authorized to take Eifectuall care that this Act and every
Article and Clause therein be Duely Executed According to

D,g,;,zeclbyG00gIC

the True intent and meaning tliereof sliall Deny refuse Neglect
or Delay to Doe rerfoi-me fulllill and Execute all and every
or any the Ihitya I'owers and Autlioritys by tliis Act Kequired
and impowered by him or tbem to be done performed, fullfllied
and executed and Hhali thereof be Convicted before tlie Com-
mander in Cbeife and Councill or Lefore any of their Majestys
Courts of Record within this I'rovinee he or they Shall Buffer
Buch pain by fine & ImprlBonment as by the Discretion of the
said Commander In Cheife and Councill and the Justices of
the said Courts shall be adjudfjed and whereas there hath been
great Neglect in the Justices of the Peace Collectors and Assess-
ors who have Delayed Executeing their Respective Dutys Ac-
cording to the true Intent and meaning of the former Acts
made in severall Sessions of this Present Assembly tor Pre-
vention of the like for the future Bee it further Enacted by
the Authority Aforesaid that if any of the Respective Cittys
and Countys aforesaid Shall Rrfuse Neglect or Delay to have
their Respective Quota, or Proportions of men at the Citty of New
York or at the City of Albany on or before the twentieth day of
May now next ensueing Pursuant to the warrt Directed to thnn
from the Commander in Cheife as aforesaid and also that if any
of the Respective Cittys and Countya aforesd shall Refuse Delay
or neglect to make payment of the severall and Respective Sums
or ProporcoDS of money by them Respectively to be paid as
aforesaid at the time and place above mentioned and Appointed
that then and for every Day after the Said Day aforementioned
and Appointed for the payment thereof & until the whole Sum
and Proportion of each Respective Citty and County Shall be

fully paid and Satisfied such Citty and County or Countys yt shall he Defective therein shall each and every of them forfeit and pay for the Iiit^-nt aforesaid the farther Bume of five pounds currant money aforesaid for each Days Default or Neglect of having their Quota of men or payment of their Respective proportions at the Days and times appointed as aforesaid and for the enabling the Commander in Cheife to borrow money or to agree for Provisions for the maintaining of the two Companys aforesaid that the purposes of this act may be truely Attended and Executed, Bee it Enacted by the Authority Aforesaid that it Shall and may be Law- full for any Person or Persons to Advance and lend to the romniander in Chiefe &c upon the Credit of this Act any Sume or Bumes of money not exceeding the sume of seven hundred pounds and to have and Receive for the forbearance of all such money as shall be lent Interest not exceeding the Rent of tenn Ft Cent Pr Annum and to the end that all mcmeya and proTisioaH

Coogic

wch shall be so lent to the Coniniaiider in Chiefe &c may be well and aufflclently secured out of the moneyR arising and payable by this Act with the Interest for the Sum not Exceeding tenn Pp Cent Pr Anauiu as aforesaid. Bee it further Enacted by the Anthoi-ity aforesaid that their Majestyes Collector and ReceiTer Generall for the time being shall separate and keep apart all the monej- ariaeing by the rates and proporcons hereby granted aa the aame shall arise or be paid unto liim by the Eeceivers or Collectoi's of the same or by any other person whatsoever keep- ing a peifect and distinct Account as the same shall come in, which sume or sumes of money so by him Beceived as aforesaid shall not be separated nor paid unto any other person or persons what»oe*'er, but unto such who shall lend any money to the Comd in Chiefe &c upon the Credit of this Act who shall Ime- diately have a warrant and an order for his rei>aying & bearing the same date in which he paid his money wherein shall be like- wise Contained the Interest for forbearance and that all orders for Hepayment shall be Registered in Course According to the Date of the warrant Respectively without Preference of one before an other and that all & every person or persons shall be paid in Oourae according as their Orders Shall Stand registred

or Entred and that the moneys to come in by This Act Shall be in the same order Lyable to the satisfuccon of the said Respective Partyes their Executors Administrators or Assigns Successively without Preference of one before an other and not otherwise, and not be divertable to any other use intent or purpose ■ whatsoever, And Bee it further Enacted by the Authwity aforesaid that if any action bill plaint or information shall be brought moved or presented at any time hereafter against any person or persons for any matter Cause or thing done or acted in Pursuance or execution of this Act Such I'ersoo or Persons so sued or Prosecuted in any Court whatBoe\'er Shall and may plead the generall Issue not Guilty and give this Act and the speciall Matter in Evidence and if the Plaintiff or Prosecutor Shall be nonsuited or forbear Further Prosecucon or suffer Discontinuance or Verdict to pass against him the Defendant or Defendants Shall Receive Triple Coats for which they shall have the like Remedy as in case where Costs by the Law are give to Defendants Provided Always that noe mayor Alderman or Justice of the Peace ahall be troubled Sued prosecuted or molested for any Omicon Offence or Neglect by Virtue of this Act but within the space of one year After such Omicom offence or neglect and not at any time thereafter any thing Contained herein to the Contrary hereof in any wayes Notwithstanding. Alwayes Provided and Bee it Further Enacted by the Authority aforesaid that the

Digi-jzedbyGoOgiC

Severail Collectora of each Bespective Cittj and County as aforeaaid Shall have Liberty to pay the Severall and Respective gumes assessed as aforesaid at the Day aforesaid in Currant Silver money op for want thereof in good Sufficient and merchantable Provisions at the Currant Mercate price in silver money att New Yorke any thing contained herein to the Contrary hereof in any waj« notwithstanding.

THE FIBST ASSEMBLY.

Fourth Seemon.

(Begun Ang. 17, 1692, 1 Wm.. & Mai^, Benjamin.' Fletcher, Governor.)

[CHAPTER 21.]

[Chapter 21, of Livingston & Siultb and Van Schaach, wbere tbe title only is printed. Tbe act is printed In full In Fowler's Bradford, I diately after p. SI Title only is printed in Baskett, at p. IB, as been passed in ItidS. Tbe act la printed In full us buvlng been pa 1^3, in Bradford's, 1710, ed., p. 18; Bradford's, 1T15, ed., p. 18, Bradford's, 1732, ed., p. lu. It appears from tbe Minutes of tbe Co that the act was slsned by the Governor, September 10, 1S92. Baskett states that tbe act was repealed by the Crown, May 20, 1708. This was supplied by ch. 67. for note in reference to tbls act. see Fow Bradford, p. CXXXI.]

An Act for the restraining and punish-
ing Privateers and Pirates.
, [Passed, September 10, 1692.]

■RTiereaB nothing can more contribute to their Iltatiea Honour than that such articles as are concluded and agreed on in all Treatyes of peace should by all their Maties Subjects according to their duty be moet inviolably presei-ved and kept in and over all their Maties Dominions and Territorjes And Whereas against such Treatyea of peace made between their Maties and their Allyes severall of their Maties Subjects doe continually saile under Commioons of Forraigne Princes and States Contrary to their duty and good Allegiance and by fair means cannot be restrained from soe doing Bee it therefore Enacted by the Gover-nour Council and Assembly and it is hereby Enacted by the Authority of the same that froaa and after publicaoon hereof It shall be felony for any person which now doth or hereafter shall Inbabite in or belong to this Province to Serve in America in an hostile manner under any fforraigne Prince State or Potentate in Amity with their Maties without Spedall lycence for soe doing

Digi-jzedbyGoOgiC

under the hand and Seal of their Matiea Govemonr or Com-
mander in Clieife of this Province for the time being and that all and every snch Offender or Offenders contrary to the true intent of this Act being thereof duely convicted in their Maties Courts

of Judicature within this Proiince to which Courts Antbority is hereby given to bear and detenuine the same as other Cases or felony) sliali suffer palna of death without benefltt irf the Cle Pronded Xevertbelesae that this Act not any tbing th-ein con- tained shall Extend to any person or persons which now are or [have been in the service or iniployment of any Forraign Prince State or Potentate whatsoever that shall retume to this Province and leave and desert sucb senice and Employment before the fii-fit day of Sf^itember nest Ensueing rendring them- selves to their Matyce Gi>vemour or Commander in Ohiefe for the time being and gi\ing such security as he shall appoint for their future good behaviour and alsoe that they shall not depart this Province without the lyteiice of their Maytes Govemour or Conmiander in Chief. And for the better and more speedy Execucon of Justice upon such who having Committed Piracyea felonyes and Other Offences upon the sea shall be apprehended in or brought Prisonei's to this Prorince Be« it further Enacted by the authority afon-said Tliat all felonyes piracies robberyes murders or confederacyes committed or that hereafter shall be Committed upon the Sea or in any haven Creeke or bay within the Jurisdic^n of the Adminilty shall be inquired tryed heard determined and Judged in Such forme as if sucb Offence had been committed in and upon the land And to that end and pur- pose Commiccon shall he had under their Matyes Seal of this Province directed to the Judge or Judges of the Admirality of this Province for the time being and to such other substantial! persons as by their Maties Govemour or Commander in Cbeife of this Province for the time b(-ing shall be named or appointed which said Commiconers or such a quorum of th«n as by such Coiiimicon shall be thereunto autliomed shall have full power to doe all things in and about the inquiry bearing determining adjudging and punishing of any of the Crimes and Offences afore- said as any Commiconers appointed by Cominicon under the Great Seal of England by Virtue of a statute made in the twenty eight year of the reigne of King Henry the Eighth are impOT\'ered to do and Execute within tbe Kingdome of England And that the said Offenders which are or shall he apprehended In or brought prisoners to this Province shall be lyable to siic^ order processe Judgment and Execucon by virtue of such Commicon to be grounded upon this Act as might be awarded or given against

Digi-jzedbyGoOgiC

them if they were proceeded against within the realme of England by rirtue of any Commieon gro.onded upon the said Statute Be it further Enacted by the authority aforesaid, That all and every, person or persons that shall any way knowingly Entertain harbour conceale trade or hold any correBpondence by Letters or otherwise with any person or persons that Shall be deemed or Judged to be privateers pirates or other Offenders within the conBtruecon of this Act and shall not readily Endeavor to the beat of his or their power to apprehend or cause to be apprehended such Offender or Offenders shall be liable to be prosecuted against as accessaryea and confederates and to suffer such pains and penaltyes as in such case by law is I'rovlded And for the better and more Effectual! Execucon of this Act Bee it further Enacted by the authority Aforesaid That all Commieon Officers in their severall precints within thisPro\"ince are hereby required and impowered upon his or their knowledge or notice given that any Privateers Pirates or other persons suspected to be upon any unlawful design are in any place within t|jeir respective precincts to raise and levy such a number of well armed men as he or they shall think needfull for the seizing apprehending and carrying to Goal all and every such person and persons and in case of any resistance or refuisall to yield Obedience to their Matiea Authority it shall be lawfull to till or distroy such person or persona and all and e%-ery person or persons that shall oppose or resist by striking or firing upon any of the Commanded partyes shall be deemed taken and adjudged felons without benefite of the Clergy and every such Officer that shall Omitt or neglect hia duty herein shall forfeit fifty pounds Currant money of this Province for every such Offence to be recovered in any of their Matiea Courts of Eecord within this Province by Bill Plaint or Informacon wherein noe Essoine wager of Law or protection shall be allowed One moiety thereof to be to their Maties their heirs andSuccesaonraforand towards the Support of the Government of this Province and the contingent charges thereof and the other moiety to the Informer And all and every person and persons that upon orders given him or them, shall refuise to repay immediately with his or their amia well ftsed, and ammunicon to such place or places as shall be appointed by any Superiour Officer or Oificers and not readily Obey hig or their Commands in the Execucon of the premisses shajl be liable to such fine or corporall punishment as shall be awarded against them within the Courts to which the recognizance of the fact dotli belong.

D,g,;,zeclbyG00t^Ic

[CHAPTER 22.]

[Chapter 22, of Llvlngetoa & Smith and Van Schaacb, wbere the title only la printed. Printed in full In Fowler's Bradford, p. 53. Title l8 printed in Baakett, p. la For note In Ecference lo tbla act, se Bradford, p. CXXII.]

Ad Act for the Raieeing and Paying of two hundred and twenty nien witli theii- Prop- er Officers together with the Incidenlall Charges that Shall fliiBe thereon for the reinforcemt and St'curity of the frontiers of this Province at Alban; for Seaven Montlis.

[Passed, September 10, 1682.]

Whereas the Levyes appointed for the Defence of the Frontier* of this Province at Albany Doe expire on the first day of Octo- ber next and that it is absolutely Necessary that their should be continued at that place A Considerable Force for the security <rf this province as "well as for the necessary defence of their majesties neighbouring plantations Bee it Therefore Enacted By the Govemour Councdll and Representatives convened in Geuerall Asambiy and by the Authority of the same that his Excellency the Oaptaine Generall Doe Immediately upon the . publicacon hereof Issue out his warrants under his hand and scale to the Beverall & respective Military Officers of the severail and respective Countys- hereafter named for the raiisinff of two hundred and twenty men well provided with armes to be pe^ enitorily at Albany on the First day of October next Ensuing and there to continue and remain for the reinforcment and security of this prorince for the time and Space of Seaven Kal- endar Months to commence on the said first day of October and to Expire on the first day of May then next ensuing in snob Quotas and proportions in each respective County as is hereafter specified and Expressed to witt, for the Citty and County of New Yorte Sixty effective men, for the County of Westchester twenty five Effective men, for the County of Richmond Ten Effective men, for Kings County four and thirty Effective men, for Queens

County fourty four Effective men for the county of Suffolk fonrty five Effective men for the County of Orange two Effective men. And Bee it Further enacted by the authority aforesaid that if any of the Respective military Officers in the Respective countyB aforesaid shall after the receipt of the warrants From the Cap- tain Oenerall in manner aforesaid faile neglect refuse or delay to Execute the said warrants according to the true int«it and meaning thereof shall for such th^r failure or neglect Befoasall

Digi-jzedbyGoOgiC

or dday Aiuwer the same Before the captadn Generall or such other Officers as be shall appoint and there suffer such Mulcts, I'aiDS and pnnialiTnenta as by the Captaine Ueaerall miaU be thought couTeuieot, According to the liaws And Articles at warr in that case made and provided in their majesties Bealme of England any thing contained herein or in any other I^w to the Contrary here<tf in any wayes notwithstanding and for the pay- ing and maintaining the said tno hundred ajid twenty men and their proper Officers, be it Enacted by the authority aioresaid that a Levy of two thousand eight hundred and sixty pounds currant money of this province be Laid Asaessed Boised and Levyed upon all and every the Inhabitants residents and Free- holders of and in this province for the paying and maintaining (rf the said two hundred men twenty men and their proper OIBcera together with the Incidentall charges that shall arise thereon for seaven Kalendar numths as aforesaid and for noe other use intent Or purpose whatsoever to be lay, Assessed Raised Levyed and paid to their majesties Collector and Receiver Generall for the time being at their Majesties Oustome house in the Oitty of New Yorke on the first day of Aprill next ensueing Which will be in the yeare of our Lord one thousand six hun- dred ninety and three Accordinjj to .the Rates and proportions Following that is to aay For the CStty and County of Xew Yorke Seaven hundred & eighty pounds for the pa,ring and maintaining of sixty men being their Quota and proportion of the two hundred and twenty men and Officers as aforesaid for the County of Westchester three hundred twenty and five pounds for the paying and main- taining of twenty five men being their Quota and proportion as aforesaid for the County of Hichmond one hundred and thirty

ponnds for the paying and maintaining of tenn men being their Qnota and proportion as aforesaid, for the County of Suffolk five bnndred eighty and five pounds for the paying & nLaintaining of forty five men being their Quota and proportion as aforesaid, for Eings County four himdred fourty and two pounds for the paying and maintaining of thirty four men, being their Quota and proportion as aforesaid for queens County five hundred waventy and two pounds for the paying and maintaining fourty four men being their Quota and proportion as aforesaid, for Orange County twenty six pounds for the paying and maintaining of two men being their Quota and proportion as afore- ' eaid And be it further enacted by the authority aforesaid that for the better Assessing raisoing and paying the sume of two thousand eight hundred and sixty pounds Aforesaid the 'Mayor and Aldermen within the Citty of New Yorke for the time bcdng

. Google

and the Justices c^ the peace for the time being for the severall and respective Countys aforesaid for the severall Countys Respectively for the which they shall be justiceH of the peace do within fourty days after publication hereof Assemble and meet together in the Court houses for the severall Respt'Ctive Cittys and Countys or such other place or places as they shall Agree upon amongst themselves and shall there order that the Assessors & CoIIet;tor8 for tlie severall and respective Cittys Towns mannors and Libertya within their severall Jurisdictions for the Assessing Collecting & R<H:eiving of the publick rates for the defraying the publick and necesary charges of each Eespective Citty and County aforesaid Be the Assessors and Collectors for the Assessing Collecting and receiving the same OP Sumes of money hereinbeforemenconed according to the pn>- poroons before Expreseed as to the said Jtayor and Aldermen and justices shall seem meet and reasonable And Forasmuch as their are severall mannors and Jurisdicons within the severall countys Aforesaid who neglect and do not elect annually or once every year Assessors and Collectors whereby the Intent of this act may be frustrated. Bee it Therefore Enacted by the authority aforesaid that if the Respective mannors and jurisdiccons within the severall Countys aforesaid Shall Refuse or neglect to elect assessors and Collectors for the Aeeessing of their Respective

mannors and Jurisdiccons and for the Collecting the same according to the Intent dlreccons of this act then and in such Case the Justices of the peace of the Countys where such man- nors and jurisdiccons are, are hereby authorized to ^N'ominate & appoint AssessM's and Collectors For such mannrs and juris- diccons as shall neglect or Refuse as aforesaid Which Assessors and Collectors shall to all Intents and purposes Observe the Bireccons of this act Any thing contained herein or in any other Law to the Contrary hereof in any wayes notwithstanding And be it Further Enacted by the Authority aforesaid that the said Mayor and Aldermen and justices of the peace for the spective Cittys and Countys Mannors and jurisdiccons have and shall have Power and authority by Virtue of this Act each of them by himself to Administer an Oath to the said Assessors Well, truely Equally, Impartially and in due proporcon as it shall Appear to them Accoi-ding to their best understanding to Aasesse and rate the Inhabitants, residents and Freeholders of the Respective places for which they shall be chosen Assessors and be it further enacted by the authority aforesaid that if any person or persons who shall be Chosen Assessors or Collectors shall Deny, Neglect, or Refuse Unequally or partially Assess, or Befnse to make snch Assessment as by this Act is Required

Dig'izedbyGoOgiC

or Shalt Deny, N^lect or Befuse, to Collect an; aome or sumes of money ia forme before niencoued Assessed that then and in such case it shall and may be Lawful! for an; two Justices of the peace of the Cittys and Countys where such Offeneder shall hap- pen to Dwell or Beside and who by Virtue of this Act are Required and Impowered to do the same by warrt under thdr hands and seales to Commit such Assessor or Assessors Collector or Collectors so denying, neglectiny or unequally & Partially Assessing to the Common Oaole there to remaine witliout baile or mainprize till he or they shall make fine or ransom to their Majesties for such their Cmitempt as aforesaid. And Bee it farther Enacted by the authority aforesaid that if any Per- son or Persons of what Degree or Quality soever he or they be within this Province who shall be Assessed or Rated any sume or soDiee of money by virtue of this Act to be raised & leveyed shall Deny, Befuse or Delay to pay and Satisfle the same that

then it shall and may be Lawfull for any such Collector by Vir-
tne of A warrt under the hand and seale of any Justice of the
Peace for the Citty and County Where such Offender shall dwell
or reside who by Virtue of (his act are Required and Authorized
to Orant and Issue Fourth Such warrt to \eyj the same by
dlstrees and sale of such Person or Persons Goods and Chatties
Betaming the overplus if any be to the owners the sume
Assessed & the Charges of Distress and sale OF SUCH PERSON
OB PERSONa and also be it further Enacted by the Authority
aforesaid that if any Mayor Alderman or justice of the peace
within this province Who are hereby Required Impowered and
Authorized to take Effectuall Care that this Act and Every
Article and Clause therein be Duely Executed According to the
true Intent AND MEANING therof Shall Deny Refuse Neglect
or delay to do, perfonme fullflll, and Execute all and every or
any of the Dutys, Powers and Authoritys by this Act required
and Impowered by him or them to be done Performed Fulfilled
and Executed and shall therof be Con\'icted before his Excells
THE GO\'EHN0R and Captaine General! and Councill and the
Justices of the said Courts shall be adjudged And be it further
Enacted by by the Authority aforesaid that if any Accon, Bill,
Plaint or Information Shall be brought moved or presented at
any time hereafter Against any Person or persons. So sued or
prosecuted in any court or Acted in pursuance or Execucon
of this Act Such Person or Persons So sued or prosecuted
in any Court whatsoever shall and may plead the Generall Issue
not guilty and give this Act and the S^eciall matter in Evidence
and if the Plaintiff or Prosecutor shall be nonsuited or forbear
Farther prosecucou or suffer discontinuance or verdict to pass
against him the defendant and defendants shall Receive triple

. '.ioogle

Costs for whieli they sball have the Like Remedy as in case
where Costs by the Law are given to defendants Provided all-
wajes that no mayor Alderman or justice of the peace shall be
troubled BHed, or molested foe any omicon OfEence or n^lect
by Virtue of this Act but within the space of one year after such
omicon Offence or neglect and not at any time hereafter any thing
contained herein or in any other law hereof In any waves
notwithBtandlng Allwayea provided and Be it Further Enacted

by the Authority Aforesaid that the severall Collectors of Each Respective Citty and County as aforesaid shall have Liberty to pay the severall and Respective sumes Assessed as aforesaid in Currt silver Money at New Yorite or for want thereof in ^ood Sufficient and Merchantable Provisions at the Bates and Prices hereafter specified and Expressed to Witt, good and Slerchant-able rorke at the Rate of fifty shillings Pr Barrll the Barrell well Eepackt by the sworne packer at New Yorke and the Barrll Conteining thirty one gallons and a halfe Winchester Measure at Least, Beefe at the Bate of thirty two shillings and six pence Pr Barrill Well Repackt by the Sworne Packer at New Yorke aforesaid the Barrill to conteine thirty one Galons & halfe Winchester measurer at Least, GJood Merchantable Winter WTieat atfour Shill:FrBu8hell, Tryed Tallow at four pence halfe pennce pr pound.

[CHAPTER 23.]

[Chapter 23, of Llvlagaton & Smith and Van Scbaack, where the title oul7 is printed. Printed in full In Fowler'8 Bradford, p. G7. Title Is printed In Baskett. p. IS. The act expired March 1, 1692. , For reference to this act, see Fowler's Bradford, p. CXXIl.]

An Act for the raiseing of eighty men fai Ulster & Dutchess County to be Em-■ployed for the Beinfoirceing andl security lof Albany from the fifteenth day of Decem-ber next to the first of March then Ensuing.
[Passed, September 10, 1692.1
■Whereas the County of lister & Dutchess County are Excused froBn their Quotas of three hundred men they Are to Provide Eighty men for the Reinf orcemt of Albany in the time of the most eminent Danger Be it Enacted by the Govemour and Councill and Representatives Convened in Generall Assembly and by the Authority of the same that the Govemour do Issue out his Warrts under his scale to the Military Officers of Ulster and Dutchess County to Levy eighty effective men with their Armes, to be peremptorily at Albany on the fifteenth day of December next there to Continue & Bemain for the reinforcemt Security and Defence of the ff rentiers there untill first Day of March th«i

next ffolloweiug and alao that the Capt O^eerall would fonue

the said Kuiuber eighty Effective men into such Ocnupanies as he shall think Convenient and to Comniicoinate and Appoint bo many officers over them as he shall think needfull in the said County and Be it Further Enacted by the Authority aforesaid that the said Counties of Ulster and Dutchess County shall at their owne proper Costs and Charge wdl and Sufficiently pro- vide that the said eighty Effective men he well a^d suffi- ciently provided with, beer, bread and meat and ammuni- con dureing ye time that they shall be Employed in the service Aforesaid and also take Effectuall Care that all and e\'ery of the said Effective men be well paid according to the Kings Estab- lishment after the Expiracon of the said Service, and Like- wise that they shall be employed in the service afore- said under such officers as shall be oommlconated, and Apointed over them According to the Establishment aforesaid. And Be it further Enacted by the Author- ity aforesaid that if any officer Civill or military within ye Said Oountys shall Delay, Keglect or Refuse to Performe and Execute the Severall & Keepectire Articles and Clauses of this Act according to the true Intent and meaning thereof he or they so Neglecting, Befuseing or delaying shall be Lyable to such Penalties, Respectively as are in Case of Such Befusall, Neglect or delay Provided in the other Act of this Present SesfflODs, Intituled An Act fw the raisedng and paying of two hundred men &c.

THE SECOND ASSEMBLY.

J>'irit Session,

(Begun Oct. 26, 1692, 4 Wm. and Mary, Benjamin Fletcher,

Governor.)

[CHAPTER 24.]

[Gbapter 34. of Livingston & Smith and Van Scliaack. where the title oaiy Is printed. Printed in full In Fowler's Bradford, p. 58. Title is printed in Baskett, p. 18. For note in reference to this act, s Fowler's Bradford, p. CXXII. The act was continued by ch. 34.]

An Act Establishing a Revenue upon their Majesties for the defraying the pub- lick and necessary Charges of the Govern- ment.

[Passed, November 11, 1692.]

The Representatives of their Majesties rro\ince of New York, oonvened in generall Assembly takeing into- their con^deracoo

ibvCoot^lc

that the Act made for the establiahhig a Revenue for the defray-ing the Pubiick charge of the Province doth expire and termin-ate according to the IJmitacon in the said Act made and Pro-vided on the eighteenth day of May next and they being likewise sensible of the great and urgent OceaBions which doth daylj press th«r Majesties to an Extraordinary Expenee, for the defence of this their Pronnoe and Dominion against the designes and Invasion, of the Common Enemy. And finding it also necessary that in this time o< soe great and Eminent dautfer that their Jtfftiestiea (povBmmt over this Proninoe ehonld be hon-onrelysupported and maintained. They in most thankful! acknowl-edgment of their Majesties Tender care, of the wellfair of thrfr subjects in this Province have chearfuUy and unamlnously for tW Purposes aforesaid, given and granted and do hereby give and grant to their Majesties, the Be\-erall rates and duty's of Excise hereinafter menconed And doe most humbly beseech that It may be Enacted. And be it therefore Enacted by the Gover-nour and Councill and Representatives now met in generall Assembly And by the authority of the same that from and after the eighteenth day of May next which will be in the year of our Ijord 1693, there shall be throughout this their Majesties Province of New York and the terrytorye's depending then«n in America- Raised, Levied, Collected, and payd for the Purpose and Intent aforesaid dureing the Space and terme of T«'o year's fnnn the eighteenth day of May aforesaid and no Longer the Bates and duty's of Excise hereinaftermenconed In manner and form following {that is to say) for every Oalland of rum brandy and distilled liquors that shall be imported into this Province and dependancyes aforesaid the snme of four pence Currant mony of this Provini^, and for every pipe of Madera, mamaey, ffeyall, St Georges, Pisada, Canary, Ifalaga, Sherry, and all Sort's of Sweet wynea the Summe of forty ehillings Currant mony aforesaid and So in Prporcon for all greater and Smaller Quan-

tltyes imported as aforesaid and for every hogshead of red, white and Rhenish wym« the sume of twenty shillings Currant mony aforesaid, and so in ppcon for all greater and smaller quantity's imported as aforesaid and upon all other Mercliandisea imported into this Prorince and dependancies aforesd tlie sume of forty shillings Currant mony, aforesaid, for every hundred pound prime cost's except these hereafter specifyed (vlst) salt, brick, pantyle Ooales, ffish sugar, Mallassoes, Gotten, Woll, ginger, Logwood, Brazeletto, Pustick or any other sort or dying wood. West India hydea, Tobacro, Bullion, Plate, Cocoa, Pork, Oyle, Tar, flax, soap. Candles, Tallow, Cheese, butter, Beef, whaleboan. hop's, Apples, Pears, Syder, fyrewood, Planks, boards. Peltry,

Digi-jzedbyGoOgiC

beaver, sheep's, wool, Odj on's, dressed and undressed Deer skins, hony, beese wax, baywax, Indian corn, wheat, Barly, Bye, Peese, or any other sort of grain, or any other thing of the groat and production of our neighbouring Coilony's and Plantacons iu America, And be it further Enacted by the authority aforesaid that there be also given and granted unto their said Majesties for the latent aforesaid upon all Merchandises commonly called by the Name of Indian Goods as duAtelds, Stroud's Blankett's plains, halfe thicks, woolen stockings, white osend kittles, hatchet's, boee, Bedlead, Vermillion, Gotten, red kersey's knivee, Indian Haberdasher;, and other Indian goods the sume of five pounds Currant mony aforesaid for every hundred pound's prime cost which shall be imported into this Province and dependencies aforesaid over and abo^'e the forty shillings for every hundred pounds Prime costs before given and granted to their Majesties by this present Act, and tliat the valine of the prime coat shall be at the rates hereafter menconed (vist) Indian dutHeldstobevalluedattwoshlllini^ and four Pence P yard, Indian strouds hatfe a peace four pound's, a whole peece eight pound's, Indian Blanqiletts each piece four pound's, Indian plain Gotten eighteen pence P yard, half thicks two shillings and twopence P yard Indian white oesend the English ell, eight pence, Indian Kettles under eight gallons the hundred weight six pound's Indian hatchet's the doxen twelve shillings, Indian hoea the dozen twelve shillings, redled each hundred weight twenty shillings, Vermillion each pound four shillings. Gotten P yard

sixteen pence, red kersey V yard two shillings and Six pence, knifes P dozen three shillings, Indian shurt's P dozn twenty shillings, Indian drawing knifes, looking glasses, Indian wooden Comb's, Indian Beed's, tobacco in roll, Indian bells, sizers, Je%vB harps, Indian Points, drills, tobacco Pipes, little painted boxes, Anles, sword, blades, Copper tobacco boxes, Tinsey Lace, Indian gimp Lace, needles, tobacco tongues, Indian powder horn's, Indian woolen stockings, and Indian steel's, the sume of six pounds Currant mony aforesaid over and above the two P C«it aforesaid for every hundred pounds valine prime cost, And be it further enacted by the authority aforesaid that there be also given and granted to their Majesties for the intent aforesaid for every barrell of powder six shillings, for every hundred pounds of lead six shillings for every gunn with or without a Lock six shillings, for every gallon of rum four pence currant mony afore-said, which shall be carried up Hiidsons River in any Vessel sloop or Canoe or any other way whatsoever. And he it further Enacted by the authority a/oresaid that there be also given and
37

Digi-jzedbyGoOgiC

granted unto their aaid Majesties for the Tpose aforesaid the duty's of Excise upon all Liquors Retailed throughout the Prince and dependency's aforesaid under the quantity of five gallons, the sume of twelve Pence Currt mony aforesaid for each gallon so retailed (beer and fJyder only excepted) and likewiae the sume of six shillings for each barrell of beer and Syder strfd by retaile throughout the Pvince And it is further Enacted by the authority aforesaid that there be given and granted unto their said Majesties for the use aforesaid a rate and duty upon the furrs and I'eltree, hereafter mentioned that shall he exported out of this I'vince and dependency's (that is to say) for every beaver skinn, commonly called a whole beaver the sume of nine Pence Currant mony aforesaid, and that all other furr'a and Peltry be" rated and vallued accordingly that if to say two halfe beavers the sume of nine pence Currant mony aforesaid for four Lapp's nine pence, for three drilling eighteen pence for teno raccons nine pence for four foxes nine pence for four fishers nine Pence, for five Cat's nine pence, for six minks nine pence, for one Otter six pence, for two l»are skins nine pence, for twenty

four musk rats nine pence, for tenn matter's nine Pence for every four and twenty pound's of deer and mouse akinne nine pence and for every Oxe, bull and Cow Hide aloughtered in the Province, and dependancy's six pence and alt other Peltree to be vallued to a whole beaver nine Pence And for the due and orderly Col- lecting of the aforesaid Rates and duty's of Excise And also for preventing of frauds and Embezelmenta of the said rates & duty's of Excise Be it further Enacted by the authority aforesaid that all ships and Vessella whatsoever that shall come to any Port Creek or harbour witJiin this Province and dependencies to trade or trafflque, the Master, Mate or l^iirser ahall come to such place or places as shall be appointed By the Oovernour for the time being and there make report of all anch Parcell or ParcelJ's of Merchandizes and other thing's that he or they hath on board said ship or Vessell, and also declare upon their Corporall Oath, that he or they hath not broak bulk since his or their arrivall, within the Province before he or they made such report as aforesaid And also that all Merchant's that have any good's or Merchandizes on board such shipp's or Vessell's as aforesaid shall at such Place or Places as is above directed make a true and distinct entry of all such Parcell or Parcell's of good's or Merchandize he hath on board such shipp or Vessell according to the Prime Cost and if any difference should arise about the valine of the said pood's Their Majestiea rx)]lector for the time being is hereby authorized to Administer to all or any such Person or Person's making such entry their CorjKwall Oath that

DicnzedbyGoOglc

said Entry \b according to the invoyce or Invoyces sent to them from the place or places from whence auch good's or Mer- chandizes did come And it is further Enacted by the authority aforesaid that if any Master Mate or Purser of any ship or Ves- Bell whatever or any Merchant ffactor or other ehall contrary to these Rules above directed, brak, bulk or Land any goods or Merchandize whatsoever before he or they make report or entry and pay such dntys as is required by this Act Then and in such case the Master of such ship or Vesseil that ^all break bulk before makeing such report as aforesaid shall upon pro<rf made thereof by Two sufBcient and Lawfuil Evidences forfeit his said ship or Vesseil with all her tackle furniture and Ammu-

nition one third unto their Majesties one third unto the Oovemor and one third imto the informer to be sued fw in any Court of Record within this Province by byll Plaint or Information wherein no Essoygne Protecion or wager of Law shall be allowed And also all such good's as shall be Landed without Entry made as aforesaid shall be in like manner forfeited one third unto their Majesties one third unto the govemour and one third unto the informer to be sueJ for as aforesaid And be it further Enacted by the authority aforesaid that all Masters of ship's or Vessells that are within this Province and doe not belong unto the same or any part thereof and bound to any Port within or without this Prorince shall before they take any Merchandises above Expressed cmne to such place or places as shall be appointed for the Collecting of the rates and duty's Established by this Act, and there make entry and report of their design and enter into bond in the vallue of One thousand I'ounds Currant mon'y of New York, with sufflciont Surity's that tbey shall not take on board directly or indirectly any goods or Merchandises afore receited and Expressed without such Permit or certificate from the Collector or any haveing authority under him, for the same, and if they doe take on board any goods or Merchandises afore recited and Expressed contrary to the true intent and meaning of this Act then they shall forfeit their said bond to be sued within three month's after such fact Coni- mited or otherwise to be voyd and of no force and virtue And all Master's of shipp's, sloop's boat's, or any other Vessell's belong- ing to this Province' and its dependencies shall once in the year* repair to the custom' house or to other place or place's that shall be appointed for that Purpose and there enter into bond to the vallue of One hundred pound's Currant many aforesaid that they shall not directly or indirectly take on board and carry away out of this IVovince any of aforesaid good's and Merchan- dizes without first makeing entry thereMT and paying such

Digi-jzedbyGoOJ^Ic

Bates and duty's as are before recited and Expreased, And if they do take od board any of the ofiM'eeald good's and Merchandiaes without makeing entry thereof or pay- ing the rates aztd duty's afoi^said then the said bond ahall be forfeited, And for the due and orderly Collecting of all Duty's

of Excise hereby given and granted Be it further Enacted by the authority aforesaid that all Retailers of wyne Rum Brand; or any other strong Liquors within this Province or dependencies shall upon their I'urchase and Receipt of all such Liquor or Liquor's before Expressed and Exoisaable come to the office or ofBces of the excise and there or with him make entry of all auch Liquor or Liquor's as they shall buy or receive and pay such duties as are hereby appointed within twenty-four hours' or at such Convenient time as the Officer of the Exciae shall appoint and on default thereof all such Liquors as Shall be found in any Betailws House or wharehouse seller or other place, belonging unto him within this I'rovince or dependencies and have not been duely entered and Payd the duty's and Excise, as aforesaid then and in such case upon the Testimony of two Evidences before any Justice of the Peace within this Province and dependencies the said Retailer or B*'tailer's so Offending in the Premieaea shall forfeit all such Liquors and three times the vallue theruof one third to their Majesties one third to the governor and one third to the Jnfonuer who shall I'roseicufe the same before any Justice of the Peace throughout this Province and dependencies who are hereby authorizi'd and emi)owercd to hear and determine the same and if need be to Issue out thdr warrants for the seizing and condemning of all such Liquor's forfeited as aforesaid. And for Commiting to goale all such Retailers of Liquors who have not entered and Payd the duty's of excise in manner aforesaid there to remain without bayle or mainprise untill they shalt satisfye and make pa,\Tnent of three times the vallue of such Liquors seized and forfeited as aforesaid And be it further Enacted by the authority aforesaid that if any Person or Persons within this Province and dependences not being ducly Lycenced shall at any time hereafter Presume to sell by Retalle any of the Liquors aforesaid that is to eay a Less Quantity at one time Than five gallons the Person soe offending shall forfeit and Pay the sume of five pounds Currant mony aforesaid for every such offence being thereof convict by the oath of two or more Ei'idences to be sued as aforesaid before any Justice of the I'eace throughont the Province and to be imployed in such manner and Proportion as aforesaid, Alway's Provided that it is the true intent and meaning of this Act that no Retailers of Liquor's imder five gal-lon's or any other that sell any Liquor or strong liquors shall

.., Google

take any such liquor into their houses, sellera or Warehouses or into any other place, helonging unto them in New York and Albauy but by the hands <rf the swoi-n I'orter's under the penalties aforesaid to be sued and Beco\'ered for the usen aforesaid in manner and form' as aforesaid I'rovided aiway's and it is hereby understood, that there shall be no duty payd nor torfeiture upon any goods or Merchandizes Tliat are not Landed within this Pnrvince' or Immediately transported again' without being Landed or sold in this Province and Dependencyes Aiway's Provided that all Merchant's Qiiallifyed to trade by the acts ot Navigation and Eegulateing tlie Plantation trade. Comeing into this I*rovince or any parts thert-of Be well and Honestly treated and Demeajied for such things as by this Act is granted without opprfiBsioQ to he don' to them Paying the duty's aforeeaad.

[OHAPTEB 25.]

[Cbapter 25, of LIvlnKBton & Smltli anO ^'an Scbaack, where thp titl only la printed. Printed In full In Fowler's Bradford, p. 74. Title Is printed In Baakett, p. 18. Cont1nue<l by oh. 45. For note In re to this act. see Fowler's Bradford, p. CXXVII.]

An Act for the Encourageing A Poet Office.

TPaased. NovemlKr 11, 1692.]

Wliereas their most Excellenct Majesties by their Letters Pattent under the Great Seal of England hwiring date the Spuventeenth day of ffebruary in the year of our Lord one thousand Six hundred ninty one hath given unto Thomas Neal Esqr his Executors Administrators and assigns full power and authority to Erect Settle and Establisli within the chpif part's of their said Majesties Coliony's and Plantations in America an OfHce or Offices for the Heceiveing and dispatching of Letters and I'acquets and to receive, Bend and deliver the Same under Such Rates and Bummes of money as the Planter shall agree to give &c to hold and Injoy the same for the term of One & twenty year's which Such powers and ClaHses as are necessai^ on that behalfc as by the Sayd Letters Pattents Relation being thereunto had may more fully and at Large apear'. And Whereas Andrew Hamilton Esqr is I>eputed and Constituted to governe & manage the Said generall Post Oflice for and throughout all their Majesties Plantations and Collonyes upon the main Land or Continent of

America and Islands adja<'ent Thereunto, pursuant to the direc-
tions of The Said Letters, Pattent's, And Whereas he the Said
AndrewHamiltonhathmadeaplicationto hisExcellency The flov-
emour and Councill and Representatives Convened in Generall

. '.".oogle

Assembly that the; would Ascertain and Establi^ Such Bates and
Sammes of mony upon the Letter's and pacquett's that shall be
received and dispatched by the said Office and OfBcea for the
Effectual! Encouragement of the said generall Post Office And
for the Quicker maintei nance of mutuall Correspondencey
amongst all out Xeighbouring CoUony's and Plantations afore-
said and that Trade and Commerce may be the better preserved.
Be it therefore Enacted by the Goveroour and Councill and Bep-
resentatiyes Convened in generall AsBembly and by the authw^ty
of the Same That there be from henceforth, A generall Letter
office erected and established in Kome Convenient places within
this City of Xew York from whence all Letter's and Packquet'a
whatsoever may be with Speed and Expedition Bent into any
part of our Neighbouring Collony's and plantations on the main
Land and Continent of America or to any other of their Majes-
ties KiQgd(»n's and Dominions beyond the Bea's at which Said
office all returns and answers may be likewise received, And
that one Master of the Said generall Letter office shall from time
to time be apointed by the said Andrew Hamilton, which Bald
Master, of the Said Office or his Servant or Agent and no other
person or persons whatsoever Shall from time to time have the
reciveing, takeing up, ordering dispatching, Sending post or
with Speed, and delivery of all Letters and Packquets whatso-
ever which Shall from time to time be sent to and from all and
every of the adjacent Collony's and Plantations on this main*
Land and Continent of America or any other of their Majesties
Kingdcnus and Dominions beyond the Seas where he the Said
Post Master Generall Shall Setle or cause to be Setled Posts or
Huning messenger's for that purpose, except Such Letters of
Merchants and Masters which Shall be sent by any Masters of
any Ship's, barques, or other Vesaells of Merchandize or by any,
other person imployed by them for the carriage of Such Letters
aforesaid according to the resepective directions as also to
Except Letters to be Sent by any Prii-ate friend or friend's in

their way's and Journey's or Travell or by any Messenger or Messengers, Sent on Purpose for or concerning the private affaires of any person or persons. And be it further Enacted by the authority aforesaid that Such I'ost Master for the time being and noe other person whatsoever Shall prepare and provide horses and furniture to Let to byre unto all through Post's and PerSon's Bideing In Post with commission or without to and from all and Every of the adja^rent Collony's and Plantations on this main' Land or Continent in jVmerica, where any Poet Boed's are or Shall be Setled and Established, And Be It further Enacted by the authority aforesaid that it Shall and

.., Google

may be lawfull to and (or the I'ost Maaier generall aforesaid and hiu Deputy & Deputy's by bim tliereuoto Sufficiently autliorised, to ueiuaud bave, Kfi.eivf? and take for the I'ovtage and convey- ance ol all bucu ^.elterB which he Shall Soe convey, carry or Bend Post as aforesaid, & for the I'roriding and furnishing hoi'ses for through I'oet'a or Persons rideing in I'ost as aforesaid accord- ing to the severall rates and Suuinies of Currant mony of this province bereafter mentioned not to Exceed the Same (that is to Say) that the I'ost of every Single letter to or from Europe the west Indies or else where to and from beyond the Sea's, nine pence Currant mony aforesaid, and Soe in proportion to the greatness or Quantity of Bnid Lettei-s and ftor the I'ost of Eveiy Single Letter from Boston to Kew Yoii. or from Maryland to New York nine pence currant mony aforesaid, and Soe in pro- portion as aforesaid, and for the post of every Single Letter from Virginia to New York twelve pence currant mony aforesaid, and So in proportion as aforesaid, and for the post of every Single Letter to or from any place not exceeding eighty miles distance from New York four pence halfe penny currant mony aforesaid and Soe in proportion as aforesaid, and for the more effectuall encouragement of the said genenill post Office Be it further Enacted by the authority aforesaid That all of the Respective Post Masters that Shall I>e Setled in the respective Stages for the Purpose aforesaid throughout the Province Shall dureing the space & time that this Act Shall be in force be fi-eed and Exempted from excise and all Publick sen-ices whatsoever Except- ing the Post Master of the City of New York who is only exemp-

ted from publick Services, And be it further Enacted by the authority aforesaid that no I'ei-son or Pfi-aons whatsoever or body Politick or Corporall other then the Post Master generall aforesaid Shall presume to carry Recarry or deliver Letters for hire other then as before excepted or to set up or imploy any foot post horse, Post or Pacquet boat whatsoever for the Carrying conveying and Receiveing of any Tjetters or Pacquets by sea or Land within this Frovince, or ahall provide and maintain horses, and furniture for the horses of any through Post's or Person's Rideing Post with a guide and horn as is uanall In their Majties Realme of England upon payn' of forfeiting the Summe of One hundred pound's Currant mony aforesaid, for every Severall offence against the Tenour of this present act to be Siied and Recovered in any Court of Record within this Province by byll, plaint, or Information wherein no Essoine, protection or wacer of Law Shall be ndmitted, one halfe of the Sayd forfeiture to the Govemour and the other halfe to the Post Master generall, who shall Sue and prosecute the Same. Be it further Enacted

b.v the authority aioresaid that all Lettera and Pacquetta that by any Master erf any Ship or vessell or any of his Company, or any I'asaingers therein Shall or niay be brought to this port of New York, other then Such Letter's as are before excepted, Shall by Such Master Paaeinger or other l*eraon be forthwith delivered unto the Post Master of New York for the time being or unto his Servant or Servant's and by him or them to be delivered accord-ing to the Severall and respective directions of the same, Pro-vided that no Letters goeing up or comeing down' Hudsons River and goeing to and from Long Island Shall be carryed to the Post Office any thing herein contained to the contrary hereof not-withstanding Provided alway's that nothing herein mentioned Shall be in force any Longer then three year's next and after the publication hereof any thing to the Contrary here<rf in any way's notwithstanding.

[CHAPTER 26.]

[Chapter 26. of LlrlnKBton & Smith and Van Scbaack. where the af4 Is printed In full. Printed In full In Fowler's Bradford, p. fi9; B p 13. The act waa confirmed by tlie Klnir, May 11, 1097. (See Fowl Bradford, p. CXXXVI.) For note In reference to this act see Fowler's Bradford, p. CXXV.]

AN ACT for the Setling of ffaires' and Marquets' in each respective Citty and County throughout the Province.

[Passed, November 11, 1682.]

WHEREAS great inconvenience doth arise to the Inhabitants' of the Province for want of certain Marquet day's in each respective City and County throughout the same, and the trade of the Province is likewise very much discouraged for want thereof, as well as for the Want of Publick ffairs' in each respectie City & County to be held and kept at least once in Every year for Remedy whereof and that Trade and Commerce may be the better encouraged and propagated for the good and well of alt the Inhabitants aforesaid, BE IT THEREFORE ENACTED by the Oovernour and Councill and Representatives convened In Gcnerall Assennbly and it is hereby Enacted by the authority of the same, that there shall be held and kept in the respective County's aforesaid upon every Thursday of the week at Jamaica within Queens C-ounty on Long Island; and on every Saterday of the Week, at Kingstown in the County of Ulster and on Every Wednesday of the week at Westchester in the County of Westchester Publick & open marquets, to which marquets it shall and may be Lawfull for all and every the Inhabitants and sojoamours' of this Province to goe frequent & resort and

tlLitliei> to carry all sorts of Cattle grain Victual), ProvisitHiB and otber necessarja' togeather with all sorts of MerchaDdize whatsoever and at the Publick marquet place that shall be assigned and appointed In each respective Town aforesaid them to Expose tor sale, or barter ingroBB or retails bertween the bowers of Eight of the CIocli, in the morning and sunn-set of the same day, without the payment of any toll, or any otber Let, hindrance or molestacon whatsoever. AND BE IT FURTHER ENACTED by the authority aforesaid that there shall likewise be held and kept in each respective City and County throughout the Province and at the times & places hereafter named twice yearly and Every year a ffair to which fair it shall and may be Likewise lawful!, for all and Every Pa-son or Persons Inhabitants Strangers or sojournours of this Province &c, to the said place and places at the said time and times when the said

respective fair & fairs are to be held & keept to goe frequent and resort and wither to carry or cause to be can-yed all sorts of Cattle horses Mairs, Colts, grains Vix;tuallB I'rovisiona and other necessarys togeather with all sorts of Merchandize of what nature soever and them to expose to sale or Barter in Gross or by retaile at the times houres and seasons that govemours or Rulers of the said Respective fairs for the time being shall pro- claim & apoint. And be it further Enacted by the authority aforesaid that there be kept yearly for the City and County of New- York, two fairs at the City of New-York, the first fair annu- ally to commence the last Tuesday of Aprill in every year and to end upon the f ryday then next following being in all four days inclusive and no Longer, And tlie seicond fair to commence the first Tuesday of November in every year, and to end upon the fryday then next follo»wing being in all four days inclnave & no Longer. AND ALSO that there be held and kept one fair annu- ally and once a year for Kings County on Long-Island at fflat- bush in the said County to commence the second Tuesday of Octo- tober in every year and to end the fryday thee next following being in all four days inclusive and no Longer. AND also that there be held and kept two fairs yearly for Queens County on Long-Island, the first fair to be held annually at Jamaica, within said County on the first Tuesday in May in every year and to end on the fryday then next following being in all four days inclusive and no Longer. The second fair to commence on the third fuesday of Octob. and to end the fryday then next fol- lowing being in all four dayes inclusive and no Longer.

And aJso that there be held and kept two ffairs yearly for the County of Suffolk on Long-Island, the first ffair to be held anna- ally ai BoutlMimpton, the first Tuesday of July in every yoar, and

Digi-jzedbyGoOgiC

to end OQ the fryday then next following hviag in all four days iuclusive, and no Longer and the 8ee<»id fair at aouthold to coiu- ineuee the eec-ond Tuesday of 8epteint>er and to end upoD the FryAay then next following, being in all four dujB inclusive and no Longer. .Vnd also that thei'e be held and kept in the Cit; and County of Albany, two ffairs yearly the flrat ffair to he kept at Albany and to Coouueice the third' Tuesday of July and

to «nd on the fi-yday then next following being in all four dayu inolusire and no Longer and the second fair to be held at <Jrawlw in Eenselaer Wyck on the third Tuesday in October, and to end on the tfryday following being in all four dayes inclu-sive and no Longer. And also, tliat there be held and kept two fairs yearly for the County of I'lster, the ffirst to be kept at Kingstown the Thii-d Thursday in March, and to end on the Baterday next then following being three days Inclusive and no longer and the second fair to begin the second Thuraday in October and to end the suterday following. And a\»o that there be held and kept two fairs yearly for the ('ounty of Westchester The ffirst to be kept at the Town of Westchester in the said County OD the BeiH>nd tuesday in May and to end on the fryday following being in all four days inclusive and no Longer, and the second ffair to be kept at Rye in the said County on the second tuesday of Octob. yearly & to end the fryday then next following being in all four days and no Longer. And also, that thei-e be held and kept two ffairs in the County of Richmond the first on the north side of the Island "on the last tuesday in June and to end on thi^ Friday following being in all four days inclusive and no Longer, And the second fail- to be kept at the sd place on the last tuesday in Septemh. and to end on the friday then next fol-lowing being in all four days inclusive and no IxfUger. All which ffairs at the times and places, afoi^esaid in each respective County, reapei-tively shall be holder, together with a Court of Pjpowder and with all Liberty's and free customs to sncli fairs appertaining or which ought or may appertain according to the Usage and Cuatwnes of ffairs holdcn in their Majesties Kealm of England ANT) for tlie more Eegular Govemment of the severall and respet'tive faJrs afoi'e mcotioned T]»e Oovernor shall Com-missionate and appoint such 'Penwn or J'ersoiJs in each Respec-tive County aforesaid where such fairs is to be holden and kept to be Govemours or Rulers of the said ffairs Reepectlvely which governor or Ruler so appointed and Commissionated as aforesaid is hereby authorized and impowered TO HAVE AXr> TO HOLD a court of Pjpowder togeather with all LIbertyes and free Cus-toms to fluoh appertaining, AND that they and Every of them may hare and hold them at their and every of their Respective

DgizedbyGoOgiC

places aforesaid their and every of their respectiveCourts the said dayes from day to day and bour to Lour, from time to time all Occa^ODS plaints and pleas of a Court of Pypowdera tc^ether with BummoDS attachments Arrests, Issues, fines Bedemptions and CotnmodityeB and other rights whatsoever to the same Courts of I'ypowder any way appertaining without any impedi- ment set or hindrance whatsoever ALWAYS PROVIDED that the Governor or Ruler of the said respective ffairs aforesaid shall cry or cause to Cry and Publish within and without the Libertyes of the said respective ftairs Where they shall hold the same the time that they aught to hold it and no Longer, and that every Govemour and Ruler of the Respective ffairs, aforesaid at the beginning of his faire shall their do cry proclaim and Publish bow Long the fifair shall Endure to the Intent that Mercimnts and other shall not be at the same faire over the time soe pub- lished upon pain of being fined for the same, nor that said Governor or Ruler shall not hdtd the Respective fairs over the due time hereby Limited upon pain of forfeiting the keeping said fairs unto their Majesties. And for preventing abuses in any of the said fairs and Marquets, BE IT FURTHER ENACTED by the authority aforesd that the Govemour or Ruler of the respective fairs aforesd shall yearly appoint and Limit out a certain and speciall open place within the respective Towns aforesaid where the said R<?apective ffairs are to be held and liept where horses, Mairs, gelldings Colts and other Cattle, may be sold in which said certain and in Open place as aforesaid there shall be by the govemour aforesaid or Euler put in & appointed one sufQcient Person or more to take toll and keep the same place from tenn of the Clock in the morning untill Sunn set of everj' day of the aforsayd fair and Market upon pain to loose and forfeit for every default fourty shillings and tliat every Toll geatherer his Deputy or Deputy's shall dureing the time of every their said fairs take the smmne of nine pence aa due and Lawful! Toll, for every such Horae, Mair, gelding or Colt, at their said Open Place to be apointed as aforesaid and betwixt the hours of tenn of the Clock, in the morning and sunn set of the same day, if it be tendered and not at any other time or place and shall have presently before him or them at the takeing of the same toll the Partyes to the bargain exchange guift contract or puting away of every such Horse, Mair, gelding or Colt, and also the same horse, Mair, gelding and Colt soe sold exchanged, OB PUT away Mr shall then Write or cause to be Written in a book, to be kept for that Purpose the Names Surnames, and dwelling places of all the said Partyes' and the Colour with one speciall mark at the

JbyCoOgIC

leaft of every such horse Maire gelding or Colt Id pain to forfeit at and for every default contrary to the intent hereof the gume of forty shillings Currant money aforesaid and the said toll gatherer or keeper of the said book shall within one day next after such fair bring and deliver the said book, to the Govemour or Ruler of the said ffairs who shall then causeanoatetobemade of the true Numb of all horses, Mares guildings and Colts sold at the said fEair and shall there subscribe his name, upon pain to him that shall make default thei-ein to loose and forfeit for every default the siuue of forty shillings Currant Money aforesaid and also to answear the I'arty grieved by i-eason of the same his negligence in every behalfe and the said Ooverncmr or Ruler his Deputy or Deputy's shall take for the entring for every horse Mair guilding and colt sold in the respective fairs as aforesaid for toll of the same the siimme of nine penc the one halfe to be pjiid by the buyer the other halfe by the seller, PEOYIDED always that nothing herein contained shall be taken or construed to infringe upon the rights and Privileges of the City of New- York and Albany and Ranslaer Wyck, but that thi- mayor and aldermen and the I'roprietor of the Manner, of Ranslaer Wyck of their R<'spective City's and Manners for the time being, shall alway's be pui-suant to the directions of their respective Charters and grants the only Govemour or Ruler of the aforementioned fairs to be held in their Respective City's and Manners any thing herein contained to the contrary hereof in any ways notwithstanding.

[CHAPTER 27.]

[Chapter 27, of LivloeBtoii & Smltb and Van Si'baaek. where the act iB printed Id full, rrlnted Id full in Fowler's Bradford, p. 72; Ba p. in. C^nflrmed by the KIiik. May 11, 1697 (See Fowler's Bradford, CXXXVr.) For note In reference to this act, see Fowler's Bradford, p. CXXXVI.]

AN ACT for the sup^Tiseing Intestates Estates, and Regiilateing the Probate of Wills and granting of Letters of Adminia-

tracon.

[Passed, N'ovember 11, 1692.1

WHEBEAS as theRight'sof OrphantsandtheEstatesofSuchaf dye Intestate throughout this Province and Dependencyes are of ten concealed wasted Embazilled and destroyed to the L'tter mine of many Orphans and the Prejudice of the next of kind to sncb as dye Intestate for want of haveing good and Sufficient Persons in each respective County throughout the Province f*>r the due & regular Inquiring after the same, BE IT THEREFORE

ENACTED by the Governoup and Couneill and BepreaentatiTeei, Convened in Uenerall Assembly and it is hereby Enacted by the authority of the same that on or before the five and twentieth day o< Uarch next in the Year of our Lord one thousand Six hundred ninty and three, there shall be elected and appointed in each Respective Town throughout the Counties within this Province two able and Sufficient fi-ee holders who Shall upon the death of any I'erson or Person's in their respectire Towns' repair unto the house place or Habitation where the deceased did reside within fourty eight houres after the Interment of the said dec'd and there malte Enquiry If the dec'd made any Will or had any Beall or Personall Eetarte not devised by him at the time of his OP their death, and it upon inquiry that he bad made no Will but dyed Intestate then and in sucb case it shall be lawfull for Such Person or Persons elected or appointed in each respective Town as aforesaid to make Strict and dilligent Search and inquiry into all the reall and Personall Estate that the said Intestate dyed pos-sessed of and the Same to Inventory and bring or cause to be brought unto Such Person or Persons in the County where Such intestate dyed, who shall by the Govemour for the time being be deligated on Purpose for super^-iscing Inteatates Estates, &c in each respective County throughout the Province and the Same with him file declareing upon their oath's that the Said Inventory doth contein a Tnie and Perfect account of the Said Intestates Estate, that has come unto thedr knowledge, whereupon the Person or Persons so dele-gated as aforesaid Shall issue, out his or their warrant to two good and Sufficient free holders inhabiting within the Town where the intestates dyed for the Appraisement of the goods and Chattells left by the Intestate and Inventoryed as aforesd and

upon the return thereof to him he shall canse the Same to be Secured or sold for the most of their vatlue and the Produce thereof to remaine in his hands, or put out into good and suffi-cient hands wboshaJI be able toproducetheSameagain when the next of Kin shall apear in right to claim the same and if the said Intestate at the time of his death did leave a wife and Chil-dren behind him, then and In Such a case the wife Shall only have the right of Administration upon the said Inteatates Estate as the Law doth direct and not otherwise, but if the said Intes-tate did Leave only Orphans behind him and has no relations or kindred who will administer upon the Said Intestates Estate then the supervisor of each Respective County-Delegated as aforesaid Shall only have the Administracon and care of the said justices estate and the same shall secure as aloresayd, for the use benefit and behoofe of the said Orphan's, and not

otherwise and the eayd Intestate's Estate* Soe Inventoryed as aforesaid Bhall cause to be well secured and improved to tbe best advantage for the hehoof of the said Orpht^ns imtill the; marry or come to the age of one and twenty Years And that he shall likewise take eftectoaJI care for the Edncateing and Instructing the Sayd Orphans in the Holy Protestant BeligiMi, and that they be honestly maintained accordiug to the Capacity of the Sayd Intestates Estate, and not oihorwLse, AND be il further Enacted hy the authority afoi-es-aid that the Probate of all Wills and Letters of Administration shall be from brace forth granted hy the Governour or Sucii Person as he ahall Dde-gate under the seal of the Prerogative Office for that purpose apointed and that all Wills relating to any Platate within the sev-eral] County's of Orange and Richmond West Chester Kings County, shall be proved at New-York before the Govemr or such Pereon, as he shall delegate as aforaayd, but in reguard of the remoteness of the other County's from New York, and to Prevent the great charge and Inconveniency's of bringing witnesses so far, the court of Common Pies in each of these remote Countys, are hereby impowred and aulhorised to take the examination of Witnesses to any will within their respective County's, upon Oath, and the same, with the will to certifye to the secrefry's Office at New- York, with all Convenient Speed under the hand of the Judge and Clerk of the said Court that the Probatie thereof may he granted accordingly, And in the time of the Vacancy of the said Courts of Comon Pleas or upon any Extraordinary' occKs'on

or necessity the resp»?ctive Judges of the Inferior Courts assisted with two Justices of the Peace, within the said remote County's may and are hereby impowred and authorised at any time dure- ing the Vacancy of the said Respective Courts to take the Exami- nation of Witnesses to any Will produced before th«n upon Oath and to Cortifye the same as aforesaid and in case any debate and Controvercy, shall arise about swearing and Examin- ing such Witnesses or allowing the will, the said Court or Jndg and Justices may hear and determine the same, and if any be nnsatisfyed with their Proceedings therein they may apeale to the Governour; or to such other Person delegated as aforesaid before the Probate of such will be granted.

AND IT IS FURTHER ENACTED by the authority afore- said that the severall Judges of the Respective Courts within the said Remote County's in Open Court and on Extract dinary occasions or necessity out of Court assisted with two Justices of the Peac aforesaid may and are hereby authorized and impowered to grant Probates, of any wiU or Letters of Admioistratioin to any Person or Psons where tbe Estate of the

LdizedbyGoOglC

Penon ntakeing such will or of the Intestate on which Letters of Administratloii is desired doth not exceed the vallue of fifty poands any thing herein contained to the contrary hereof in my ways notwithstanding PROVIDED alwayes that any Person or Fersons concerned in the Probate of Such Wills' or Letters of AdministratioD to be granted by the Judge of the said Courts ai aforesd may within three Months after the granting thereof bring his or their Appeale or apeales there in before the (Jover- nov, or such or PersoD Delegated as aforesaid.

[CHAPTER 28.]

[Cbapter 28, of Livingston & Smltb and Van Schoack, where tlie title onlf Is printed. Printed in fall In Fowler's Bradford, p. 64. Title la printed la Baskett. p. IS. The act expired NoTemt«r 11, 1694. Co tinued by ch. 54. For note In reference to tlile act, see Fowler's ford, p. CXXIIL]

An Act for the Establishing Courts of Judicature for the Ease and benefit of each Hespective Citty, Towne and County within the Prorince.

[Passed, November 11, 1092.]

Whereas the Act for selling courts of Judicature within this ftovince doth expire by its owne Limitation in Aprill next And whereas the orderly Regulation & the Establishment of Courts of Justice throughout this Prmince as well in the Respect of time as place doth tend very much to the Honor &I>ignity(rftheCrown as well as to the ease and benefit of the Subjects. Be it therefor Enacted by the Oovenour & Councill and Representatives Con- vened in Generall Assembly, And it is hereby Enacted and ordained by the authority of the Same That Every Justice of the Peace that Resides within any town or County within this Province are hereby fully impowered and authorized to have Cognizance of all Causes, Cases of debt and trespass, to the valine of forty Shillings or under, which Causes and Casea Shall be beard tryed and finally detennined without a Jury by every Justice of the Peace that resides within any Towne or County within this Province &c. he takeinp: unto his Assistance at the time of his hearing and determining Such Cause, or Cases of debt ft trespass, to the valine of forty Shillings or under, one of the Said freeholders of the Town & Place where the Cense erf Action doth arise, the process of warning Shall be by a Sum- mon's under the hand of the Justice directed to the Constable of the Town or Precinct, or any deputed by him, where the Party Cnniplained against doth Live, which Summons being Personally Served or left at the defts house two day's before the day of hear

J

ing ot the Plaint, Shall be Sufficient authority to and for the said Justice AsBlBted with one of the ffreeholders as aforeeaid to Proceed on Such Cause & Causes and determine the same In th« defendants absence and to grant Execution thereupon against the defendants Person or for want thereof his Estate which the UoDBtable of the town or preeint uv his deputy Shall and may serve. Alwayea Prorided And be it further Enacted by the Authority aforesaid that if the plaintiff or deft Shall desire a

jury it Shall be allowed but at the propper cost and charges of the I'ePBons desirelng the same, And for the increase of Virt:ue and the diseouragelng of Evill doer's Be it further Enacted by the authority aforesaid that there shall be held ajid kept in every respective City and County within this I'roriociˆ at the times and places hereafter named and Expressed, A Court of Session's of the Peace (that is to Say) for the City and County of New York and Orange County at the Citty hall of the Said City four generall Quarter Session's of the Peace Annually and Evei^ year upon thf, first Tuesday of May, The first Tuesday in August, the first Tuesday in November, And the first Tuesday in ffebruary. And for the City and County of Albany three generall Resaions of the Peace at the City hall of the Said City annually and every year on the first Tuesday in June, on the first tueaday in Octob and on the ffirst Tuesday of ffebruary And for the County of West-chester Two generall Session's of the Peace annually and every. Year at W'eetcliester on the ffirst Tuesday of June and on the ffirst Tuesday in Deeemb, And for the OouDty of Ulster and Dutchess County two generall Session's of the Peace annually and every year at Kingstown the first Tuesday of March and the first Tuesday of Weptemb And for the County of Richmoiid two generall Sessions of the pence Annually and every year at the Court house in the Said County on the first Tuesday of March and the first Tuesday of Septemh. And for kings County Two generall Sessions of the Peace annually and every year at fflatbDsh on the Second Tuesday of May and on the Second Tuesday of November and for Queen's County Two generall Sessions of the Peace annually and every year at Jamaica, on the third Tuesday in May & on the third tuesday of Septemh. And for Suffolk County two generall Sessions of the Peaee Annualy and every year on the last Tuesday in Man-h at Southampton and on the I^st Tuesday of PentembratSouthuM" which Generall Sessions of the Peace in Each respective City and County aforesaid Shall only bold and continue for the Space and time of two day's and no longer. And for the more Regular anS benefidall distribution of Justice to the Inhabitants of each Bespective County aforesaid Be it further Enacted by the anthor-

. '.^^oglc

Uj aforesaid that there Shall be kept and holden a Court of

Comiuon Pleas In Each Respective County aforesaid at the timea
and places hereafter named and mentioned (that U to say) at
Sach places in each Respective County as the said generall ses-
dona of the peace are to be kept, and to begin the next day after
the Session Terminates and then only to hold & continue for
the Space & time of two days after and no Longer, and that there
be a Judge Assisted with three Jnsticec of the Peace in each
respective County appointed and commissionated to hold the
SameOoart ofPIeasthree whereof tabeaQuonmi and that the
Severall & respective Courtsof Pleeshereby Established Shall
have power and Jurisdiction to hear, try and finally
detenuine all actions or cause of acoons, and all matters
& things, and Causes tryable at the Ctnmnon Law of
what nature or kind whatsoever, soe that the action
or cause of action, the matter, thing, and cause fry-
able, and the nature and kind thereof doth not reiate or con-
ceme Title of Land, Provided alwayes and it is berebj Enacted
that there Shall not be any apeale or ?emoTeall by Habeaa
Corpus of any person or of any action <» Suite, of any Judg-
ment or Execucon that Shall be determined in Said Court's of
plea's to the vallue of twenty pound's or under, any thing
contained herein to the-contrary hereof in any way's notwith-
standing. And It is furthM Enacted by the Authority afore-
said that the Court's of Mayor's and Aldermen of the respective
Citty's of New York and Albany Shall have in each of their
respective Citty's, the powers and authority's to hear try and
finally to determine all Such Suit's and actions of their Corpora-
tion's as is commonly Cognizable before them, from which flnall
determination there Shall not be any apeale or removeall by
habeas C-orpus, of any person or of any action -or Suite or of ,
any Judgment or Execution to the valine of Twenty pound's
or under, any thing herein contained to the contrary hereof in
any way's notwithstanding, to which respective Court's of Com-
mon pleas, there shall belong and be appointed and commis-
sionated for that purpose, one Clark of the Court to draw Enter
and keep the Records de<'larations plea'a, and Judgments there
to be had and made, and one Marshall or Cryer of the Court, to
call the Juror's, and Proclaim, the comands and order's of the
Court, And for the more regular proceeding's in the said Court
all process and writs of what nature soever for the Command
of Persons to apear and to execute the Judgement's and Execa-
tions of the respective Courts aforesaid shall be directed to the
pe^tective Sheriff's of Each County aforesaid, and Executed by
8&

jdbyGoOgiC

them their underBheriffs or deputy or deputy's, and all pro-cegB and writt's for actioo's between party and partya in the Said Court Shall Issue out of the office of each respective Clark of each respective Court, Signed per Curiam. Provided alway's that nothing herein contained shall be taken or Construed to take away the I'riviledge. of the town of Kingstown in the County of Ulster for the hearing and detemdoiDg all Action's and cause of action's aiiseiDg within the Libertie's of the Said town to the vallue of fflve pound's and under any thing her^n contained to the contrary hereof in any way's notwithstanding. And that all their Majesties Subjects inhabiting within this Province may have all the good, propper, Just ease, and bene-flciall ways, for the Securing and Recovering their Just rights and demands within the same. Be it further Enacted And it is hereby further Enacted and ordained by the authority aforesaid that there Shall be at New York, a Supreame Court of Judicature the which ShaJl eonslat of ffive Justices which Shall be appointed and Commissionated for that purpose, two whereof togeather with one Chirf JuBtice to be a Quorum, which Supream Court are herby fully impowered to have Co^izance of all p1ea« Civlll Crimlnall and mlxt, as fully and amply to all intents and purposes whatsoever aa the Court's of Kings Bench Common Pleas and Exchequer within their Majesties Kingdom's of Eng-land, have or ought to have, In and to which Snpream Court all and every person or persons whatsoever Shall and may If they Shall See meet Oomence or Remove any Action or Suite the debt or Damages, Laid In Such action or Suite being' upwards of twenty pounds and not otherwise, or Shall or may by warrant or C-ertiorari remove out of any'of the respective Court's of Mayor and Aldermen, Sessions of the Peace, and Coimnou pleas, any Judgement Information or indictment there had and depending, pronded alway's that the Judgement removed be upward's of the vallue of Twenty pound's out of the office of which Suprrane Court at New York aforesaid all process Shall Issue out under ye test of ye Chief Justice otf the said Court and to which office all return's Shall be made, which Supream Court Shall be holden at Such times and place* rs hereinafter is Limited and apointed for the City and County of New Yortt, and County of Orange on the first Tiieeday in Aprill and on the first Tuesday in October,

annually and every year, for the City and County of Albany the first Tuesday in May, for Ulster and Dutchess County the third Tuesday In May, for the county of westchewter the last Tuesday in June, ffor Kings County the first Tueadny in August, for Queens County the Second Tuesday in August, for the County of Suffolk the third Tnesday in August^ and for the Oounty of Kch-

Cn,-,:.tll:yG00gIC

mond the Second Tuesday of June, And be it further Enacted by the authority aforesaid that all and every of the JuBtices or JuSges, of the Beverall Court's aforementioued be and are hereby BufBciently itapowered to make, ordain and Eatabllah all Buch Rnles and order's for the More Re^larPracticelng and pro-ceeding in their said Court's as fully and amply to all intents und purposes whatsoever aa all or any of the Judges of the Several! Court's of the King's Bench, Common Pless, and Exche-quer, in England Legally doe, Provided alwayes And be it further Enacted by the authority afore«ieid that do Perecwi's right or property Shall be by any of the aforesaid Courts determined except where matter's of ffact are either at^nowledged by the parties or Judgement be acknowledged or peseeth by the defwid-ants fault for want of Plea or answer unless the fact be found by the verdict of twelve men of the Neighbourhood as it ought to be dome by the Law, And be it further Enacted by the authority aforesaid That one of the Jnetiees of the Supream' Court Commisdonated as aforesaid Shall otice in Every year at the aforesaid times and places in each respective County aforesaid goe the circuit, and at the places and times aforesaid there hoid the Bupreem Court, being then assisted by two or more of the Justices of the peace of the severall Respective County's where the said Supream Court is to be hotden and shall there hear and determine all process and pleas there depending and issued as aforesayd, Alway's Provided that in Such County where there is noe process Issued or pleas depending, that the Justice shall not be then oblidged" to goe the Circuit to the Said County any thing contained herein to the Contrary hereof in any ways notwithstanding Alway's Provided the Sessions of the Said Supreaju Court Shall not continue nor hold longer at New York then Ave day's and at the other respective place's in each respec-tive County than two day's & no Longer, And be it further

Enacted by the authority aforesaid that there shall be a Court of Chancery within this Province which Said Court Shall have power to hear and determine all matters of Equity and shall be esteemed and accounted the high Court of Chancery of this Province And be it further Enacted by the authority aforesaid That the Governour & CouncUl be the Said High Conrt of Chancery and hold and keep the said Court And that the Governour may depute nominate, and appoint in his Stead A Chancelor and be assisted with Such other person's of the Councill as shall by him be thought fit and convenient tc^eather with all necessary ofBcer's Clark's and Registres, as to the Said High Court of Chanrery are needfull, Provided Alway's And it is hereby further Enacted by the authcH^ity aforesaid that any ffreeholder,

. l'.tH>t^lc

planter Inhabitant or Bojourner within thiar I'rovinoe ma^ have Liberty it he or they see meet, to make his or their a{»eale or apeal'a fixnn any Judfremont, obtained a^alnart him. or them, in Case of Error in the Sttrerall Courts aforesd in sach manner and form aa is hereafter expressed (That is to Sfty) ff rom the" Courts of Mayor and Alderanen, and Courts of Common Fleaa to the Supream Conrt for any Judgmt above the railue of Twenty pound's, And from the Bupream Court at New Yorlt to the Governour and Councill for any Judgemmt above the vallue erf One hundred pound's and from the Governour and Councill, to their Majesties in Councill, for any decree or Judgement above the Taltue of three hundred pound's, as in their Majesties Letters Pattenta to his Excellency doth and may more fully appear. Alwayes provided that the party or Party's So Apealing shall flrBt pay all Costs of Such Judgements or decree from, which the Apeale ariseth. And Enter into BecoRuizance with two Sufficient Surityes for duhle the vallue of the debt, matter or thing recovered or obtained by Judgement or degree against hisL or them, to the Kayd Court from which they apeale that they will prosecute the Sayd Apeiile or apeale^B with effe<'t and maiie return thereof within twelve months after the said Apeale or Apeales here made. And if default happen thereon then Execution to Issue out upon the Judgement against the Party or their Surityes in course without any Kciere facias, Prorided alway's that the Establishing of these Courts Shall not be or remain Longer in force then

for the time and Space of Two years from and after the Expira-
tion of the fonner act before mentioned and no Longer.

[CEtAPTBR 29.]

[Chapter 29, of LivlDKstoD &. Smltb and Van Schoack, wbere the title only la printed. Prlatecl Id full Id Fowler's Bradford, on 4th page, p. Si. where the date of Its passage Is given as November 12, 1^02 appears, from the Mlnuten of tbe Council, tbat the act was passed November 11, 1(102. (See Journals of legislative Council, p. 33.) Tit only is printed In Basl^etr, p. IS. For note in referCDce to this Fowler's Bradford, p. CXXXI.l

AN ACT granting to their Majesties the
Bate of one I'enny P Pound ' upon all the
SeaJl and PersonaJl Estates within thel
Prince &ota he allowed nnto his Excellency
the Governor for hia care of the Province.

1 [Passed. November 11, 1892.]!

The Bepresentatives Convened in, generall -Vfiscmbly in all

humble and dutifull acknowledgment of their Majesties moet

gratiouB favoar and regnard to the ftubjecta of this Province by

Lc;-,:uJbyC00gle

Commissioaateiag aad appointing over them a Person to be their Govemoar who i» lilndued with moet Excellent tjuollityes, aod hath given most signaJl demonstration of his Oinstant, Loyalty and fydelity unto their Majesties by his Prudent oare and ixinduut since his arrivall into tliis their Majesties Province, and who by h unwearied vigiliance has visited the froutiei's ot the asuie and hath put them into such I'osture as that all the subjects are in safety, though In\ironed with a powerfuU Enemy, in the deepest sence, whei-eof Beeoiue humble supplyanta unto theirmostExcel-lent Majesties and Pray that they would be graciously pleased to accept as a toaken of their most Loyall and aincei-e eifection unto their Majewties and their (Joverument Established hei't^

one penny for Every pound valine of all the i-eall and i'ersonali Estates of all and Every the freeholders and Inhabitant within this their Majesties Province and l>epeudency's and doe likewise humbly pray that your most Excellent Jlajesties would be pleased to give and allow the same unto PenjaminfEletcherEsqr, Captain Oenerall and Uovernor in chief in and over their Majes- ties I'rovince of New York and Terrytoryes thereon depending in America, and pray that it may be so Enacted Be it therefow Enacted by the Govei-nour and Council! and Representatives Convened in Cenerall Assembly and by the authority of the same that thei-e be assessed, Levied, and Collected, one penny for every pounds valine of all the Beall and Personall Estates of all and every the tfreoholders and Inhabitants within this Pro- vince and dependencies, to be assessed, Levyed and Collected and paydinmanner and form following (that is to say) the one half or moyty of the aforesaid assessment of one Penny for every pounds valine of all the reall and Personall Estates as afoi'waid to be assessed, Levyed, collected and payd unto their Majesties Beceiver generall, at New York at or before the firet day of Septemb next, which shall be in the year of our Lord, one thou- sand six hundred ninty and three, and the other half or moytye of the eaid assessment to be payd in like manner at or before the first day of September then next following which shall be in the year of our Lord One thousand Six hundred ninty and four, and for the more due and orderly collection of the assess- ment aforesaid be it further Enacted by the authority aforesaid That the Mayor and Aldermen within the City of New Yoric for the time being and the Mayor and Aldermen within the City of Albany for the time being .and the Justices of the Peae' for the time, being for the several! and respective County's within this Province for the severall County's respectively for the which they shall be Justices of the Peac' doe within six months after Publication hereof assemble and meet togeather in the Ooort-

. '.\.>ogle

bouBes for the seYeraJl respective Citys and County's, or such other place or places as the; shall a^ree amongst th^uaelves and shall there order that the ajaeeBsora and Collectors for the Beverall asd respective City's, Town's mannors, and liberty's within their severall Jurisdictions for the Assessing Collecting and

Receiving of the Pablique rates for the defraying of the Pub-
lique and neceeeery charge of each Reepective City & County
aforesaid be the Assessors, and Collectors, for the assessing, Col-
lecting and receiving the rate of one penny P pound as
aforesaid, as to the sayd Mayors and Aldermen And
Justices of the Peac' shall seem meet and reasonable,
And forasmuch as there are severall mannors, and
JuriEtdictions within the respective County's aforesaid
who neglect and do' not elect annually or once a year'
asBessors and Collectors whereby the intent of this Act may be
frustrated. He it therefore Enacted by the authority aforesaid
that if the respective mannors, and JurisdictioDs within the
severall Connty's aforesaid shall refuse or n^lect to elect asses-
sors and Collectors for the assessing of their respective maoDors
and Jurisdictions and for the Collecting the same according to
the intent and direction of this Act, then and in such case the
JuBtiees of the Peac' of the County's where such manners or
Jurisdiction are, are hereby Impowred and authorized to
NOTninate and appoint aBsessors and Collectors for such man-
nors, and Jurisdictions as shall Keglect and refuse as aforesaid
which assessors and Collectors shall to all intents and pur-
poses observe the directions of this act any thing contained
herein to the contrary hereof in any wise notwithstanding.
And be it further Enacted by the authority aforesaid that the
said Mayors Aldermen and Justices of the Peac' for the Respec-
tive City's and County's, mannors, and Jurisdictions, have and
shall have power and authority by virtue of this act each of
them by himself to administer an Oath to the said Assessors
well, truly, equally and impartially in due proportion as it shall
appear to them, according to their best understanding to assess
and rate the Inhabitants Residents, and ffreeholders of the
respective places for which they shall be chosen, assessors, And
be it further Enacted by the authority aforesaid that if any Per-
son or Persons who shall be chosen assessors and Collectors
shall deny neglect or unequally or Parcially assess or refuse to
make such assessment as by this Act is required or shall deny
neglect or refuse to Collect any sume or summes of mon'y in
form before mentioned assessed that then and in such case it
shall and may be lawfull for any two Justices of the Peace of
the City's and County's where such offender shall happen to

Digi-jzedbyGoOgiC

dvell or reside and who by virtue of this Act are required and impowered to doe tlie same by warrant's under their hands And scales to ctHnmit snch assessor or a^seeaors, Collector or Col-lectors BO deiiyiug neglecting, or nneqaatly and partially assees-ing or refnseing to Collect as aforesaid to tne Common Goale there to remain without Bayle or mainprise till he or they make fyne and ransom to their Majesties for such contempt as aforesaid And be it further Enacted by the authority aforesaid that if any Person or Persons of what degree or Quallity soever he or they be within this Province who shall be assessed or rated any simune or summes of mony by virtue of this act to De raised and Licvyed shall deny, refuse or delay to pay and satisfye the same that then it shall and may be lawful! for any such Col-lector by virtue of a warrant under the hand and seale of any Justice of the Peace for the Citty or County where such offenders shall dwell, or reside who by virtue of this Act are required and authorized to grant and Issue forth such warrant to Leavy the same by distress and sale of such Person or Person's good's and Chattells, returning the overplus if any be to the owners the smnnie assessed and charges of distress and sale being first deducted. And Also be it further Enacted by the authority aforesaid that if any Mayor Alderman or Justice of the Peac within this Province who are hereby required, Empowered and anthMized to take effectual! care that this act and every Article and clause therein be duely Executed according to the true intent and meaning thereof shall deny neglect or refuse or delay to doe Perform fulfill and Execute all and every or any the duty's, powers and authority's by this act required and impow-ered by him ot them to be don' I'erformed fullfllled or executed and shall thereof be convicted before his Excellency the Governor and Oapt Generall and Councll or before any of their Majesties Oourts of Record within this Province he or they Bliitll suffer such pain by fine and imprisonm^it as by the discre-tion of the said Governor and Capt Generall and Council and the JusHcee of the said Court's shall be adjudged. And be it further Enacted, by the authority aforesaid that if any action, byll, plaint or Information shall be brought moved or Prosecuted at any time hereafter against any Person or Persons for any matter clause or thing don' or acted, in Pursuance or execution of this act such Person or Person's 8oe sued or Prosecuted in any Court whatsoever shall and may plead the general Issue not guilty, and give this act and the special matter in Evidence and if the Plaintiff or ProeecntopS shall he Nonsuited or forbear further

Prosecncoai or suffer discontinuance or verdict to paas against faim tbe defendant, and def endts shall receive tiibble cost for whic

I by Google

they dhail have the like remedy, as in caae where cost by the Law are given to defendant'a. Provided alway'B that no Mayor AJdermen, or Justices of the Peace, shall be troubled, 8ued Pro- Bccnted ormolested for any OmisBion, offence or neglect by virtue of this act, but within the Bpa^e of one year, after such Omission offence or neglect and not at any time Hereafter any thing con- tained herein to the contrhJ'y thereof in any wise notwithstand- ing. Aiway's ProWded and be it farther Enacted by the auth(H-- ity aforesajn the se^-erall Collectors of each Respective City and County as oforesd shall have Liberty to pay the Severall respec- tive Bumes assessed as aforesajd at the times & day's aforesaid in currant mon'y of New YoA, or for want thereof In good suffi- cient and Merchantable Provisions at the Currant Markett price.

[CHAPTER 29a.]

[This act 1b not In Llvlntcnton & Smitb or Van Schaack. It is prin in full in Fowler'8 Bradford, p. 77. Title only Is printed In Baske 18. For note In reference to tbia act, aee Fowler'a Bradford, p. 12 From the Minutes of the Council, for November 11, 1(192. It appears tills act was amended b; tbe Council. (<'^ee Journals ol Legislative Council, p. 3.3.) From the Journnl of the Assembly, for Kovemlwr 11, 10SI2, It appears that the Assembly did not assent to the amendments made by the Council. i,Soe Journals of the Assembly, p. 20.) It doe appear from the minutes of the Council that the bill ever passed th Council without tbe amendment. It la, therefore, very doubtful. If It ever bad the force of law. But the act seems to have been eonttnue by ch. 57.1

AN ACT for the satisfiing and Paying the debts of the gonemment,

LPassed, November 11. 1692.1
The Bepresentatives oonvened in genarall Assembly being wUltng that ell such that have advanced mony for the support

of the govemmew: should be well land truly payd and Satisfyed and for that purpose have agreed that the Rate and dutys hereinafter mentioned sliould be Lt^vyed and Collected, and pray that it may be enacted He it therefore Enacted by the Govemour and Councill and Representatives convened in generall Asswnbly jind by the authority of the same that the Rates and duty's hereinafter mentioned, shall be levied and Collected and be only ajipropriated and applyed to the payment of such debts due for the support of the government aforesaid, and the said Rates and duty's hereinafter mentioned hereby authorised to be Levyed and Collected shall be Quarterly payd to such Person or Persons who are now the present Creditor's and have advanced mony as aforesaid their Executww Administrators or assignes in two years from the Publication hereof in Eight Qoarteriy paymentB

Digi-jzedbyGoOgiC

and in EquaJl ProportiMiH according to the greatnesB and Smallness <rf the sumes due without any Priorily or respect toPerBons and not (rtherwise and that the Residue of the mony, ariseing and Payable hy this Act if any be shall be apppt^riated and applyed from and after the payment of the eeverall debt's as aforeaaid unto the support of the government and for no other use or Purpose whatsoever, any thing in this or any other act conteined to the contrary notwithstanding. And that from and after the Publication hereof there shall be raised Levyed, Collected and payd unto their Majesties dureing the space and term of two year's alter the Publication hereof as aforesaid and no Longer the Severall Bates, and duty's hereinafter mentioned over and above all other duty's charges and impositions by any former act and acts set & imposed (that is to say) the rate and duty of two pence currant mony of New York, for every gallon of rum brandy or other distilled Liquors and the rate and duty of thirty shillings for every pipe of wyne and five shillings for every hogshead of TifallflBses and so in proportion for a greater and leaser quantity that shall be imported into this Province, and dependancies from and after the Publication hereof; And also the rate and duty of two P Cent prime Cost upon all other good's of the growth Production or manifacture of Europe that shall from and after the Publication hereof be imported as aforesaid And also the

rate find duty of six pounds upon every hundred pound's valine prime cost of the goods and Merchandizes of the growth pro- duction and manufacture of Europe that shall from and after the Publication hereof he imported into this Province and depandanciea from any other part or place then their Majesties Kingdom of Englitnd Dominion of Wales and town of Berwick upon Tweed. And be it further Enacted by the authority afore- said that the severall rates and duty's hereby imposed on the Liquors and Merchandises aforesaid shall be raised Levyed Col- lected Recovered and payd, unto their Majesties Collector or Receiver Generall for the time being dureing the term before mentioned and in the same manner and form and by such Rules allowances, way's end mean's and under such penalties fines and forfeitures as are mentioned ExpresBed and directed in and by one Act of Oenerall Assembly made in this Present sessions of assembly Entituled an Act for the Establishing a Revenue upon their Majesties for the support of this Province ffornsmuch as it is manifest that there are severall sums of mony Collected and received by sundry Persons and not pa4d unto their Majesties Receiver generall And also that there are severall Persons that continue and remain indebtd for the several! duty's and Impo-

Digi-jzedbyGoOglC

sitionB & excise upon Liquor's which was formerly Established by the Late government for the defraying the Publick Charge thereof and that it is most reasionable and just that all the arrear's of the same should be raised Levyed, Collected answered and payd unto their Majestiea Receiver generall, for and towards the payment <rf the debts aforesaid, Be it therefore enacted by the Authority aforesaid that all and every Person or Person's who have received any sume or sum's of mony from any of th^r Majesties subjects, with in this Province or under Pretence of any Duty's impositions or Excise formerly established by the Late Government, from the Eleaventh day of August in the year of our Lord One thousand six hundred eighty and eight until the twentieth day of March, in the year of our Lord one thousand Six hundred ninty and one, And likewise all and every Person or Persons that are in arrears, for any of the duty's impositions or Excise as aforesaid shall within four Call^ider month's after the Publication hereof come unto their Majesties Receiver Gen-

erall, at New York and there accompt with him for all and every summe and summes of mony so Collected and received by them, and every of them, And alsofor what they are in arrears for any of the dutys Impositions, or Excise as aforesaid and pay the same unto him without any further delay and if any Person or Per- sons shall refuse or neglect upon summon's of their Majesties Receiver generall to account and pay the sumes of mony found due in arrears as aforesaid it shall then be lawfull for their Majesties Receiver generall who is hereby authorized to do the same, to issue out his warrant under his hand & seale to make dis- tress upon the goods and Chatties of siicb Person or Persons that shaJl be found indebted or in arrears as aforesaid and the same to expose to sale by publick outcry- and the produce thereof to tak untill he be satisfied for the summes of money due and in arrears aa aforesaid, all which sume & sumes of mony soe received by him shall be payd and imployed, to the usee aforesaid and in such manner and form aforesaid and to no other use intent or purpose whatsoever and all the Acts and Ordinances made by the Late Governor and Councill for and concerning any of the duty's impositions and Excise aforesaid shall remain and con- tinue in their full force and virtue untill all the said sien's of mony and arrear's due thereupon be fully paid and satisfyed according to the tenour of this Act any thing herein or in any other act to the contrary hereof in any way's notwithstanding Provided that all Merchants and other's who are to pay the addi- tionall rates, and Duty's hereby established shall have the time if of three month's after their respective entry's made fw the ' duty's aforesaid for the payment of the Rates and duty's afore- said anything contained to the contrary hereof notwitlistandiiig.

1 1., Google

LA.W8 OF. THE COLONY OF NEW YORK.

THE SECOND ASSEMBLY.

Seoond Seaiion.

(Begun Mch. 20, 1693, 5 Wm. & Mary, BeujamiD Fletcher,

Governor.)

[CHAPTER 30.]

[Obapter 30, of LlTlngston ft Smith and V&n Scbaack, wbere tbe title only is printiid. Printed In tall la Fowler's Bradford, rxoon. tlie following p. 84. Tide only U printed in Baskett p. 21. For note In aace to this act, eee Fowler's Bradford, p. CXXXII.]

AN ACT ft>r the Eaiseing bU Thousand pound's for the Payment of Three hundred Volunteera and thedr Otacere to be Implojed In the Rednfonjement of the ffrontierB of this Province At Albany from the first day of May then next to the first day of May then next following in the year of our Lord 1694.
[Passed, AprU 10, 1693.]

WHEREAS upon the first day of May next the time doth Expire wherein the forces lately raised for the defence of the fron- tier's at Albany were to abide which continuing still dayly Exposed to the Attempts of the ffrench their Majesties declared Enemy's, It is of absolute necessity that they should from the said time be well Reinforced not only for the Preservation of this Province but also for the security and drfence of all their Majes- ties Subjects in the Adjacent Collonyes, and to the end that the said Purposes may be well and Tmely Effected, the Bepresenta- tives Convened, in Generall -Assembly doe pray that his Excel- lency would Levy or cause to be Levyed ia this and the Adjacent Collony's Three hundred Effectual men voluntiers to be formed into four Company's of souldiers and Imployed in thedr Majes- ties Service for the Security and defence of the frontiers of this ProTinoe at Albany and there to continue during the time here- after mentioned and Expressed (that is to say) That his Excel- lency doth forthwith upon the Publication hereof raise or cause to be raised as aforesaid Two hundred Effectual men voluntiers which are to be formed into four Companys of SouldieHs as aforesaid and Imployed at Albany for their Majesties Service as aforesaid and there to continue in the said service from the first day of May next nntill the first day of May then n«tt following that shall be in the year of our Lord one tbonsand six hundred olnty and fo>ar And also that his Excellency shall likewise raise

Lc;-,:uJbyC00glC

One hundred Effectnall men Volnntters more, which shall likewise be added to the four Oompanys aforesaid in equal Proporoon and Posted at Albany aa aforesaid and there only to Continue aaid remain from the first day of Xo\-emI>er next enaueing untill the fifteenth day of March then following and no Longer. And that hi» Excellency may be the better Enabled to make such Levv-es as aforesaid The Repreaentatives Convened in geoerall Assembly doth pray that it may be En«cted And be it theretore Enacted by the Governour and Councill and Representativra^ Converw^ in generall Assembly and by the authority of the same that a lit-vy of bix tliousand inound's Currant mon'y of this Province be Laid asaossed raised and Levyed upon all and every of the Inhabitants Heeideuts and ifreeholders, of and in this Prvvince &0 for the paying and maintaining of the said three hundred VoIimtieTa and their Officers together with the Incidentall charges that shall arise thereon according to the establishment hereunto annexed and not otherwise and for no other use intent or Purpose whatsoever to be Layd assessed raised and Levied in each Re^)eotive City and County throughout the Princ" according to the rates Quota's and Proi)ort'on8 hereafter following (that is to say) for the CSty and County of New York one thcnisand four hundred and fifty pounds being their Quota and Ppoporcon of the Levy of six thousand pounds aforesaid, for the County of Suffolk in the Island erf Nassaw twelve hundred pound's being their Quota and Proporcon aa aforcsaid, ffor Qiieon's County in the Island of Nassaw one thousand pound's being their Quota and Projiorcon as aforeftaid. for King's County in the Island of Nassaw, nine hundred pound's being their Quota' and Proporcon aa aforesaid, for the County of West Chester five hundred and sixty pound's being their Quota' and Proporcon as aforesaid, for the County of Ulster and Dutrlie,'*fl Oounty six hundred and thirty pound's being their Qmrta' and Proporcon as afoiTsaid, for the County of Richmond Two hundred and thirty poimd» being their Quota and Proporcon, aa aforesaid, and for the County of Orange thirty pound's being their quota and Proporcon as aforesaid, all which quota's and Proporcons as aforesaid doth in the whole amount unto the sume of six thousand Pound's Currant mon'y aforesaid, which sayd sume of six thousand pound's shall well and truely be payd by the respective Coilertora of each respective City & County aforesaid unto their Majesties Collector and Receiver generaJl for the time being at their Majesties Custome house in the City of New York in two Eqnall payment's (that Is to say)

Three thousand pound's Currant mony aforesaid being the one moytie car eqnall halfe part of the said six thousand pound's at

Digi-jzedbyGoOgiC

or before the nine and twentieth .day of September next being the fCeast day of St. Michaell the Archangel], and the other three thousand pound's entrant mon'y afweeald being the other moity OP equall halfe Ft <rf the Levey aforesaid at or before the twenty fifth day of March then next following being the Se&at day of the Annnciation of the blessed Vii^in Mary, which shall be in the year of our Lord One thousand six bun-dled ninty & four under the paines and Penalties hereinafter mentioned. And that tJie said snme of six tbousaod Pound's according to the Quota's and Proportions aforesaid may be well tmely and effectually asseflsed raised and Collected and Paid unto their Majesties receiver generall in manner aforesaid and for the intent and Purposes aforesaid Be it further Enacted And it is hereby further Enacted by the authority aforesaid That the Mayor and Aldermen within the City of New York for the time being and the Justices of the Peace for the time being for the several] and respective Countys aforesaid for the several! County's respectively for the which they shall be Justices of the Peac' doe within forty days after Pnblicatioo hereof Assemble meet togaether in the Court houses for tlie se^-eraJi respective City's and Oonnty's or Boch other Place or Places, as they shall agree upon amongst themselves and shall there order that the assessors and Collec-tors for the se^'erall and respective City's Towns Mannora and Liberty's within their severall Jurisdictions for the assessing C(rflecting and recelveing of the Publick rates for the defraying the Publick and necessary cliarges of each respective City and Coimty aforesaid, Be the assessors and Collectors for the Assessing Collecting end receiving the same or siuues of mony liereinbefore mentioned according, to the Proporoons before Expressed as to -the sayd MaytM* and Aldermen and Justices shall seem meet and reasonable And forasmuch as there are several! mannors and Jurisdictions within the respective Comity's afore^ said who neglect and doe not Elect annually or once Every yeai assessors and Collector's whereby the intent of this act may be frustrated Be it therefore Enacted by the authority afore-

said that if theRespective manners, and Jurisdictions within the severall County's aforesaid shall refuse or neglect to Elect Assessors and Collectors for the assessing of their respective mannors and Juriadicrtion's And for the Collecting the same according to the intent and directjon of this Act then and in such Case the Justices of the Peace of the County's where such mannors and Jurisdiction's are, are hereby trnpowered and anthorized to Nominate and appoint assessors and Collectors for Such mannors and Jurisdictions as shall n^lect or refuse

IbyCoOt^lc

as aforesd whicli asaeesor'B and Collectors Bhall to all intent's and Forposes observe the directicms of this act any thing con- tained herein to the contrary hereof in any ways notwithstand- ing And be it further Enacted by the authority aforesaid That the said Mayor Aldermen and Justices of the Feac' for the Respec- tive Citys and County's mannors and Jurlsdicons have and shall have power and authority by Virtue of this act each of them by himself to administer an Oath to the said Assessor's well, truely, equally aud impartially and in due Proporeon as it shall appear to tliem, according to their best understanding, to assess and rate the Inhabitants resident's and freeholder's of the respec- tive places for which they shall be chosen assessors, And be It further Enacted by the authority aforesaid that if any Person or Persons who shall be chosen AKsessors aud Collectors shall den> neglect or unequally or Partially assess or refuse to m«ike such aBsesement as by this act is required or shall deny neglect or refuse to collect any sume or sunies of many in fonn before mentioned assessed that then and iu such Case it shall and may be lawfull for any two Justices of the Peac' of the City's and County's where such Offenders shall happen to dwell or reside and who by Virtue of this act are required and impowered to doe the same by warrant under their hand's and seals to commit such assessor or assessor's Colector or Collectors Soe denying neglecting or unequally and partially asseasing or refusing to Collect as aforesaid to the Common Goal there to remain' with- out bayle or mainprise till be or they shall make fine and Ban- soim to their Majesties for such Contempt as aforesaid. And be it further Enacted by the authority aforesaid that if any Person or Person's of what degree or Quallity soever he or

they be within this Provinc' who shall be assessed or rated any sume or sumes of mony by virtue of this act to be raised and Leiyed shall deny' refuse or delay to pay and satisfye the same that then it shall and may be Lawfull for any such Collectors by virtue of a warrant under the hand and seal' of any Justice of the Peace for the City or County where such offenders shall dwell or reside who by virtue of this act are required and authorized to grant' and Issue forth such warrant, to Levy the same by distress and sale of such Person or Peson's goods and Chattells returning the Over plus if any be to the Owner's, the sume assessed & Charges of distress and sale being flirst deducted, and where any of the good's & Chattells shall be distrained for any of the Assessments and Bates afore-said and the Owner of the said Goods shall not within five day's next after such distress taken and notice thereof with the cause of such takeing left at the house or other most knovrn' Place where the distress was made come and pay to the Collector and

Beoeiver of the ABsessment aforesaid that then after such dis-tress and notice as aforesaid and Expiration of th« said five days the Collector or Perscaia deetrayning shall, & may cause the goods and Ghattells so distrayned to be appraised by Two sworn apprazers to appraise the same, truely according to the best of their understanding and after such appraisement shall and may lawfully carry or drive the said goods and Chatties so distrained into any County or town throngbout the Province, and the said goods and Chattell's shall and may there Lawfully sell for the best Price can be gotten for the same, towards satisfaction of the rates aforesaid and of the charges of such distress appraisement and sale giveing the overplus to the owners. And also be it further Enacted by the authority aforesaid That if any Mayor Aldermen or Justice of the Peac' within the I'rovinc' who are hereby required impowered and authorised to talte Effectual! care that this Act and every Article and Clause therein be duely Executed according to the true Intent and meaning thereof shall deny refuse neglect or delay to doe PerfcM-m' fullfill aad Execute all and every or any the duty's. Powers and authorifj-s by this act required and impowered by him or them to be don' Per-formed fullfllled and Executed and shall thereof be Convicted before the Governour and Oonncill or before any of their Majes-ties Court's of Record within this Province he or they shall suffer such pain by line Imprisonnient as by the discretion of the said

Governour and Councill and the Jusfices of the eaid Courts shall be adjudged. And be it further Enacted by the authority afore said that if any action byll Plaint or information shall be brot, moved or Prosecuted at any time hereafter against any I'crson or Persons for any matter Clause or thing don' or acted in Persuanee or execution of this act such I'erson or I'ersons soe sued or Prosecuted in any Court whatsoever shall and may plead the generall Issue not guilty and give tliis act and the spcdall matter in Evidence and if the Plaintiff or Prosecutor shall be nonsuited or forbear further Prosecution or suffer discontinu- ance or verdict to pass against him, the defendant or defdts shall receive tribble cost for which they shall have the like Remedy as in Case where cost by the Law are given to defend- anta Proiided alway's that no Mayor Alderman or Justit-e of the Peac' shall be troubled sued Prosecuted or molested for any Omission offence or neglect by virtue of this Act but within the apace of one Year after such Omission Offence or neglect and not at any time hereafter any thing contayned herein to the contrary hereof in any way's notwithstanding. Alway's Pro- vided and be it further Enacted by the authority aforesaid That the severall Collectors of each respective City and County as aforesaid shall have Liberty to pay the sererall and reepectiTC

LdizedbyGoOglC

as aforesaid at the day aforeflaJd in Currant mony at New York, m" for want thereof in good auflScient and Merchantable Provision's at the rates and I'rfses hereafter specified and Expressed (to wit) good and Merchantable Porli at the rate of fifty shillings P barrell the barrell well repackt by the swoni' Packer of Kew York and the barrell containing thirty one gallon's and halfe 'Winchester measure at Least, beef at the rate of Thirty two ehilliugs and six Pence P barrel!, well repackt by the sworn' Packer of New York aforesaid, the barren to contain' thirty one gallons and halfe Winchester measure at Least, good Merchantable winter wheaf at foor shillings P bushell, tryed tallow' at four Pence halfe penny P pound, I'rovided alway's and be it further Enacted by the authority aforesbid that if it should soe happen that hie Excellency pursuant to the Llmitatitms aforesaid could not effect

to raise soe many Voluntiers in manner aforesaid but that fw the intent aforesaid, his Excellency should be constrayn'd to make Proportionable detachment's in the respective Citys and County's within this Province to Compleat the Number of the forces aforesaid then It is the true intent and meaning of this act that there be only allowed and Payd unto such Person or Persons soe detached as aforesaid for service aforesaid the smnime of Eight penc' P «diem for each Person soe imployed as aforesaid & no more any thing contained herein or mentioned in the Establishment hereunto annexed in any way's to the contrary hereof notwithstanding.

An Establishmeat for the paymg of the Officers & Souldiers togeather with the Incidental! Charges which are to be raised for the Reinforcement of Albany &c. from the first day of May 1693 untill the ffirst day of May 1694.

4 Capts. at 8s P Diem - 1. 12.

4 Lieut at 48 P Diwn 0. 16.

4 Lieut at Ss P Diem 0. 12,

1 Chirurgion at 2s 6d P diem 0. 02. 6.

1 Commissary for the Store P diem 0. 02, 6.

1 Commissary for Muster 0. 02. 6.

12 Serjeants at 18d P diem 0. 18.

12 Corporells at 12d P diem 0. 04.

4 Drums at 12d P diem 0. 04.

4 Clerks at 12d P diem 0. 04.

4 MontroBses at 12d P diem 0. 04.

164 Private Centinells 12d P diem 8. 04.

P diem 13. 13. 6.

Digi-jzedbyGoOgiC

for 365 days Ib 4991. 7., ««

lOO IMvate Oentinalla for 135 day's at 12d P

diem 675. 0. 0.

HoBpltall for sick soldiers Trmisportatioii 333. 12. 0.

ProTiaion for the tracsportation bedding Levy

mony 260. 12. 6.

for the pay of Town's Mayor at Allmny for 365

day's at Is P diem 73.

L. 6000.

[CHAPTEB 31.]

[Chapter 31, of UvingstoD & Smith and Vbd Schaack, where the act Is printed In full. Printed In full In Fowler's Brftdrord, p. T&, where misprint. It is stated to have been passed at an Assembl]', held la spring of 1692. Printed In full In Baskett, p. IT. Confirmed by the May 11, 1607. (See Fowler's Bradford, p. OXXXVI.) For note In refer-ence to this act, see Fowler's Bradford, p. CXXVIIL]

AN ACT for calling Long Island the Island of Naasaw.

[Passed, April 10, 1683.1

BE IT ENACTED by the Goivemour Councill and Kepreaenta-ties, convened in General Assembly, and by the autiiority of the SAME that the Island, comonlly called and knowne by the Kame of Long Island, shall from hence forth be called the ISLAND OF NASSAW. And that after the publication hereof all their Majesties lovedng Subjects are hereby required in all

grants, Pattients Deeds Coinveyances bargaines of Sale Bill^ Bonds Records, and other Instruments in Writeing that shall hereatter be made granted, Conveyed, bargained, sold and exe- cuted for or Concerning the said Island or any part or place within the same OR in any County thereof to call and Denomi- nate the Said Island in all such Deeds and Escrlpts as aforesaid the ISLAND OF NASSAW any thing contained in any fonner Act to the contrary hereof in any wayas notwithstanding.
41

Digi-jzedbyGoOJ^Ic

IAW8 OF THE COLONY OF NEW YORK.

[CHAPTEB 32.]

[Chapter 32, of Llriagstoii & Smltb and Van Scbaack, where the act prlutea In fuU. f'rlnted In full in Fowler's Braaford, p. 80. TlUe is printed in Baskett, p. 18, as hsTlng been paseed In 1692. From Mtnutes of the Council, It appears that the act was pawed April 10, 1983, (See Jounkaia of Lt^Rlsiatlve Council, p. 39.) For note Id ref to this act, see Fowler s Bradford, p. CXXVIII.I

Aji Act for Eatabliehing certain Bates and I>utles upon Bnch Goods, Wares and joerchandiseB as Bhall be brought onto their Majesties Beam in the Weigh house at New-York.

[Passed, April 10, 1693.]

TTTR Bepresentatives convened in General Asaemblj being sensible of the great charge that is requisite for the present support of the Government in this time of Warr, and being also willing at all times to manifest their most dutifull AffectiooB unto their Majesties with an humble and thankfuU Acknowledg- ment of their Majeatiea moat gracious and tender regard to je subjects within the same have oheerfull; and unanimously given and gnanted unto their Majesties an aid and assistance for the better defraying the neeeasary charge, of the Goverment to be raised and Levied upon all such goods, wares and Merchandises that shall be brought unto their Majesties Beam in the Weigh-

house at Xew-York, according to such rat»;« and I>uty'8 & dureing such time and in such manntT and foi-m as herein after follow-elh. AND they himiblj pray fliat it may be enacted, and be it therefore enacted, by the Govemour and Oouncill and Representatives convened in Generall Assembly) and it is hereby Enacted by the Authority of the same that all the goods wares and merchandizes herein after named and expressed, that shall from and after the Publication here of be Imported to, and Exported from this City, or that shall be hot and sold bartered or Exchanged within the same, shall be first brmight onto their Majesties Beam at the Weigh House aforesaid and be there weighed and for the weighing the same, there shall bee answered and paid unto their Majesties Collector and receiver General for the timel>eing ortosuchPeraon orPersonsasheshall author-ise for the attending and receiveing the same the rates and duty's hereafter named established and expressed that is to say, for all Sorts of silk ware about one hundred weisrht nine Pence P hundred weighty floret or worsted, the same Cocbannella the Same, Saffron the Bam.e Indigo Exported only six PenceP hundred weight, nothing for Importation Oonfectures the same, all Sorti

CzttlbyGoOgiC

of Spioes the same, Kpeoiflli, Leather the same, Sugar two Pence halfe penny F hundred weight exported aothiog at Importation Gandleft the same Tobacco two Pence the same sarsaparilla three Pentt the same Ivory the seme, all aorta of dye wood three halfe pence P cent weight exported only, wool and Cotton Wootl three pence the same, dry hydes Elk and deer Hkins two pence, the same, Butter three Pence the same Cheese, the same elarcb the same, both Exported and imported also, Tallow three pence Exported ginger the same, Hopps the same, dry fish two pence the same, brimstone two pence the Bame Imported, Bosen Two pence the same Exported only Cordage three pence the same. Grocery ware two Pence the same^ Bread one Penny the same, flower one Penny the same Pitch two i>ence the same, and that all broaJten weights shall pay In Pportion accordingly.

A\D BE IT FURTHER ENACTED by the authority afore-said that all other ^wcles of goods wares and Merchandizes that are not herein named and Expressedand shall voluntarily be

hronght by any Pctsod or Persons within the same, to be weighed as aforesaid Shall for such their weighing pay after the rates and Duty's hereby establish'd and not otherwai& And for the better Ocdleoting and paying the Bates and Duty's afoi-e ttud, be it further enacted by the Authtnity aforesaid that all such Person or Persons, that from and after the time aforesaid that shall import to or Export from, tUiB Cltj or shall buy sell barter or Exchange within the same any of the goods ware and Merchaudises aforementioned Enumer-ated and Expressed without bringing the same u3«6o thein Hajesties Beam aforesaid and there answer and pay the rates and duties hereby established as aforesaid, shall then for & So often as he or they shall neglect or refuse to do the aBraepayor forfeit onto their said Majesties the sume of two shillingB and itx Pence Currant Money aforesaid, for each hnndi-ed weight of "ueh Goods, Wares and Merchandizes^ as att>resaid that shall be denyed or refused to t>e weighed as aforesaid, to be recovered before any Justice of the Peace within the said Oity or in any Court within tbe same, by Byll plaint or Information one half into. Their Majesties their heires and suooessors, and the other halfennto the Informer or Prosecutor, who shall suefor the same tOReatber with cost of Prosecution PROVIDED always that the ^''inilation, nor any part thereof, shall not extend to oompell any fiw holder within this Provlnoeto bring his Ooods tobeweighed »ho ehall swear upon the holy Evangelist bona fiede that all Wch goods exported (w imported are his own proper estate, and flat no other Person haii directly or indirecti., any Interest ftewln, but that they are Exported or impotrted npon his own

. LiOOglc

proper Accot and risque which if such a Person shall be found faloelf to swear, in the' Pr«nii«e» shall be proaecuted against as one convicted of willfull Perjury, and that the Ckrilector, or socb Person, as he shall appoint, shall be impowered to Adnunister such an Oath.

THE THIRD ASSEMBLY.

First Setaion.

(Begun Sept 7, 1693, 5 Wm. & Mary, Benjamin Fletcher

Governor.).

[CHAPTER 33.]

[Chapter 33, of Livingston & Smith, wliere the title only la printed bavins IJecn passed March 9, 1693. Chapter 35, of Van Schaack, where the title only U printed, aa having been paased March 26, 16&4. E*r In full In Brlnley's Bradford, p. Oa, as having been passed in lOW. only Is printed in Baskett, p. 25, as having been passed in 1695. Minutes of the Council, for March 8, 1694, it appears that the act signed by the Governor on that date. This matter was provided for b ch. 858. The act is printed here, out of its chronological order, t preserve the continuity of chapter numbering, lu conformity with L. &

AN ACT for settling Pylotage for all
Vessels that shall come within sandy Hook.
[Passed. March fl. 16»1.}
Whereas by the late Easterly storm there was severall sand ,
banks thrown off at the south of the harbour at sandy hook
whereby the Entry is rendred very difficult and dangerous to all
vessels bound for this port and required an attendance of men
att the book to be in readiness to pilot tb^n in to safety be it
Enacted and ordained by the Governour and Councill and Rep-
resentatives Comvcmed in Gemerall Assembly and it hereby
Enacted and ordained by the authority of the same that there
shall be four men appointed and commissionated by hia Excd-
leucy the Governour who shall constantly attend at some con-
venient place near the Hook with a boat to give aid and aaaist-
ance to ail Vessela bound for thlfl Tort which they are obliged
to pilot up as far as the narrowa

And be it further Enacted by the authority aforesd that for
Every ship <»' three mast Vessel that shall conie within the hook
shall be paid six shillings Currant Money of this Province for
Each and Every foot water said ship shall draw and for tsvery
byrbenfcine or Ketch that shall come within the hook shall be
paid five shillinga currt money of this Provin for Each and
every foot water said byrkentine or Ketch shall draw and
for Every sloop that Bhall ccane within the hotdc shall be paid

.., C A.>(.>glc

Two shillings and eAs. pence per foot tor Ea.ch and Ever? foot Water said sloop shall draw, Except all such sloths as belong to this Provinc!^ and are Coasters upon the main of north America which is to be understood to Extend from Pcmiquid to Virginia inclusive which Rates hereby Established for the pilot-ing iuwarda of Each ship or vessel shall be payd by the Master at Entring of Each i-espective ship or vessell to the Collector or Receiver Generall at the Custom Houae for the use of the pilots aforesaid provided alwayes that the pilots give their due attendance at the hook and use their endeavour to crane off to all vessels inward bound in order to the piloting them up as far as the Narrows and whatever veseell shall come in and not find the pilots at the hook and ready as aforesd ^lall not be obliged to pay the sd Bates and furthermore the said pilots shall for such their negligence or want of Duty forfeit and pay unto the use of their majestic the sunun of five pound and tiiis act shall continue but for one year from the Publication hereof and no Longer.

[CHAPTER 34.]

[Chapter 34, of Livingston & Smith, where the title only Is printed, bavlntc been passed March 10, liSKI. Chapter :)4, of Van SchBuck, wh the title only Is iirlnted, as having passed September 22. 1603. Pri In fnll In Fowler's Bradfui'd, p. 84, as having been passed at the beginning September 12, 1893. The title only Is printed in Baskett. 21. From the Minutes of the Council It appears that the act was pa September 22, 1693. (See Journals of Leglslatlre Council, p. 48.) See ch. 24. For note In reference to this act, see Fowler's Bradford, p CXXXI.J

AN Act oonflpming & continuing unto their Majesties the Revenue Established by an act of Generall Assembly made in the 4tli year of their Majesties Reign for defraying the publick and necessary charges of the Government five years longer than the term therein mentioned.

[Passed, September 22, 1693.]

The RepreBentatives convened in Generall assembly taking into their serious consideration the extraordinary Expence that

the defence of this Province requires from their Majesties dure-
ing this term of war and being Willing on all occasions to give
Demonstration of their constant Loyalty and dutyfull affections
unto their most Excellent Majesties do huTubly pray and beseech
that the Revenue given and Granted unto their most sacred
Majesties for the term of two years by an act of Generall Assem-
bly made in the fourth year of their Majesties reigne Entituled

DgizedbyGoOgiC

an act for establishing a revenue upim tlieir Majesties for the
defraying the pnblick and neceseaty charges of the Oovenmi«it
may be continued and confirmed unto their most Excdlent
Majesties for the time and Sjtace of five years neit after the
Expiration of the term of the two years afopesald, And humbly
beseech that it may be Enacted and be it further Enacted by the
Governour and Coancill and representatives convened in Gen-
eral! Assembly and by the authority of the saime That the Bates
Duties and Excise made payable upon Jlerchandizes ffurs And
Liquors shall be lei'yed, collected and paid unto their most
Excellent Majesties for the term and space of five years next
and after the expiration of the term limitted in the Said act to
commence and be computed from the 18th of Mny which shall
be in the year of our Lord 1693 according to such Rules and
Direction and under such pains and forfeitures as is contained
and Enjoyned by the said act, and the aforesaid Act and every
Article rule and clause therein mentioned shall be, abide and
remain In full force and effect to all intents and purposes. dure-
ing the said term of five years and no Longer as fully and in
like manner as if the same were particularly and att large recited
and Set down in the Body of this act any thing contained thwein
to the contrary hereof in any wayes notwithstanding.

THE FOUE.TS ASSEMBLY.

Jfirat Session.

(Begun Mcb. 1, 1694, 6 Wm. & Mary, Benjamin Flqtcheiv

Governor.)

[OH AFTER 35.]
[Chapter 36, of Livin^ton & Smitb, wbere tbe tltJe only Is printed, having been passed Marcb 24, 1G9:{. Cbapter 86, of Van St^aack, wher the title only ts printed, as having been parsed March 26, 1691. Fl In full in Brlnley's Bradford, p 90, as having been passed in 1694. Printed In full In Baskett. p. 23, as having beeu passed In 1685. the Minutes of the Council, It appears that tlie act was signed Mar 24, 1604. The act was conflrmed by the King. May 11, 1097. (See Fowler's Bradford, p. CXXXVI,) The act la presented here, out of Itt chronological order, to preserve the continuity of chapter numbering, conformity with L. & S.]

An Act against unlawful by laws and
Unreasonable forfeitures.

[Passed, March 24, 1694.]
Tn all humble manner tbe Representatives of this their Majesties Province of New Yorte show and Complain unto our Excellency and thdr Majesties Coundll tliat the people of the Citty of New

York under colour and pretext of their Charter or Custom or both have taken upon them to make and publish Certain by Laws, Oraera oi'diunuuna, regulation Wkereby they forbid the bringing of any i;'iower or Bread for Exportation to Sew Yorke under the i'enalty of forfeitufe of the same which said Citty being the principal I'ort of this I'l^vince for the sending fordi the produce and Manufacturage thereof and the Chief Market within the same they thereby not only prohibit the Importation and Belling such flower and bread at the same Citty and obstruct and hinder all bolting of ftower and baking of bread for Exporta- tion which are Lawful Mysteries, Crafts and Trades in all other parts of the Province but also arrc^ate to themfielves the sole bolting baking Using Making- and selling of all such flower and bread raised or to be produced within the Province and under colour and pretence of the sd orders, by laws ordinances and Begulations have taken condemned and converted to their own uses divers Quantities of flower belonging to severall of their Majesties good Subjects of this rrmince all which being contrary to law, to the grie\'ous damage iind Impoverishing of many of their majesties good people and the said by laws and orders unresonable and of evil Dangerous and pernicious Consequence to all their Majesties subjects of the I'rovinoe they therefore most

Earnestly pray that it may be Enacted and it la hereby enacted by hib Excellency the Councill and the repreeentatives of this their majesties Province in Oenerali Aasembly met and assem- bled and by the Authority of the same that the sd pretended by laws, orders, ordinances or Regulations of the people of New Yorke aforead made in the name of The mayor Alderman and Commonality of the Citty of New Yorke or in or by any other name oi' stile whatsoever and Every clause or thing in The same or any other rule order or ordinance contained In any wise Con- serning the restraint of Bolting of flower baking of bread or Importing of flower or bread to New York aforsd or Concerning or relating to the prohibiting obstruction or liinderaace of the using practicing or enjoying of any other lawful Trade Mystery or Occupation or against the importing in or to or Exportation from the Citty of New Yorke or any other Lawful port in this I'rovince any wine Com Flower bread Flesh, fish Victuals wares Srerchandizes and and all other things vendible and not by the common Law or Statutes of the Bealm prohibited and all Process ProoeedinpB Judgments and Executions thereupon hereafter to be issued, ordered Entered published or Executed shall be utterly void and holden for none and they are hereby declared void and null to all Intents and purposes whatsoever any pre- tended by laws or order ordinance Custom Usage or Practice to

D,g,;,zeclbyG00gIc

the Contrary hereof in any wise notwithBtanding, and farther Be it Enacted by the Authority aforesaid that if at any time after the making and publishing of this act any officer or miniater or other perBOs or pePBOna whatsoever shall presume by or under colour of any such pretended by laws <H^ers ordinances or Begulationa to take seize condem or convert to his or their own use or uses any flower w other Goods or Mercliaiidises whatso- ever not by law prohibited at any time to be Imported to or Exported from the said Citty of New Yorte or any other lawfnll port in this Province he they and every of than shall forfeit to the owner of such flowor bread and other goods or Merchandises trible the value of the flower bread or other Goods or Merchan- dizes so to be taken seized condemned or converted aa afores^ and also his tribble Coats to be recovered by accon of Debt in any of their Majesties Courts within this Province where in no

Eesoyn Protection or wager of law nor any more than one Impar-
lance shall be allowed provided alwayes and it is the true Intent
and Meaning of this Act That no ofRcer minister or other person
or persons sliall at any time be impeached prosecuted condemned
troubled disquieted by Virtue of this act or upon any Constmo'
tiop or Interpretation «f the same for any fact Mater or thing
acted done perpretrated or conunitted at any time before the
making and publication hereof but that surfi officers minister
OP other person or Persons as to any such fact matter or thing
heretofore acted, done perpretrated or committed shall be and
remaine in such plight State and condition as if this Act and
every clause therein contained liad never been made any thing
before herein Expressed to the contrary hereof In any wise
notwithstanding.

[CHAPTEB 36.]

rChnpter 36, of LlvtD«rston &, Smith, where tbe act Is printed In full, a§ havlnx beeo passed March 24, 1093. Chnpter 33. of Van Seha where the act la prlDted. In full, as having been passed September leai. Prlntoil In full, In Fowler's Brflitford, p. 81. as havlnft be at an Assembly boRiin September 12, 1693. Printed In fnll In Basbett 16. From the Kflnntea of the Connell, It appears, that the act was September 22. 1693. (See Journals of the Ix-^lslatlve Council, p. 48. The act was conflrmed by the Klne, May 11. 1697. (See Towler's Brad ford, p. CXXXVI.) For note in reference to this act, see Fowler's Br ford, p. CXXIX.]

AN Act for Settling a Ministry & Rais-
ing a Maintenance for them in the Qty of
New York County of Richmond Westchester
and Queens County.

[Passed, September 22. 1693.]
Whereas Prophanene?s and Lisrentioiisness hath of late
*' over spread this Province for want of a settled Ministry

Digi-jzedbyGoOglC

tbrunghODt the naiae to tbe end the same may be removed and
the Ordinances of Ood dailj administred be it Enacted bj the

OoTemonr and Council and BepreBentativeB convened in Qenerall Aesembiy and by the Authority of tbe same that in each of the respective Cities and Counties hereafter mentioned and expressed there Shall be called Inducted and established a good sufficient Protestant Minister to officiate and have the care of souls within one year next and after tbe publication hereof that is to say in tbe City of New Yorke One in the Conniy of Richmond one in the County of Westcbesto∗ two, one to have the care of Westchester, Eaatcbester, Yeanches and the Manner of Fellham, the other to have the care of Bye, Mamaranock and Bedford, in Queens County two one to have the care of Jamaica and the adjacent Towns and fainns the other to have thei care of Hempsted and the next adjacent towns and farms. And for their respective Encouragement Be it further Enacted by the authority aforesaid That there shall he annually and once in every year in every of tbe respective Cities and Counties afore-said assessed levyed, collected and paid for tbe maintenance of each of their respective Ministers tbe respective sums hereafter mentioned that is to say. For the City and County of New-Yorke one hundred , Pounds for the two Precincts of West-chester one hundred pounds to each fifty pounds to be paid In Country produce at money price for the County of Rich-mond forty pounds in Country Produce at money price, and for the two precincts of Queen Coimty one hundred and twenty pounds to each sixty poinnds in Country Produce at Money price. And for the more orderly raising the respective Maintenances for the Ministers aforesaid Be it further Enacted by the Authority aforesaid That tbe respective Justices of Every City and County aforesaid or any two of them Shall erery year issue out there warrants to the constables to summou the ffree-holders of every City County and Precinct aforesaid tc^etber on the 2d Tuesday in January for the chuaing of ten Vistry men and two Church Wardens and the said Justices and Vistry men or major part of them, are hereby impowered within ten days after tbe said day or in any day after as to them shall seem convenient to lay a reasonable Tax on the respective City County parish or precinct for the Maintenance of the Minister and Poor of there respective places and if they shall neglect to issue their warrants so as the Election be not made that day they shall respdlTely forfeit five pounds Currant money of this

Digi-jzedbyGoOt^Ic

ProTJiice and in case the said ffreeholeiere duely aummoDed aB aforesaid shall not appear or appeareing do not chuse the Bald ten Visti'y men and two church wardens that then In there default the said Justices shall within ten days after the said Tuesday or in any day after as to thoni shall seem, convenient lay the said reasonable Tai on the said respective places for the respective Maintenances aforesaid and if the said Juaticea and Vestry men shall neglect their duty herein they shall respectively forfeit five pounds currant money aforesaid.

AND be it further Enacted by the authority aforesaid that such of the Justices and Vistry men that shall not be present att the time appointed to make the said tax and thereof be convicted by a Certificate under the hands ot such as do appear and have no suffici^'nt Excuse for the same shall respectively forfeit five pounds Currant money aforesaid and A roll ot the said Tax so made shall be delivered into the hands ot the respective constables of the said Cityes County parisbeSi, and preclnts with a warrant signed by any two Justices of the Peace, impowpring him or th«n to levy THE said Tax and upon refusal to distrain and sell by publick out cry and pay the same uuto thehandsof thechurch wardensreteiningto himself 12d per pounds for levying thereof aud if any Person shall refuse to pay what he is so assessed and the said coostables do strain for the same all his charges stiall be paid him with such further allowance for his pains as the Said Justices or any of them shall judge rensonable and if the said Justice or Justices shall neglect to issue the said warrant he or they respe^^lvely shall forfeit five pounds currant money aforcunid, and if the said constables or any of them fail of their Duty herein They shall respectively forfeit five poimds currant nwnej' aforesaid and the church wardens so chosen shall undertake the said office and receive and keep a good Account of the Moneys or Goods Levied by virtue of this act and the seme isaup by order from the said Justice and Vistry men of the respective Wtyes Couuties precincts and parishes afoi-esoid for the purposes and intents aforesaid and not otherwise and the church wardens shall as often as thereunto reciuired yield au Account unto thp Justices and Vistry men of all their receipts and dishursenwnits and in case the church wa.rdens or any of them shall neglect their duty herein they shall respectively forfeit five pounds currant money afore-

said for every refuseal. And be it further enacted by the authority afon^sald that the said church ward^is in their respective precincts aforesaid shall by warrant as afore- i^d pay onto tbe reepectiTe Ifinlsters the Maintenance aforesaid

Digi-jzedbyGoOgiC

ty four equal and quarterly payments under the penalty aud forfeiture ol five pound Currant money aforesaid for each neglect refusal or default the one half of all wbich forfeitures ehaJl be toposed of to the use of the poor in each r^Hpeotive precinct where the same doth arise and the ctiier half to him or them that shall prosecute the same. ALWAYS provided and be It further Enacted by the authority aforesaid that all and every of the respective Miniaters that shall be settled Into the reapective Cityes Countyes and precinots aforesaid Rhall be called to offici- ate in their Peapeotive precincts by the respective Vestry men and church wardens aforesaid and always provided that all f<v- mer agreements made with Ministers throughout this province ■hall oontinne and remain in their full force and virtue any thing contained herein to the contrary hereof la aaxy ways notwith- •tanding.

[CHAPTEB 37.]

ICbapter 37, ol UvlngstoD & Smith aod Van Schaack, where the title oolr Ib printed. Printed In full In Brlnley's Bradford, p. 89. Title U printed In Bukett, p. 21. The act expired November 14, 1695, see eh^t^ 42.]

An Act Oonflrming and continuing an Act ot Oenerall Assembly made in the fourth year of thedr Majesties Reign Entituled An Act for the satisfying and paying the debts ■of the Government one year longer than the term therein mentioned.

[POBsed, March 26, 1694.]
Whereas it is found needfull that there should be forthwith raised the sum of six hundred pounds Currant money of this province for the Defraying the charges of fiis Excellency Expedi-

tion to Albany and the making of presents to the Indiana and A\'herea8 there is an act of Generall assembly made in the fourth year of thdr majesties reign Entituled an act for the satisfying and paying the debts of the Government which doth Expire by its own limitation upon the 14th day of november next and whereas it is thought convenient for the pajinf nt of the said sum ot six hundred pounds with ten per Cent annual! Interest that the Siiid Act Entituled An Act for the satisfying and paying the debts of the Government should be confirmed and continued in Force one year Longer than the Term therein mentioned be It therefore Enacted by the GoTemour and Councill and Eepre-■entatives convened in Generall assembly and it is hei«by Enacted by the anthoarity of the same That the additional rate

1 1., Google

and Dutieemade payable upon merchancliee and liquon imported into this province by virtue of the eaid act ehail be levyed c<rf-lected and paid unto their Majesties receiver li^ierall for the time being at their majesties Custom house at the Cittj of New Yorlte for the term and space of one whole year next and after the Expiration of the teim limited in the said act to commence and be computed from the 14th day of november next in this Instant yeore ot our Lord 1691 and to terminate and end upon the tlth day of november then next following which shall be in the yeare of our lord one thousand six hundred ninty and five according to such nil«s and Direction and under such Pains and forfeitures as is contained and Enjoyed by the late said act And the aforesd act and Every article rule and Clause therein men-tioned shall be, abide continue and remain in full force virtue and Effect to all Intents and purpoHes for the payment of the said six hundred pounds with the lutcreat aforesaid During the said term one whole year and no iooger as fully and in Like man-ner as if the »ame were pai-ticularly and at large recited and set down in the body of this act any thing contained therein to the contrary hei-eof in any ways notwithstanding, allwayes pro-vided that if the said additionall rates and duties shall during the said Term of one whole Year amount to more than the sum of six hundred pounds aforesd with the Interest aforesd then the residue or surplusage of the sd simi shall be applyed for the satisfying and paying the Debts of the Government according

to the Directions contained in the said act and to no other use or Intent whatsoever.

[CHAPTER Sa]

[Chapter 3H, of Llvlnf^foa & Smith and Van Scbaaok, where the title only Is printed. Printed In full In Brlnley's Bradford, p. 88. Tbe does not appear In Baekett.]

AN ACT to enable the Citty and County of Albany to defray their Necessary Charge.

[Paesed, March 26, 1694.]

FORASMUCH as the Inhabitants of the City and County of Albany hare been during the time of the late disfwders rery much aggrieved wasted destroyed and impoTerished by the Incursions of the French their Majesties declared en^nles and that it Is abscriutely necessary that some suitable and Con- TeDi«9it way sbotild be found out tor the Belief and mwe easle

Digi-jzedbyGoOgiC

defraying of the necessary Charge of that Citty and County BEE IT THEREFOK ENACTED By the GoTernour and CouncUl and BepresoitatiTes convened in genarall assembly AND IT IS HEBEBY ENACTED by the Anthority of the same' that the Imposition or -^te of two per Cent shall be raised and levyed upon all Indian Ooods that are brought up to that Citty and County of Albany and there sold or Consnmed and alsoe that the Impost of three pence be raised and levied upon Each gallon of Rum that is sould and consumed within that Citty and County and for the due and orderly Coliecting of the ad RespectiTe Impoflts and rates the Tpeasnrer of the sd. Citty for the time being OF any appointed by him and the Mayor of the said Citty under the publick seal of the sd, Citty are hereby impowe«d and authorized to appoint constitute and Establish A Collector or receiver of the rates and Imposts aforesd. who shall have power to receive the same and to enter in a far book kept for that purpose all such sume and sums of money as shall be bo Entered and received for the respective Duties aforead. THE Collectors

or receivers appointing certain convenient times and places for the keeping of the oflBce as shall he Directed by the Court of Mayor and Alderman and assistants of the sd Citty and all per- sons that Trade and bring up to the sd Citty and County the aforementioned Indians goods and Rum are hereby required to make a report of the Quantity and value of Such Goods and rum they BO bring up and sell in the sd. Oitty and County afore- said and pay the duties and imposts hereby Established without being at any further Charge than the sd. duty and in default thereof it shall be lawfull for the Mayor treasurer or any other officer hereby authorized To issue out hia or their Warrants under hia or their hand and aeaie for the seizing of all Such Goods and Rum as shall be Embezeled and not pay the Duties aforesd one third to the Informer one third to the said Citty and Oonnty of AHainy and one third to his ExcellCTicy the Governour or Commander in Chiefe for the time being Provided that all the sums of Money that are hereby received shall be only appropriated and applyed to the defraying of the necessary Charge of the Citty and County aforesaid and that the Treasurer Collector or Receiver for the time being ahall not pay any of the Money received as aforesd But by Warrt from the Mayor of the said CStty and approved by the Justices of the Peace of the sd County provided that this act shall only remain in force for the space of one year to commence from the 18ti of May next ensuing and No Longer any thing oontaioed herein to the Contrary in any ways notwithetanding.

Digi-jzedbyGoOglC

LAWS OF TFP. COLOlfY OF MEW YORK.

[OHAPTEB. 39.]

Chapter 39, of livlngston & Smith aod Van Sch&ack, wbere the title only l8 printed, as having been passed March 26, 16d4. This act 1b In BrlDley's Bradford or In Baskett In Bradford's, 1710, ed., p. 24, Bradford's, 1716, ed., p. 24, the tlOe of the act la printed as ha passed In 1695. In Bradford's, 1732, ed„ however, the error U correc and the title of the act U printed as having beeu passed la 1691. the Minutes of the Council, It appears that the act was passed Mart 26, ISM. (See Journals of the Legislative Gonncll, p. 66.)!

An Act for tbe nuRUig and paying one hnndred and Beaveuty men for tbe tijecnring the frouteers of this Pnyrince in tbe Gitty and Ocnrnt; of Alban;.

[Passed, March 26, 1894.1

Tbe BepreseiitaitiTes convened In Oenerall assembly do tbinb it necessarf for tbe Becureing tbe fronteera of this Provinoe in tbe Citty and County of Albany that bis Excellency tbe Captain Generall do raise one hundred and Seventy men with their pro- per officers in such Quotas and prt^rartions in each respective Citty and County as is hereafter specified and Expressed which Hhall be well provided with anns and. be at Albany on the first day of may next and there to continue and remaia for the Security of tbe fronteers of this Province for tbe term and space of one wboie year to commence on the sd first day of May next ensuing the Publication hereof and to terminate and Expire on tbe first Day of may then next following which shall be in the Year of our Lord one thousand six hundred ninety and five which Quota's and proportions of men is as followeth viz: For the Citty and County of New Yorke forty three Effective men for tbe county of Westchester seventeen Effective men f<w^ the County of IUchm<»id Eight effective men for Kings County tw«ity four Effective men for Queens County two and thirty Effective Men, for Suffolk County thirty five Effective men And for "Ulster and Dutchess County Eleven Effective men.

And to the End that the said men may be Effectually Baiaed according to the Quota's and proportions afioresd Bee it Ehiacted hj' the Govern our Council and Bepresenta fives convened in Generall assembly and by the authority of the same that if any person or persona who in pursuance of such warrant or Warrants to be by his Excellency the Captain Generall issued out to the chief Military officer or officers of Each Bespective Citfy and County or Counties as aforesd shall be warned to be tn Arms is order to the BalEribg of the one hundred ajid seventy men aforesd shall neglect delay or Befuse to appear in Arms or otherwise

Digi-jzedbyGoOgiC

absent him or theniAelTes from aucb Ihity shall forfeit for Each such Default the aume of five pounds currant money ot New Yorite

to be levied by Distress by Warrant under the hand and seal of any Ju^ice of the peace Directed to the Constable within this Province on the Goods and Chattels of Every such Terson or persons so offending as aforesd upon a Certificate of such Default made from the Capt or chief officer of such Company in or to which the sd offender shall be listed or belong under his hand and seal the said Goods and Chattels so taken by Distress shall be Exposed to sale and the overplus thereof if any be shall be rrtumed to the Person so olTending the sum forfeited and charges of distress and sale being first deducted which Said sum of five pounds shall be imployed for the Encouragement & raising the Quotas of men by this Act in Bach respective City & County or Countys to be raised as aftn-esaid and in case Bu<:h person or persons so offending as aforesd shall not have Goods and Chat- tels to be found to pay and satisfie the sum of Ave pounds aforesd such Person or persons upon Certificate and by such Warrants as aforesd shall be committed to the common Goat of the same Citty & County or Counties there to remain without bail or mainprise for the space or term of five Kalander moneths or untiil he or the shall satisfie the sum of five pounds aforesd and for the paying and maintaining the sd one hundred and seaventy men wltb their proper officers. Bee it further Enacted by the Authority eforC' said that a levy of two Thousand six hundred and sixty pounds currant money of this Province be laid assessed raised and levyed upon all and Every the Inhabitants Residents ffree- holders of and in this Prorince towards the paying and maintaining the said one hundred and serenty men and their proper officer for the space and term of one whole year as aforesd which together with the sume of Eight hundred pounds which is and remaine a surplusage over and above what is required or due by an Act lately made Entituled an Act for the Raisin)? six thousand pound for the payment of three hundred Volunteers &c makes in the whole the sum of three thousand four hundred and sixty Pounds which is hereby allotted and appointed for the paying and Defraying the Incl- dentall charges of the said one hundred and seventy men with their proper officers and for no other use intent or purpose what- soever to be laid assessed raised levyed and paid to their maJNtles Coliector and Receiver generall for the time being at their Majesties Oustome house in the Citty of New Yorke In two Eqnall payments that is to say the eume of thirteen hundred and tiirty pounds being the one moyety or Eqnall half part of the said sum of two llioaBand six hundred and sixty ponndB

Digi-jzedbyGoOt^Ic

aforesd at or before the 2dth da? erf September next ED&ninfr the publication hereof and the Bum O'f thirteen hundred and thirty pounds being the other moyety or Equal! half part of the said sum of two thousand six hundred and sixty at or before the 28tli day of March then next following which shall be in the year of our Lord one thousand six hundred ninety and five according to the Quotas and proportions hereafter following that is to say for the Citty and County of Sew Yorke one thousand fifty one pounds being their Quota and proportion of the sum of 2G60 £ aforesd for the County of Westchester one hundred and thirty three pounds being their Quota and proportion of the 2660 £ aforesd For the County of Bichnu^id Eighty pounds being their Quota and proportion of the pounds 2660 aforesd For Kings County three hundred forty six pounds their Quota, and pro- portion of pounds 2660 aforefld. For Queens County three hundred Eightj- seven pounds being their Quota and proportion of pounds 2660 aforesd for Suffolk County four hundred and thirteen pounds being their Quota and proportion <rf pounds 2660. For Ulster and Dutchess County two hundred thirty and six pounds being their Quota and proportion <^ pounds 2660 aforesd and for Orange County fourteen pounds being their Quota and proportion of pounds 2660 aforesd. And be it further Enacted by [At this paint in the act, the nrfls are so badly blott as to render this clause illegible]

sd fuzileers shall be dulely and truly'

October next withoat any Delay of the asme upon any pretence whatsoever

And be it further Enacted by the Authority aforesaid that for the Better assessing Kaising and paying the sum of two thou- sand six hundred and sixty pounds afoiresd the mayor and Aldermwi within the City of Sew Yorke and the Jnsticea of the Peace for the time being for The Several! and Respective Counties aforesd for the several! Counties Respectively for which they shall be Justices otf the Pence do

forUiwitb upon the publication hereof assemble and meet together at the Court houses for the several! respective Cittys or Counties or such other place or places as they shall agree upon amongst themselves and shall there order that the assessors and Collectors for the several! Respective Citties Towns mannors and liberties within their several! Jurisdictions for the assessing

Digi-jzedbyGoOgiC

Collecting and receiving of the pablick rates for the Defraying tlie publick and necessary charge of Each respectire Citty and County aforesd be the asBessora and Collectors for the assessing collecting and Beceivlng the siun or sums of money hereinbefore mentioned according to their Quotas and proportions before Expressed as to the sd Mayor Aldennen and Justices ot the peace shail seem meet and Beasonable. And be it further Enacted by the authority aloresd That the said Mayor and aldennen and Justices <rf the peace for the Respective Cities Counties maunors and Jurisdictions have and shall have power and authority by virtue of this act Each of them by himself to administer an Oath to the said Assessors well Truely Equally Impartially and according to their beet Uuderstandiing to assess and rate the Inhabitants residents and freeholders of the respec- tive plac^ for the which they shall be chosen assessors Au be it further Enacted by the authority aforesd That if any Person or Persons who shall be chosen assessors or Collectors shall deny neglect or refuse to take the oath as aforesd or shall in any ways deny neglect or unequally and partially assess or refuse to make such assessment as by this Act is required or shall deny neglect or refuse to collect any sum or sums of money in form before mentioned assessed That then and in such case it shall & may be lawfull for any two of their Majesties Justices of the peace of the County where such offender shall happen to dwell or reside and who by virtue of this act are Required and impowered to do the same by warrt under their hands and seals to coonnit such assessor or assessors Collector or Collectors so Denying refusing neglecting or unequally and partially assessing to ye C(Hninon Cloale, there to Remain without bail or Mainprize till he or they shall make fine and Ransom to their Majesties for such' Contempt as abovesaid. And be it further Enacted by the authority aforesd That if any person or Persons of what degree

or quality soever he or they be of within this Province who shall be assessed or rated any sum or sums of money by virtue of this act to raised or levied shall deny refuse or Delay to pay and satisfle the same that then it shall and may be lawfull for any such Collectors by virtue of a Warrant under the hand and seal of any Justice of the peace for the City or Coainty where such offender shall dwell or reside who by virtue of this act are required and authorized to grant and l^ue forth Such Warrants to levy the same by distress and sale of such person or Persons QlKtds & (Siattels returning the overplus of such Goods and

Digi-jzedbyGoOgiC

Chatties to the Owners, the sum asseBsed and Chaises of Dis-tress and sale being first deducted if any such orerplns shall happen to be And also be it further Enacted hy the anthcH^ty aforesd That if any Mayor Aldennao or Justice ot the peace within this Province who are hereby required impowered and authorized to taie EfEectuall care that this Act and Every arti-cle clause therein be Duly and traely Executed according to the true and genuine sence and intent thereof shall deny refuse neglect or delay to perform fullfill and Execute all and Every or any the duties powers and authorities by this Act required Sc impowered by him or them to he done performed fulfilled and Executed and shall thereof be lawfully convicted before any of thdr Majesties Courts of Becord within this province he or they shall suffer such pain by fine & Imprisonment as by the discre-tioD of the Justices of the sd Courts shall he adjadged, And be it further Enacted by the authority aforesaid That if any action hill plaint or Information shall be brought moved or prosecuted at any time hereafter against any persmi or Persons for any mat-ter Cause or thing done or acted in pursuance or Execution of this act such person or Persons so sued or prosecuted in any Court whatsoever sliall & may plead the generall issue not guilty & upon any Issue soe sued may give this act & the speciall matter in Evi-dence & if the plaintiff or prosecutor shall be nonsuited or forbear further prosecution or suffer discontinuance or verdict to pass against him the Defendant or Defenders shall recover their trible Costs for which Th^ shall have the like remedy as in any case where costs by the law are given to defendants pro-vided alwayes that no Mayor Aldermen or Justices of the peace

shall ble troubled sued prosecuted or molested for any omission offence or neglect by virtue of this

but within the space of one .reare after such omis- sion offence or neglect and not at any time here- after, any thing contained herein to the contrary hereof in any wise notwithstanding. And belt further Enacted by the Author- ity aforesd That what person so Ever shall absent himself from the place of his abode after the Publication of this act without leave first had from his respective Captain or chief officer sliall

incur and be liable to the same fine and punishment as If he had been legally summoned.

DrizcdbyGoOgiC

LA.WS OF THE COLONY OF NEW YORK.

THE FOUBiei ASSEMBLY.

Second Seasion.
(Begun Sept 25, 1694, 6 Wlm. ft Marj, Benjamin Fletcher, Governor.)

[CHAPTEB 40.]
[Chapter 40, of Uvlngatoa &. Smith, where the title only Is printed having been passed Uctolwr 17, 16U4. Chapter 40 of Van Scbaack, wher the title only Is printed as harlug been paased October 2*^, 16&4, only is priDted !□ Briniey'e Bradford, p. lift. Title only Is printe Baskett, p. 21, as haTing been passed lu October, 1804. Reprinted In Bnskett, oii page :% as having been passed In 1695. The commlBSiouer hare t>een unable to obtain a copy of the act as It Is not among enrolled bills In the New York State Library. From the Minutes of t Council It appears that the act was passed October 17, 169^. (See JoumalB of liegtslatlre Council, p. 63.)]

AN ACT to enable Isaac Lanser, to set ap a mill foiT making linseed oyl.

[Passed, October 17, lOM.]

[CHAPTER 41.]

[Chapter 41, of Livingston & Smith and Van Schaack, where the title only Is printed. Printed In full In Brinley's Bradford, p. 114. Titl Is printed In Baskett, p. 21. The original law is not In the offic Secretary of State, nor Is a transcript among the enrolled bills in New Yorli State Library. This copy Is made from Brlnley''s Bradford. Prom the Minutes of the Council, It appears that the act was passed October 22, 1684. (See Journals of Legislative Council, p. 05.)]

AN ACT for the' raising and paying one Hundred Men, to be raised for the Be-inforc-ing the Fronteers of this Province, in the City and County of Albany.

[Passed, October 22, 1694.]

THE Bepresentatives, convened ia General AaBembly, taking into their Consideration, that part of his Excellencj'a Speech Relating to the Be-inforcing the Fronteers of this Province, in the City and County of ALBANY, for this ensuing Winter SeasoQ, do pray, that his Excellency, the Caprtain General, do forthwith raise the Number of one Hundred Men, in such Quota's & Proportions in each respective City and County, as is here-after specifled and expressed, which shall be well provided with Arms, and be at ALBANY, on the flret day of NOVEMBEE next ensuing the Publication hereof, and there to continue and remain for the Ee-inforcement of the Fronteers afoiresaid, and to be joyned to the Forces at Albany, raised by the last Act of Assem-bly, for the spare and term of four Kalender Months, and one. half, to commence on the said first day of NOl^MBER. next ensuing the PnblicAtion hereof, and to terminate and expire <m

Ac

tht; flfteentli daj of MABOH, then next Mlowiog. Which Quota's and I'roportionB of Men are a* follo^'eth, viz.

For the City and County of NEW YOBK, Twenty five efleotive Men.

For the County of WESTCHESTER, Ten effective Men.

For RICHMOND County, Five effective Men.

For KINGS COUNTY, Fifteen effective Men.

For QUEENS COUNTY, Nineteen effective Men.

For SUFFOLK COUNTY, Twenty effective Men.

For ULSTER and DUTCHESS County, Sis effective Men.

And to the end that the said 5Ien may he effectually raised, acoM-ding to the Quota's and Proportiona aforesaid, Be it Enactfd by the Govemour and Council, and Representatives convened in General Aasembiy, and by the Authority of the same. That if any Person or Persons who in Pursuance of such Warrant or Warrants, to be by his said Excellency the Captain General, issued out to the chief Military Officer or Officers of each respec-tive City and Coimty or Counties, as aforesaid, shall be warned to be in Anus, in order to the raising' one hundred Men afore-said, shall neglect, delay or refuse to be in Arms, or otherwise absent himself, or themselves, frwn such duty as aforesaid, shall forfeit for each default, the suim. of five Pounds, current Money of this Province, to be levyed by Distress by Warrant under the Hand and Sesl of any Justice of the Peace within this Province, directed to the Constable to levy the same on the Goods and Chatties of every Person or Persons so offending, as aforesaid, upon a Certificate of such Default made, from the Captain or chief Officer of such Company, in or to which said Officer shall be listed or belong, under his hand and aeal, the said goods and Chatties so taken by Distress, shall be exposed for sale, and the overplus thereof, if any be, shall be returned to the Person so offending, the sum forfeited and Charges of Distress and saJe being first deducted; whicJi said sum of five Pounds, shall be imployed or the encouragement erf. and raising the Quota's of Men aforesaid, and in caae such Person or Persons so offending, as aforesaid, shall not have Goods and Chatties to be found to pay and satisfie the sum of five Pounds aforesaid, such Person or Persons upon Sttch Oertifleate, and by such Warrant as aforesaid, shall be ccnnmitted to the common Goal of the same City and County or Counties, ther«e to remain without Bail or main prize for the space and term of five KaJender Monettas, or until he or they shall satisfie the sum of fire Ponnds aforesaid. And for the paying and maintaining the said one hundred Men, Be it further Enacted by the authority a'oresaid. That a Levy of five Hundred Pounds current Money aforesaid, shall

be laid, asBeBBod, raised, and levjed upon all and every the lobabltantB, Beaid^its and Fre<^olderfl of and in this Province for the paying & maintaining the said one bundrod Men for the space and teim of four Kalendar Moneths and one half, ae afore-said and for no other use, intent or purpose whatsoever. Tobelaid, assessed, raised, ievyed and paid to their Majesties Collector and Eeceiver General for the time being, at their Majesties Cus-tom-House in the City of NEW-YORK, on the first Day of FEB-RUARY, next ensuing the Publication hereof, according to the Bates and Proportions following that is to say,

For the City and County of NEW-YORK, One Hundred Ninety Seven Pounds ten Shillings.

For the County of Wl^STC HESTER, Twenty five Pounds.

For the County of RICHMOND, Fifteen Pounds.

For KINGS COUNTY, Sixty five Pounds six Shillings.

For QUEENS COl'NTY, Seventy two Pounds ten Shillings.

For the County of SUFFOLK,' Seventy seven Pounds 13 Shillings.

For UI^TER & DUTCHESS COUNTY, Forty four Founds seven Shillings.

And for ORANGE COUNTY, Two Pound fourteen Shillings.

And be it further Enacted by the Authority aforesaid, That for the better assessing, raising and paying the snui of Five Hun-dred Pounds aforesaid, the Mayor and Aldemien of the City of NEW-YORK, the Justices of tlie Peace, the Assessors and Col-lectors, for the time being, of all and every the respective Cities, Counties, Towns, Manners or Liberties within this Proi-ince, are hereby required, impowered and authorized to summons, assess collect and pay the several sums of iloney herein before mentioned, according to the I'roportions before expressed, in such ways and nueans, and according to such manner, rule and direction, and under such Pains and Penalties as is contained,

enjoyned, prescribed and directed in an Act of General Assembly, passed in the last Sesmons of Assembly, and entituled, an Act for the Raising. & Paying One Hundred and Seventy Men for the Secu rin g the Fronteers of this Province in the Oity and County of Albany ; and ;ill .md every \nii>lr. Rule. Clau*-'. P;iins ;ind I'enalties mentioned in the afwesaid Act, for and concerning summoning, Assessing, collecting and paying, shall be, abide and remain in full force and effect to all intents and purposes, in as full and ample manner, for the due Exetution of this Act, nntl! the above-said smn of five Hundred Pounds be duely, fully and compleatly asaessed, collected and paid, as above-said directed, as fully and In tike manner aa if tiie Bame were partlcolary and at large

..iCoot^lc

recited and eet down in the body of this Act^ any thing cMitained therein to the Contrary hereof in any wayes potwithHtan dfaig. And the Mayor and Aldermen of the City of NEW-YORK and all the Jastices, AsseBsors and Collectors of the respective CStiea and Oountiea within this Province, and all others coaceraeA herein, are to take Notice hereof accordingly.

[CHAPTER 42.]

[Chapter 42, ot Livingston & Smltli and Van Schaack, wbere the tltlo only la printed. Printed In fuU In Brlnley's Bradford, p. 116. TlUe only Is printed in Baekett, p. 21. The original law is not in tbe tbe Secretary of State, nor is a transcript among the enrolled bills the New Xork State Library. This copy was made from Brlnley'a Bradford. From the Minutes of tbe Council, It appears that the act passe tbe 'Council and was signed by the Oovernor, October 23, 16&4. (See Journals of tbe Legislative Council, p. 66.)]

AN ACT confirming and oontinning an Act of Oenerall Asaembly made in the foorth year of their Majesties Reign Entitled AN ACT for the Batis^ying the debts of the Gov-ernment one year longer then the time meo-' tioned for its last continuance, to be imployed

for the Rebuilding of thear Majesties Chappel in the Fort, the mounting of 16 (ireat Guns and defraying the Debts of the Govemmeait.
[Passed, October 23, IfiW.l
[^HEREAS it is found necessary that tbeir Majesties Chi^tpel the Fort within the City of New-Yorit should with all convenient speed be re-built, and the great Gnns lately sent by their Majesties, for the Defence of this their Majestica Province, should be forth-with mounted, the Representalives convened in General Assembly, humbly pray that it may be enacted, that four hundred and fifty pounds may be raised towards the re-building of their Majesties said Chappel, and one hundred and fifty Poanda may be likewise raised for the Mounting of the said sixteen great Gunna. And whereas there is an Act of GenoHi Assembly, made in the fourth year of their Majesties Reign, entltuled Aa Act for the satisfying and paying the Itebta of the Government, which doth expire by its own limitation upon the fourteenth day of November next, and frcmi thence continued by another Act of General Assembly, for the space and term of one Year longer than the said fourteenth day of November next, wliich shall expire and terminate on the 4th day of November then next followii^, which shall be In the Year of our Lord 1696.

W^

And whereas for the eod afonesaid it is thought convenient that the said Act, entituled An Act for the satiafying and paying the Debts of the Government, should be couflrmed and continued in force one year longer than the term now last meDtionwi, Be it therefore Enacted by the G«vemonr, Council and Representatives convened in General Assembly and it la hereby Enacted by the Authority of the same. That the additional Bates and dnties, made payable upon Merchandizes and Liquors imported into this Province, by virtue of the said act, shall be levied, collected and paid unto their Majesties Collector and Becfiver General for the thne being, at their Majesties Custom-house in thee City of New York for the term and space of one whole year next and after the expiration o* the tenn next above expreesed and mentioned to commence & l>e c<nnputed from the said 14th day of November which shall be in the year of our Lord lfi!>5, and to

terminate & end upon the 14th day of November then next following, which shall be in the year of our Lord 1696, according to such Bules and Directi<mB, and under such Pains, Penalties and Forfeilures as is contained and enjoyned by the said Act. And the aforesaid Act and every Article Rule, Clause and Direction therein mentioned shall be, abide, continue and remain in full force, virtue and effect to all intents and purposes whatsoever, for the payment of the said six hundred Pounds, during the said Term of one whole year, and no longer, as fully and in like ample manner as if the same were particularly and at large recited and set down in the Body of this Act, any thing contained theran to the contrary thereof in any ways notwithstanding. Always provided. That if the said Additional Bates and Duties, during the said Term of one whole Year amumnt to more than the sum of six hundred Pounds aforesaid, then the residue or surplusage of the said Sum shall be applyed to the satisfying and paying the Debts of the Government, according to the Directions contained in the said Act, and to no other use, intent or purpose whatsoever.

And be it further Enacted by the Authority aforesaid. That if any Gentlemen, Merchants, Traders, or any other Person or Persona shall advance the Whole sum of ^ix Hundred Pounds aforesaid, or any part thereof, upon the credit of this Act, he or they BO advancing such Sntn or Bums of Money shall be allowed for BO much of the same as they shall so advance, not exceeding the sum of six hundred Pounds aforesaid, the sum of Ten per Cent, annual interest.

The End of the Second Seseioa of the fourth Assembly.

Digi-jzedbyGoOgiC

THE FOUETH ASSEMBLY.

Tfwrd Seaaion.

(Begun Mch 21, 1695, 7 Wm. & Mary, Benjamin Fletclier, OoTer-

nor.)

[No acts were passed at thi& BesBion.]

THE FIFTH ASSEMBLY.

First Setsum.

{Begun June 20, 1695, 7 Wm. in, Benjamin Fletcher, Qovenww.)

[CHAPTER 43.]

[Gli&pter 43, of Livlngetoa & Smith aDd Van Sctaaacfc, wbere the tit only is printed. Printed Id full In Brlnler's Bradford, p. 100. Titl la printed la Basket^ p. 25.]

AN ACT for Kai^ng Eight hundred
Pound's for the Paying and maintaining (rf
the OflQoers and Soldiers Imploj'd for the
Seeureing the frontiers of this Province at
Albany from t&e Pmo. May to the I^a
August 1635.

[Passed. July 2, IfiOS.]

Whereas there hath been lately raised & detacht Sereral forces for the Security of the ffrootiera of this Province at Aibany who have been there Imploy'd for that Service from the first <k May Last & are thereto continue untill the first day of August next ecBueing to the End therefoire that the said forces m>ay attend the Said Service Be it Enacted by the Governor & Council! & Representatives Convened in Generall Assembly atd by tte Authority of the same that a Levy of Eight hundred Pound's currant mony of this Province he laid assessed raised & levyed upon all & every the Inhabitants Residenters, and ffreeholders of & in this Province for the paying & maintaining the Said forces and their proper Officers together with the incidentall chafes ai-iseing thereon dureing the time aforesaid & for no other use iutCTit or Purposes whatsoever to be assessed raised Levyed & paid to his Majesties Collector and Receiver Generall for the time being at his Majesties Custome House In the Gitty of New York on or before the twenty fifth day of March next Ensueing the Publication hereof according to the rates and Pporeons following (that is to Bay) ffor the City & County of New York two hundred twenty four pounds for the County of Orange Eight Poimd's fop the County of Westchester forty pound's, ffor the County of Suffolk one hundred and Sixty Pooad's for Qaeen'n

County one hundred and twelve p<mnd'», for King's County one hundred fifty two pound's, for the County of Richmond Sixteen Pound's for Ulster & Dutchess County Eighty Eight Pound'a, And be it further enacted by the Authority aforesaid that for ihe better assessing raising aJid I'aying the aforesaid summe of Bight hundred Pounds Currant mony aforesaid the Mayor and Aldermen of the City of New York the Justices of the peaces the assesaora and Collectors for the time being of all and every the respective City's Coimty's Town's Mannors, Liberty's OP Jurisdiction's within this Province are hereby required impowered and authorized to* 8ammons assess collect and pay the Severall Suroes of mony herein before menconed according to the Proporcons before expressed in Such way's & means & according to such manner rule and direoon and under such paines and penalties as are oonteined enjoyned prescribed & directed in an act of Generall Assembly Passed in the Sixth year* of his Majesties Erfgn' Entituled an Act for the Raising and Paying one hundred and Seventy mcji for the secureing the froniewi-s of this Province in the City and County of Albany and all and every article rule clause pains and penaltyes menconed in th* aforesaid act for and concerning the sunmioning assessing collecting and Paying or refuseing and neglecting the Execucon of th^ respective duty's required therein shall be abide and remain in full force and etfect to all intents & purposes and in as full and ample Manner for the due Execucon of this art untill the aboresaid Summe of Eight hundred Pound's be duely fully & compleatly assessed collected and Payd as abovesaid dirc^cted as fnlly and in like manner as if the same were particularly and at larga recited and Set down' in the body of this act, any thing contained therein to the contrary hereof in any wise notwithstanding and the Mayor and Aldenuen of the City of New York and all and every the Justices, assessors and collectors of the respective Cityes and County's aftM-esaid and aJl other concerned herein are to take notice hereof accordingly.

[CHAPTER 44.]
(Chapter 44, ot Llvintcston & Smith and Van Schaack, wbere the title only is printed, as havfnK been paased July 3, 16ft5. Printed In fu

Brlnley's Bradford, p. 104. Title only Ib printed In Baskett. p. 26, bavlDg been pasaed In October. 1606. From the Minutes of the Connell It appears that the act was passed July 3. 1«95. (See Journal of T latlve Conncll, p. 70.) For a later act on this subject, see chap

An Act for the Encourageing of Seamen.

[Passed, July 3, 1995.] '
Bee It Enacted by the Governour and Oouncill and Representa-
tives convened in Generall Assembly that wliatsoever Tavern

D,g,;,zeclbyG00t^Ic

Keeper Ale-honse keeper or rictnaJler within the (Xty and Goanty of New York that shall Trust oc credit any Seamen belooging to any Bhip or VcbbcH That is in or ehall hereafter come into the Rhoad or Harbour' at the said City tor any Same of mouy alwve the sume of Six shillings currant mony of this Province shall loose the same and no writ or Trocess shall gtf out against any Seamee as aforesaid at the Suite of any Tavern keeper Ale house keeper op Victualler within the said City and County for any greater Summe Than Sis Shillings as afofesaid. And if any Tavern keeper Ale house keeper or victualler within the said City shall Trust or give Credit to any Seamen that is out of Service for any greater Summe Than twelve pence P diem so Long as he shall be out of Service shall likewiw Loose the same and no writt or Process shall go' out against any Seamen at the Suite of any Tavern Keeper Ale house keeper or Victualler within the said City & County for any greater summe then the said Proporcon of Twelve pence per diem dureing the time as he shall be out of Service as aforesaid and if any Clerke of the Court's of Beeord within the said City and County Shall Issue any writt's against any Seamen Circum.Btan(;ed as aforesaid contrary to the true Intent and meaning of this act shall for his Offence forfeit the sume of ffive pounds currant money of this Province to be Recovered before the Mayor or Recoi-der or any Two of his Majesties Justices of the Peace of the said City and County the one half to the use of the I'oor of the said City and the other half the Informer or him who sliall sue for the Same without (uhther

appeale and alt Masters of Vessels Tradeing to & from the said City Shall within forty eight honres after his or their arrivall bring unt<» the Towne Clerk of the Said City a List of the Names of all such Seamen as he did Import or belong to his & their Vessells and the same cause to be Registered in the ofllce of the said Towne Clerke who shall take no greater Reward for the same then one shilling currant mony aforesaid Provided that this act shall not continue in force Longer then Two years after the Pnbllcacon hereof.

[CHAPTER 45.]

[Ofanpter 45, of I.tvlncBton & Smith nnd Vas Schaack. where the titl only It) prlDted. Trlnted In rnll in Brlnley'o Bradrord, p. 102. Thi coQtlnu's chapter 20, and is continued by ch. 77.)

An Act for the continueing the Act for

Encourageing the Poet Office Three years

Longer after the Expiration of the R^id Act

tPassed, July 3. 1695.]

■Whereas The act for Encourageing the Poet Office doth Expire

In the month' of Aprill next by its Own Limitacon and it being

found very Advantageous to the Inhabitants of this Fvince b; the Preserving of trade & maintaJtung a mutuall Correspondence amongst onr Neighbouring Oollony's and Planta^ons Bee it Therefore Enacted by the Gorernor and Oouncill & Eepresenta- lives convened in General! Assembly and by the Authority of the same That the act Entituled an a«t for encourag:eing the Post Office be continued three years Longer after the Expiracon of the time Lhnitted in the Said act, and all the rates and Summe of mony established by virtue of the said aot upon Letters & Pacqnet's that shall be received and dispatched by the Office and Oflloes contained in the said act shall ije payd for the space of three years next amd after the Expiracon of the term' Limited in the Said Act according to euch rules and directions and under such Penalty's and forfedtupes as is conteyned and Injoyned by

the said act and the aforesaid Act Entltuled an Act Encouraging the Post Office and every Article rule & clause therein ULcnconed Shall be, abide remaine and continue' in full force and effect to all Intents and Purposes dureing the said terme of Three years next and after the expiracon of the terme Limited in the said Act & no Longer as fully and in like manner as if the same were Perticuleriy & at large recited & Set down in the body of this Act any thing contained therein to the contrairy hereof in any wayes notwithstanding.

[GEAPTEK 46.]
ECbtvter 46, of LIvlURston & Smith and Van Schaack, where the title only Is printed. Printed In full in BrlQley'B Bradford, p. 103. is printed la Baskett, p. 2S.)

An Act to enable the Oitty and County of Albany to defray their Necessary Charge
[Passed, July 3. IflBS.]
Forasmuch as the Inhabitants of the City and County erf Albany have been during the time of their late Disorders very much agrteved wasted destroyed and Impoverished by The Incur- sions of the French his Majesties declared Enemies and that it is absolutely necessary that some suitable and Convenient way should be found out for their Reliefe and more easie defraying of the necessary Charges of that Citty and Connty Bee it therefore Enacted by the Gover- nonr and Councill and Representatives convened in Gen- erall assembly And it is hereby Enacted by the Authority of the same that the Imposition or rate of two p Cent shall be raised and Levyd upon all Indian Goods that are brongbt up to tliat Citty and County «f Albany and there sold and Consumed and aJsOe that the Impost of Three pence be raised and levyd upon each gallon of Bumm that is Sold and consumed wl'ttiin

..Coot^lc

the said Citty and County and for the due and orderly Collecting of the Sd Respective Impost' and Bates the Treasuerer of the sd Citty tor the time being or any appointed by him and the Mayor of the said Citty und«- the Publick scale of thw Said Citty are hereby impowered and authorized to appoint constitute and

Establish a Collector or Receiver of the rates and Imposts afore-
said who shall have Power to Receive the same and to enter in
a fair hook kept for ye Purpose all such some and sums of money
as shall be so Entered and received for the respective Duties
aforesaid the said Collector or receiver appointing certain Con-
venient times & places for the keeping of the Office as shall
be Directed by the Court of Mayor and Alderman and Assistants
ot the Said City and all Persons that Trade and bring up to the
Said City and County the aforemenconed Indian goods and
Hum are hereby required to make a report of the
quantity and value of such Goods and rum they so bring
up and sell in the said Citty and County aforesaid and pay
the duties and Imposts hereby Established without being at
any further Charge than the Said duty and in default hereof it
shall be lawfull for the Mayor trasurer or any other officer hereby
authorized To issue out his or their Warrants, under his or their
hand and Seale for the Seizing of all such Goods and Rumm as
shall be Imbezeled and not pay the Duties aforesaid, one third to
the Informer one third to the said City and County of Albany and
one third to his Excellency the Governour or Commander in
Cheif for the time being I*rovided that all the Sume and snmeB
of mony that are hereby received shall be only appropriated
& applyed to the defra.\ing of the necessary charges of the Oitty
and County aforesaid and that the Treasurer, Collector or
Receiver, for the time being shall not pay any of the Mony
rt^ceived as aforesaid but by Warrant from the Mayor of the said
Citty and approved by the Justices of the Peace of the said
fj'ounty provided that this act shall only remain in force for the
space of Two Years & no Longer any thing contained herein
to the Contrary in any ways notwithstanding.

[CHAPTER 47.]

[Chapter 47, ot LlvlnKStoa & Smltb and Van Scbaack, where the title
only is printed. Printed In full in Brlnler's Brndford, p. 101- Titl
Ib printed tn Baskett. p. 125.]

^N ACT to Enable the City of New
York To Relieve the Poor and defray their
meoessary and Publick charge.

[Psseed. Jnly S. 1695.1

Whereas the Pnblick building's belonging to the CSty of New
York are much ont of repair, the Poor in great distress the high-

ways streets and Laoea bo 'Uire; and foul that tbe; are N(^80oie to the InhabitantB of the said Cit; as well as of his Majesties Liege Subjects resideing and travelling to and from tiie same and that chiefly for want of baveing a srane annually raised toe the drfraying the Publick and necessary chai^ of the said City to the end therefore that the Said City of New York may be the better enabled to erect or repair their Pnblick buildings, Believe the Poor, amend their Highways, Pave their Streets and Lanes, and defray the other contingent Publick charge of the said City Bee it therefore Enacted by the Govemonr and Councill and Bepresentatives conveyned in Generall Assembly and by the Authority of the Same That the Mayor Recorder Aldermen and assistants of the said City for the time being, or the Major Part of them whereof the Mayor or Recorder of the Said City to be one Shall yearly in the week before the feast day of 8t Michael the Archangell or within (me month after the said ffeast day of St. Michael elect and appoint five good and SufQcient Citizen's Inhabiting within the said City who shall be called over-seers of the Poor and Publick works and buildings of tlie said City &c and they or the greater part of thiem. by and with the consent of the Mayor or Recorder Aldermen and assistaBts erf the said City are hereby authorized, Impowered and Enabled annually and once every year at the time aforesaid to Raise a reascmable Tax upon all and every the Inhabitants, freeholders and Sojonmers within the said City toward's the defraying the Pub-lick and necessary charges of the said City and the necessary rellefe of the Same Impotent, old blind and such others, being Poor and not able to work &c And for the better raiseing and Levying the Tax aforesaid to defray the Publick and necessary charges and the Reliefe of the Poor aforesaid Bee it further Enacted by the Authority aforesaid that the Mayor or Recorder Aldermen and Assistants of the said City with the Overseers Soe to be Nominated as aforesaid or any Three of them shall meet tc^ether at the Least once In evwy three month's at the City hall of the Said City and there to consider how much the Pnblick and Necessary charge and the reliete of the Poor" of the said City Shall amount to for one year* and the estimate thereof they shall cause to be particularly Expressed in writeing (that is to sny) The Particular Sununе or Sununes that they shall think needfull for the erecting or Repairing of their Publick buildings and the Perticular Sume as they shall esteem neces-

sary for the Reliefe of the Poor' as aforesaid. And also the Per-
ticnler Sume that they shall judge fit for the repairing the
highway's, Paveing and cleansing the Streets Lanes and Alley's
of the raid CStty and the defraying the other contingent charges

D,g,;,zeclbyG00gIC

of the Bame which Same bo Perticnlarized &. estimated as afore-
said shall be by the assesBors of the said City equally and pro-
portionaily assessed upon the reall and Peraonall Estates of
all and every the Tnhabitants freehold^^ and Sojourners witliin
the said CHty within Twenty days at least after that they shall
Receive Such Estimate made aa aforesaid under the hands and
Beales of the Mayor or Recorder or any one or more ot the
Aldermen and Overseers Dominated as aforesaid which Tax rate
or Assessment shall be proportionably assessed or Set upon
the Reall and Personall Estates of all and every the Inliabitanta
freeholders and SojoumerB within the said City for one year"
for the purposes aforesd being aJlow'd and confirmed by the
Mayor or Recorder or any two or more of the Aidermen of the
said City shall be collected by the respective OoUectors of the
said City and quarterly payd by every respective Inhabitant
freeholder or Sojourner within the same City upon deniand
made •thereof by the respective Collectors aforesaid appointed
to gather and collect the same and in case of refusall or neglect
shall by warrant oftlie Mayor or Recorder and any one or more
of the Aldermen of the said City under their hands and seals
be lery'd by distress and Sale of the offenders goods all which
Summe or Sumen of mony Levy'd collected and payd as afore-
said shall be by the respective Collectors aforesaid paid onto the
Treasurer of the said City Quarterly and there shaJl remain untlll
the same be ordered for the purposes aforesaid by order of the
common Coundll of the said City and by warrant under the
hand and fteaJe of the Mayor. And be it further Enacted by the
authority aforesaid tliat the Mayor Aldennan and a^sstants
aforesaid shall appoint A scavenger Baker or other officer to be
Imployed in cleansing the streets, Lanes, Alley's and other places
afonesaid within the said City and at Least once in every
week shall carry or cause to be carryed the Ashes, dirte fllth
and Boyle of the said Street's, Laynea, Alley's and other places
unto such Place or Places where he shall think convenient. Pro-

vided that it shall not be Noisome or hurtfull to any of the loIiabitantB of the said City, which Scavenger Baker or other OfHoer to be Imployed as aforesaid shall have such yrarly sallary or wages as the Mayor or Becorder Aldermen and assistants aforesaid shall in their discretion think needfull to be Paid out of the mon'y assessed and Payd as aforesaid by warrant nptm the Treasurer of the said City as aforesaid. And be it further Enacted That if the Mayor or Recorder Aldermen and Assistants aforesaid shall refuse delay or neglect to Nominate and appoint overseers yearly as is before appointed that then each of them for such default shall I/xwe and forfeit for every such default

Digi-jzedbyGoOglC

fflve pound's to be Lnplojed for the reliefe of the Poor, of the said City to be Levyed by dwtresa on their good's by warroDt fr<Ha the Oenerall Befisions of the Peace of tha said City. And if any Overseer assessor or Collector shall refuse neglect or delay to Serre and Execate the respective duty's before menconed and required shall for each default that ahall happeo loose and for- feit the sunime of fflve pound's to be Levy'd by distress &, Tmployed as aforesaid by wairrant under the hand and seaJe of tlie Mayor or Hecorder or any two of the Aldermen of the said City Provided tltat nothing herein contained shall continue or Bfioain Longer in forc^ then for the space and term' of two years next after the Publioacon hereof.

[GaAPl!ER 48.]

[Cbapter 48, of Llvlngstbn & Smith, where the title onl7 la printed. The act doea not appear, by title, or otberwlse, In Van Schaack. Ba any edition of Bradford. Llvinfcston & Smith state that the act was passed July 3, 1695. From the Mlnutee of the Council, at that date. appears, that the act passed the Council with amendments, (see Joumal of Legislative Council, p. 80), bnt from the Journals of the Assembl Jnly 3. 1695, It appears that the AsBembly did not concur In the a ments. (See JoumaU of the Assembly, p. 58.) From the Minutes of the Coancll of July 4, lfl05, the day of adjournment, (see Journals of lative Connctl. p. 80). It appears that the Governor did acquaint th Assembly that he had enacted flve bills which came over from the ho "As for the bill to prevent desertion, since they would not concur

the amendments, It Is no matter of moment, whether It passed or not

An Act to prevent the Desertioo of
Soldiers, in Pay within this Province.

IPassed, July 3. 1686.]

THE PUTH ASSEMBLY.

Second Seteum.

. (Begun Oct. 1, 1695, 7 Wm, III., Benjamin Fletcher, Governor.)

[CHAPTER 49.]

[Chapter 46, of Llvlniraton & Smith, where the title only Is printed Printed In full In Brlnley's Bradford, p. 113. Title only printed in Baskett p. 26. Revived by cha[rter 75. UvlngBttML & Smith and Van Schaack state that this act was passed October letta. From the Minut of the Oonuctl. however, It appears to have been enacted October 22, 1096. (See Joomala of Council, p. 84.)]

AN Act for Regulating the Retaining
Attorneys at Law,

[Fassed. October 22, 168S.]
Whereas the Numlier of Attorneys at Law that practice at the Barr in tliis Province are but few and that many pei-sons Retain most of fhem on one side to the great prejadice and discoarage-

.., Google

ment of others that have or may have Baits at Law to the aid therefore that Justice may he Equally adminiatred and no Room Left for Complaint be it Enacted by the Qoyernour and Councill and BepresentatiTes Convened in Generall Assembly and by the Authority of the same that from and after the publication hereof that no person or persons That shall have any suit at Law in any of the Courts of Hecord Within this Province Biiall Retain more then two Attor-
neys at Law for the pr08ecut](m w managnnent of

any such Suit or process at Law that they shall have and if they Betain any more it ehall be Lawful for the Justices of the bench where the Suit is Depending to order all such Attorneys as shall he Retained mow than two as aforesaid to plead for the other side Without Retumfng the fee Received any thing Contained in this or any otther Act To the Contrary hereof in any wise Notwithstanding, provided That this Act Nor any thing Contained therein shall Continue in force any Longer then two years After the publication hereof.

[CHAPTER 50.]

[Chapter 50, of Llvlni;;BU>n & Smith aad Van Scbaack, where the titl only la printed. Printed In full In Brlnley'a Bradford, p. 110. Titl Is printed In BaBkett. p. 26. Llvlnfiaton & Smith and Van Schaack, that this act was passed Octo1>er ITth. From the Minutes of the Coo however, It appears to have been enacted October 22, ie&5. (See Jonmols of Legislative Council, p. 84.)]

Au Act for the Raising One Thousand Pounds to be imployed by an Agent for the Representation of the State of the Province.

[Passed, October 22, 1096.]

Be it Enacted by the Govemour and Councill and Rbpresenta- tives Convened in Oeneral Assembly and by the Authoritj' of the same That the sum of One thousand pounds Currant Money of this Province be Laid Assessed Raised and Levied upon all and Every of the Inhabitants Resid<ent8 Sojourners and ffree- holders of and in this ProWnce To be imployed by William Nicolls Esqr one of his Matj-es Counoel for This Province Elected and Appointed Agent by the Representatives of The same for Repre- sentation of the state of this rro\Tnce and how far The Security of the ffrooteers at Albany hath been a barrier and Place of I>efence for the Preservation of all his Majesties Adjacent Col- lonies And Withal to Represent unto his Matyes the heavy bni^ den that hath Lain uptm the Inhabitants of tbia Province since

Digi-jzedbyGoOgiC

flte B^iimmg of thia Warr and most Bombly to Address and npplicate his moet Excellent Majesties That he Would be moec

tiraciouBly pleased to Ea«e and free his most Dutrffull and Lojai Mbjecta Inhabiting within this Fro'vince from, the like Grievous and heavy bnrdena for the Future according to such Wayea ana meajiB as his most Excellent Matye in his Great Wisdom and Prudence shall Think meet To be Laid Assessed Baised Levied and paid unto his Majesties Collector and Becelver General for the time being at his Matyes Custonte house in the city lA New Yorke at or befca* The 25 day of March qezt Ensmng the publication hereof According to the Beverall and Eespecnve Quotas and proportions hereafter following That is to aay ror the City and County of New Yorke 289L:ls being their Quota and proportion of the sum of One Thousand Pounds Currant Honej- aforesaid for the County of West Chester 51 L 14 being thdr Qnota and Proportion as aforesaid for the County of Rich- mond 23L:10: being their Quota and Proportion as aforesaid for Kin^ Connty 164 L:10: being their Quota and Proportion as ■foresaid for Queens County 148 L:9 being their Quota and I'ro- portion as aforesaid for the County of Suffolk 169 L: 4: lJ£lng their Quota and Proportion as aforesaid for Ulster and Uutchpa County 84 L:12: being their Quota and Proportion as aforesaid for the Connty of Orange 9 L: 8: being their Quota and Pro- portion as aforesaid. And for the City and County of Albany 60 L: being their Quota and Proportion as aforesaid. And for the better Assessing Raising Levying and paying the aiore- ■aid sum of One Thousand pounds Currant Money aforesaid be it further Enacted by the Authority aforesaid That the Mayor and AJdermes of the City and County of New Yorke the Mayor and Aldermen of the City and Connty of Albany The Justices of the Peace the Assessors and Collectors for the time being of ail and Every Bespective Citys Countyes Towns Mannors IJber- tiea or Jnrisdistions Within This Province are hereby Required and hnpowered and Authorized to sumuuons Assess Collect and pay the Beverall Sununs of Money herein before mentioned according to the Proportions before Expressed in such Ways and Means and According to such Manner rule and direction and under such pains and penalties as are Contained Enjoyned Prescribed and directed in an Act of Generall Assembly passed in tlie Sixth fear of his Majesties Reign Entituled an Act for Raising and pajing One hundred and Seventy men for securing the fronteers of this Province in the City and County of Albany and all and Every Article Rule Clause pains and penalties mentioned in ite aforesaid act for and Conoeroing the Hnmmonlng Assessing

jdbyGoOgic

Collecting and paj-ing or Refusing and Neglecting the Execution of the Reeppctive Duties required Therein Hhali be, abide and Remalnw in full force and Effect ta all Inttiits and Purposes and in as full and Ample Manner for the due Execution of this Act untill the obovesaid sum of One thousand pounds be duly fully and Compleatly assessed collected and paid as above said directed as fully and in Lil;e Manner as if the same were par- ticularly and at Large Retrited and set down in the body of this act any thing Contained herein to the Contrary hept-of in any Wise Notwithstanding and the Mayor and Aldernien of the City of New Yorke Tlie Mayor and Aldermen of the City of Albany and all and Every The Justices Asst'ssoi's and Collectors of the Respective Cities and Counties aforesaid and all others Con- cerned herein are to taie notice hereof Accordingly.

[CHAPTER 51.]

[Chapter 51, of Livingston & Smith and Vnn Ficbaack, where the title only Is printed. Printed in full In Brlnlef'B Bradford, p. 107. Titl Is printed in BoBlcett, p. 25.]

An act for raising the Bume of Eight liundred Sixty four pounds and fifteen ahillings for the paying and maintaining a Company of fuzil<«,'rB imployed on the fponteers and at preeent under the Command of major Schuyler from the first of August Last nil the first of march Next following.

[Passed, Oetoter 22, 1695.]

Be it Enacted by the Govemour and Council and Representatives Convened in General Assembly and by the Authority of the same that The sume of Eight hundred sixty four pounds and fifteen shillings Currant money of this province be Laid assessed raised and levied upon all and every of the Inhabitants Residenters sojourners and freeholders of and in this province for the paying and maintaining the Officers and souldiera imployed on the fron- teers and at present under tie Command of major Schuyler Now in scnice for fhe security of the fronteera at albany from the first day of August Now last paat until the first day of march

next Ensuing the publication hereof according to the Estab-
lishment hereunto annexed to be Laid Assessed levied and paid
unto bis majesties OoIle<?tor and re^-eiver Gemendl for the time
being at his Majestyes Custom house in the City of New Yorke
at or before the 25 day of march next ensuing the publication
hereof according to the Bereral and Respective qnotaa and pio-

portions hereaiter following That la to saj for the CSty and
County of New Yorke tlie sum of 2(!5£:17; being their Quota
and Proportion of the Eight hundred sizt; four pounds fifteen
shillings aforesaid for ye County of Westcheater the sum of
47£ :11 :6: being their Quota and proportion as aforesaid for the
County of Riehuiond the sum of 21£ 12: 9: being their Quota
and proportion as aforesaid for Kings County the sum of 151£: 7:
being their Quota and proportion aa aJoreaaid, for Queens County
136£ : 4 : t>eing their Quota and proportion as aforesaid for Suffol
County the sum of 155£ : 13 : 3 t>eing their Quota and proportion
as aforesaid for Ulster and Dutchess County the sum of
77£ : 16: 7: being their Quota and proportion as aforesaid
for Orange County the sum of 8£: 12: 11: being their Quota
and proportion as aforesaid And be it further Enacted by
the Authority aforesaid that for the better aasessing Rais-
ing and paying the aforesaid same of 861£ 15: Currant
money aforeeajd the mayor and aldermen of the City of
New Yorke the Justices of the peace the assessors and
Oollectws for the Time being of all and every respective Cities
Counties Towns mannors Liberties or Jurisdictions within this
province are hereby Required impowered and authorized to
Summons assess Collect and pay the Be\'erail sums of money
hereinbefore mentioned According to the proportions before
Ezpessed in such wayes and means And according to such
manner Rule and direction and under such pains and penalties
as are Contained enjoiyed and directed in an Act of General
assembly paased in the sixth year of his majesties Reigne Enti-
tuled An act for the Raising and paying one hundred and
seventy men for the securing the fronteers of this province In
the City and County of albany and all and every article Rule
Claose pains and penalties mentioned in the aforesaid act for and
Concerning the summoning aasesdng Oolleotlng and paying
or Refusing and Neglecting the Execution of the reai>ectlve
duties required therein shall be, abide and remaiue in full force
and Effect to all intents and purposes and in as full and ample

Manner for the due Execution of this act untill the above said smne of Eight hundred sixty and four pounds fifteen shill- ings be duely, fully and Compleatly assessed Collected and paid as aboveaaid directed as, fully and in the like manner as if the same were particularly and att large Recited and Set down in the body of this act anything Contained therein to the Oontrary here- of In any wise notwithstanding and the mayor and aldermen of the City of New Yorke and all and every the Justices 'AsaessoTB and Colleetora of tie reepeotlve Cities aad ConndeB

Lc;-,:uJbyC00gIC

aiorcBald and all others Concerned hweln are to take notice hereof accordingly.

An establishment for the pay of a Com- pany <rf fuzileers implojed on the fronteers at present under the Command of Major Schuyler for the security of the fronteers of this province in Albany from the first day of August Lafit until] the first day of March niext following, viz. ;

the CaptaJne ^2 days at Ss per diem	84	16	00
one Lieutenant at la per diem	42	08	00
one ditto at 3s per diem	31	16	00
i sergeants at Is 6d each per diem	63	12	00
fifty private Centinals at 12d each per diem	530	00	00
One Town Major at 4s per diem	4S	08	00
one Chyrurgeon at 28 6d	26	10	00
for incidentalls	27	08	00

One Muster Master from the first of August to

the 10th of October at 2s 6d per diem 8 15 00

for ditto from the 10 of October to the first of

March is 142 days at Is 07 02 00

864£ 15d 00

[CHAPTER 52.]

[Ohnpter 52, of Llvingstoa & Smith and Van Scbaack, where the act Is printed In full. Printed In full In Brlnlcv's Bradford, p. 112; p. 24. Confirmed bj the King, Maj 11, IGST. (See Foivler's Bradford, p. CXXXVI.)]

Ad Act against! profanation of the
Lords Day, called sunday

[PaBBed. October 22, 1695.]

WBKBEA^ the true and sincere service and Worship of God According to his holy Will and Commandsnents, is often Prophaned and neglected hy many of the Inhabitants and Bojournera Within this province who do not keep holy the Lords day but in a disorderly manner accustom themselvee to travel Labouring working shootiing fiehing Sporting playing horsa racing frequenting of Tipling houses and the using many other unlawful Exercises and pastimles upon the Lords day to the Great scandal of the holy Christian Faith be it therefore Enacted by the Governour and Councel and Representatives Convened in Ceneral Assembly and by the Authority of the Same that from and After forty days next after the pablicatioD hereof there shall be no travelling servile Labouring and working

Lc;-,:uJbyC00gle

shootiDg flshing sportiag playing horse Racing hunting or fre-quenting of Tiplttg houaes or the using of any other unlawful ezerciaes or pastlmeB by any of the InhabitantB or aojoumera within this province or by any of their slaves opservaots on the

Lord day and that every person or persons offending In the premises shall forfeit for every offence the sum of six shillings Current money of this province The same to be imployed and Col- lected to the use of the poor of the place where such Offence shall be Committed and that any one Justice of the peace within the several Respective Citys and Countys within this province where such Offence ahail be Committed upon his or their view Confession of the party or proof of Any (me or more witnesses by Oath which the said Justice by rirtue of This Act, is jiuthomed to administer shall find any person or persons offending In the Premises the said Justice shall give Warrant under his hand and seal to the Constables of the respective places where such offence is Committed to levy the said penalty so to be assessed by way of distress and sale of the Offenders Goods Rendring to the said Offender the overplus of the said money raised of the Goods so to be sold If any be, and In default of such distress that the party offending to be set publickly in the stocks by the space of three hours but if the offender of the premisses be either an Indian or Negro slave or servant shall for Each such Offence whereof he or they shall be convicted of as aforasiid forfeit the smu of six shillings Currant money as aforesaid but in Default of not paying then the indian Negro slaves and servant offending in the premises shall receive thirteen Lashes upon the Naked Back for each Offence Committed by such Indian or Negro slave and servant as aforesaid and that if any person or Persons be sued for the Execution of this Law, he shall and may plead the General! Issue and give the said matter of Justification in Evidence Pro- vided that no person Be sued or questioned by this Act Except he be Called in question within one moneth next after the said offence he Committed and provided also that it shall be Lawfull for any person to travel upon the Lords day or to do any Act of Necessity and to go to the service and worship of God in any Church Or Lawfnl meeting within this province and from thence to Return provided such Journey shall not Exceed the Number of twenty miles and also provided that it shall be Lawfull for the post or any other person imployed in his majesties service or for any person imployed to bring a Physittan or a Midwife to ti-ave! upon the Lot^s day any thing contained herein to the Contrary In any ways notwithstnndlng provided that this Law shall no ways extend to any Native or free Indian within this province not professing the Christian Religion.

Lc;-,:.tll:yG00gIC

[CHAPTEB j53.]

[Chapter 53, of Llvlngstou & Smith and Van Schaack, where the tlti* only Is printed. Printed In full In Brlnley's Bradford, p. 10«. Titl la printed in Baskett, p. 25.]

An act for the raising the sum of seven hundred pounds to EnaUe his Excel- leocy to keep the men that are now in the Companys appointed by his Matye and to en- courage others to List themselves in the same.

[Paaaed, October 34, 1695.]

Be it enacted by the GK)yernor and Council and the Kepresenta- tives Convened in General Assembly and by the Authority of the same that a supply of seven hundred pounds Oarraat Money of this province be Laid assessed raised and Levied upon all and Every the inhabitants reaidenters sojourners and freeholders of and in this province live hundred pouads whereof to be imployed by his Excellency for the supplying the Companies appointed by his Mayte with sundery necessaries and the other Two hun- dred pounds thereof to be imployed by his Excellency for List- ing of men to keep the said Companys full and to free the Inhabi- tants of this province from detachtnents untili the first day of May Next ensuing the publication hereof except in case of inva- tion or Rebellion to be Laid assessed raised Levied ami paid unto his Matyes Collector and Eeceiver Gonerall for the time being at bis]^ajesties Custome bouse in the City of New Yorke at or before the 27th day of Alarch next ensuing the publication hereof according to the severall and Respective Quotas and proportions hereafter following That is to say, for the City and County of New Yorke the sum of 215£: 5s being their Quota and proportion of seven hundred pounds Currant money as aforesaid for the County of Westchester the S'lm of 38£ 10: being their Quota and proportion as aforesaid for the County ot iiichmond the sum of 17£: 10: being their Quota and proportion as aforesaid for Kings County the sum of 12-i£ : iO : being their Quota and propor- tion as aforesaid for Queens County the sum of'110.£: 5: being their Quota and Proportion as aforesaid for the County of Suf-

folk the sum of l–Jti£; being their Quota and proportion as afore–said for Ulster and Dutches County the sum of b3£; being their Quoti and propoi tion as aforesaid for, the County of Orange the sum of 7£ : being their Quota and proportion as aforesiid and for the Better assessing raising Levying and paying the aforesaid sum of seven hundred pounds Current Konwy aforesaid Bee it further enacted by the authoritv aforesaid that the Miiyor and Aldermen of the City of New Yorke The Justices ot tli–i peace The Assessors and Collectors for the time being of all and

Every BespectiTe Oitiea Oonntys Towns Mannore liberties or Jurisdictions within this province are hereby required impowered and Authorized to summons assess Collect and pay the severall sums of Money hereinbefore mentioned according to the propor–tions before espressed in such Ways and means and According to sucli Manner rule and Direction and under such pains and i>enal–ties as are Contained enjoined prescribed & directed in an Act of Generall Assembly I'assed in the sixth year of his Matyes Rcigne Entituled an Act for the Raising and Paying one hun–di–ed And seventy men for the securing the frMiters of this Province in the City and County of Albany and all and Every article, Rule, Clause pains and Penalties" mentioned in the afore–said act for and concerning The siumnoning Assessing Collecting and I'aying or Refusing and Seglecting the Execution of their respective duties therein Required sliall be abide and remain in full force and effect to all Intents and Purposes and in as full and ample Manner for the due Execution of this 'Act until the atwre said sum of seven hundred pounds be duly fully and Com–pleatly Assessed Collected and paid as abovesaid Directed as fully and in Like Manner as if the same were Particularly and at large Recited and set Down in the Body of this Act any thing therein to the Contrary hereof in any Wise Notwithstanding and the Mayor and Aldermen of the City of New York and all and Every the Justices Assessors and CoUectors of The Respective Cities and Counties aforesaid and all others herein Concerned Are to take Notice hereof Accordingly.

tCHAPTER 54.]

[Clinpter 54. of I,lYlnt;»ton & Smitb and Van Scbaock. where the tit only la printed. Printed In full tn Brinlej'a Bradford, p. 111. Titl is printed In Baxkett. p. 26. This act continues chapter 2S, and Is

tinued by chapter 02.]

An Act for Oonflrming & Continuing an
Act of Generall Assembly Entituled An Act
for the Establishing Courts of Judicature
for the ease and benefit of Each Respective
City Town and County Within this Province.

[Passed, October 24. 1605.]

Whereas the Act for settling of Courts of Judicature Within this province is Expired by its own Limitation and it being Needful to Confirm the same for the preventing the delay of Justice be it Enacted by the Governour and Gouncel and Representatives Convened in Generall Assembly and by the authority of the same that an Act made in the fifth year of his Majesties Baign Entituled An Act for the Establishing Courts of Judicature for tie ease and beaiefit of Eac Ac

Respective Citj Town and Ooimty Within the ProTince
and all and Every Article Rule and Ciauae therrio
mentioiied shall be abide continue and remjain in full force and
Effect To all intents and purposes Whatsoever as Weil for the
keeping aad houldlng the severall and Respective Courts of
Judicature therein mentioned at The several and Respective
TowuB also therein Expressed but also for the hearlBg and
determining of all Actions and Causes of Actions of what Nature
soever therein Like wise mentioned and according to the Rules
methods and Linutations therein Directed as fully and in Lilte

manner as if t^e same were pai^icularly and at Large Recited and set down in the body of this Act any thing Contained therein or in any other Act to the Contrary hereof in any wise Notwithstanding Provided alwayes and it is hereby Enacted that the severall and Respective Courts of Pleas held in each of the Eespeotive Cities and Counties Within this Province Shall have hereby power Authority and Jurisdiction to hear and determine any matter or thing Rielating or Concerning "Ktles of Land Within their Respective Counties any thing Contained herein or in any other Law to the Contrary hereof NotwithBtanding and provided alwayes and it is the true Intent and meaning of this act That any person oi" persons that shall be any wayes Interested or Concerned in any process Wherein the Title of Land is Concerned in the said Courts shall have Liberty to Remove the sani>e by habeas Corpus, Certiorari, or any other Lawfull wittt and after judgement he or they have the Liberty to Appeal to the Supreme Court of Judicature from any Sentence, Judgment and decree That shall l>e Given thereon, alwayes provided that this Act nor any Article, Rule or Clause therein shall Continue nor be in force Longer then two years from and after the publication thereof.

THE FOTH ASSEMBLY.

JThird Session.

{Begun Mch. 26, 1696, 8 Wm. HI, Benjamin Fletcher, Governor.)

[CHAPTER 55.]

rCbftpter 55, of LIvlngBtOD & Smith and Van Scbaack, where the title onlf Is printed. Prlated In full In Brinley's Bradford, p. 118. is printed In Baekett, p. 26]

An Act for the Better Enabling the Executors of Thomas Loyd Esqr deed for Selling of L«nds for the payment of debts & porcons Settled 'by the said Thomas Lloyd and Patience his wife upon her Children by her former husband Robert Stwy Deed.

[Passed, April 16. 169a]

Whereas there are severall pieces or parcells of Qroimd with

the houses and Appurtenances Belonging Scituate Without the

North Gate of the dtty of New York with an Island called Dyers and Ojater Island wch William Dyer Late of New YoA aforesaid and Mary his wife Both since deceased by theii' Indenture of Bargaine and sale dated the three and Twentieth day of Aprill 1686 made between them the said William and Mary of the one pt and Thomas Lloyd then of New Yorke Afore-said of the other pt for the ConHideration therein mcnconed Did grante bargaine and sell unto the said Thomas Loyd To hold to him hia heires and Assignes for Ever to the intent that the said Thomas Loyd and his heires should from hence forth stand and Bee seised of the primisses the use of him the said Thomas Loyd and Patience his then wife dureing their joint naturall Lives and after the decease of Either o€ thetu to the use of the Longest liver of them their heires and asslgnes for Ever as by the said Indenture Recorded in the Secryes OfBce at New Yorke relation being thereunto had may more at Large appeare And whereas the said Thomas Lloyd and Patience his said wife by their Deed Poll: dated the Thirtieth day of Aprill 1686 importing a furtlier Declaration of the uses of the said recited Indentures of Bar-gaine and sale to be that the said severall pieces or parcella of ground Island houses and all other the said primissL's should be and remain ingaged as security for the payment of thr^^e hundred pounds to Enoch Story as pt of the Legacey porcon ^ven by the Last Will and Testament of Robert Story his Last father deed and the Like summe of three hundred pounds to Mary Stoi-y as Pt of her Legacey portion given her by her said deed father Robert Story and further, they the said Thomas Loyd and Patience his wife did thereby declare their further Intent to be that after the decease of the Longest Liver of them the said Thomas and Patience tJie sa-id eeverall parcells of Land Island and all otiier the primisses with their appurtenances the said eis. hundred pounds being first paid to Ihe said Enoch and Marry should deseendandCome to tJieYoungest Children of him the said Thomas Lloyd that is to say to his daughter Elizabeth and Margarett and to their heires and assignes for Ever as by the said Deed poll: recorded in the said Office at New Yorke may more fully appear and Whereas the said Thomas Lloyd after-wards (to-witt) in the years 1692 out of a Generous disposicon and good designe to Encourage and promote the improvement of the said Citty as well by paying of the debts due by Robert

Stojy deed his predecessor as to answer his own private utility and Occasions did obtaine the Leave and concurrence of the then Mayor and Principall men of the towne for the laying out of the said sev^all parcells of ground into Lots and streets

Digi-jzedbyGoOgiC

Suitable to Accomodate the same and thereupon he the Raid TbtHuas Lojd and Patience his said wife not kiiowinj? but that their Salts of the primiasee might Create the Purchaaors a suEBcient and absolute title did bargaine and sell some pt of Ibe said ground With the appurtenances in order to discharge the said mx hundred pounds and other debts dw? from the Estate of the said Robert Story deceased and Whei'eas the said Thomas Lojd by his Last Will and TestaJiient dated the tenth day of September IGUi did impower his Executors or any two of them to sell dispose and Convey all his Estate right title and Interest of in or to all or any pt of his Lands and herdita- meots in Sew Yorke or elsewhere and made his said wife Patience Loyd his Son Mordecey Loyd with Isaac Norris and David Lojd his Executors and shortly afler dyed after whose decease the said David Loyd and Isaac Norris tooke upon them the burthen of the said Estate Esecutorshipp and with Con- sent of the Over Seers of the said Robert Story Last will did pay unto the said Patience Loyd the said three hundred pounds so as aforesaid Secured to the said Enoch and also dill pay tht- said three hundred pounds So secured to the said Marrey imto her husband John Godfrey since their intermarrage in full pei'for- mance of the Condlcon or provicon contained in the said Deed poll Whereby the said primisses were pledged and botind for the payment of the said six hundred pounds as aforesaid and Whereas also that altho the said Elizabeth the surviving daughter of the said Thomas Loyd is arrived to the age of nineteen yeares and doth Signifye her readinesse and assent to joyne with the said Executors in any act or acts that may preclude and debarr her and her heires from the said i-emainder or any other right Interest Remainder or Eevercon of in or the said severall par- cells of Gi-ound and other the primissc«s or ajiy pt thereof yet Nevertheless her nonage according to the strict rules of Law renders her uncapable to Execute any Conveyance for the releas- ing of her said right or Interest by reason whereof the said

Eicts are retarded in the Administraoon of the said Estate and in the paying the debts due By the said Robert Story and Thranaa Loyd deed for want of having the said Estate Improved to the greatest advantage by Sale and the said pnrc*hasors appre- hending themselves Likewise insecure Therefore for the fur- ther Security of the pnrchasera aforesaid and Better Enabling of the said Executors to Sell Convey and assure (what remains unsold of the said Groiind and primisses and that the same MTien Sold may be converted According to the true intent and meaning of this Act for the payment of the Debts of Robert

Digi-jzedbyGoOglC

Storj and Thomas lioyd and to ao other use and intent Wliat- 9oevep and after their said debts are Well and truely paid the Besidue or remainder if any there shall bee to be Equally dinded two thirds thereof uuto the said Elizabeth Loyd and the other third pt unto the said patience her Exra administs and /L^ignes for ever according to certaine Articles of Agreement made and concluded betweene the said Excutora and Patience Beareing date the 28th day of march relation being thereunto had niaj more fully and at Large appear may it please his Excellency Benjamin ffletcher Captaine Ghmerall and Govemour in Chiefe in and over the Pvinoe of New Yorke &c and Councill and E«p- fesentatiTes of the Same in Qenemll A'seembly at the humble petition and request of the said Patience Loyd Darid Loyd Isaac Norris John Godfrey and Elizabeth Loyd that it may be declared and Enacted and Bee it therefore Enacted by the Gtovemour and Oomicill and Representatives convened in in Oenerall Assembly and by the authority of the Samo that the Enrollment and record of the said Recited deed poll made by the said Thomas Loyd and Patience his Said wife in mannor aforesaid shall by the authority of this Generall Assembly Be made void and Cancelled and that the uses and r«nainders thetreby raised Limited and declared or therein meant mentioned or intended to be raised Limited or declared Shall frmn hence forth Cease determine and be utterly roid and of none Effect and to the end and intent that the said Executors may Be The Better Enabled to pay the said debts and Portions and distribute the remainder or residue of the said Estate if any there be in manner aforesaid bee it further Enacted by the authority aforesaid that they the said Exrs of the said

Tliomas Loyds Last Will and Testament aforesaid their h^res Exrs or assignes may be Enabled And are hereby Enabled and Bnpowered by their Conveyance to be Executed in due forme of Iaw as well to confirms the said Bales So made by the said Thcmas and Patience Loyd in his Life time as aforesaid to the porchasors above mentioned and to Every of them their heires and assignes for Ever as also to Sell convey and assure ail and Every part of the Said Severall Peeces of Ground Island and nil other the primisses wth their and every of their appurtenances remaining unsold by the said Tho' and Patience to hold to such person or persons as shall purchase the same in fee Siimple or otherwise the said Recited Deed poll or any article Covenant Clause proviso or Oondicon therein or in any other deed whatso- ever Contained to the Contrary in any wise Motwithstanding.

Digi-jzedbyGoOgiC

lAWS OF TKE UOLOMY OP KEW YOBK.

[OHAPTEIK 56.]

[Chapter 56, ot Uvlagston & t^mltb and Van Schaack, where tbe title onlj Is prlDt«d. Printed In full tn Brlnlef's Bradford, p. 121. Titl la prtuted la Baskett, p. 26.]

An Act for the Fajing of one htmdred tmd twenty Effective men to be Imployed hjf hia Excellency for the reinforcing and Strengtliening" tlie frmiteers of the Province at albany over and aliove the present dum- ber (rf forces posted and imployed there for the Safety of this and neighbouring Pro- Tinces to Continue therefore one whole year from the first of iiiny next to the flrat of may in the yt^^r 1G97 and for the Baising the sume of two thousand five hundred !Ninety three Pound six shilling and E^ght pence to be distributed by his Excellency - the Captaine Generall amongst the said men and the rest of the four Companies sent orer by his Majesty.

I Passed, April 18, 18D6.1
Whercaa the force* Lately sent over by his most Excellent Majesty at the humble request and desire of his Excellency bis Majestyes Captaine nenerall for the osise and safety of thie I*ro-vince are since their arrivall much weakened by death desertion and sickness and the strength of the fronteers at aJbany thereby much Lessened tothegrateEndangering of tliis and the adjacent Neighbouring Plantations that place haveing been since the war the only barrier and place of defence whei-eby the Said adjacent plantations have been preserved fronie the violence and invaBions of the Enemy and Whereas it is indispcnaibly necfs-eary that the said fronteere should be reinforced andsufflciently strengthened for t)ie future stifegunrd of our said Neighbouring adjacent plantations and the Like preservation of this province the Representatives convened in Generall Assembly taking the same Into their serious consideration by tbe syHKiall direction of his Excellencyes Speech made to them at the opening of this sessions of General! Assembly as a, matter of great weight and a Oomplyance thereunto as the best Betum and the most acceptable service that his Majeetys subjects in this province^an make unto his meet aa^red Majesty who in the midst of his pressures and the great and bloody war hie sacred person is engaged in hath gracciously condesoended to remember the little

...C^ooglc

liandfall ot hie people inhabitiiig in this his Majestiefl proviDce do thereft^e with the deepest sense in UMst hnmble and most dntifull acknowledgesnent of his Majesties most gracious favour in sending snpplyes of men Artillary and other stores of war for the ease and safety of his most Lojall subjects inhabiting within His Majraties said Province as well as in rendring an intire obedence unto his Majestyes royal Command commimicate in Qenerall ABsembiy by his Excellency his Majesties Oaptaine Generalls speech as aforesaid humbly pray That it may be Biacted and be it therefore Enacted by his Excellency the Govemour and Councill and repreaentatives convened in Gen-erall Assembly and by the authority of the same that a found of Twenty five hnndred ninety three Pounds six shillings and eight pence Currant money of this province be ijaid assessed raised and Leryed upon all and e^'ery the inhabitants residents

Sojourners and freeholders of and in this province which together with the sum of two hundred pounds like currant Money raised formerly by Vertue of an act of Assembly entituled An Act for the raising the same of Seven hundred ponndB & makes in the whole the Bume of two thousand seven hundred ninety and three pounds six shillings and eight pence to be imployed by his Excellency for the Reinforcing and strengthing the fponteers ot this province at aJbany with one hundred and twenty effective men over and above The present Number of forces posted and imployed therefore the safety of this and Neighbouring . pro\inces and to remain and ccmtinue there for the said service and to free the inhabitants of the province from.' Detachments ercept in case of Inevitable Necessity for the space and during the term of one whole year to Commence on the first day of may next ensuing the publication hereirf and to end and terminate upon the first day of May then next following which shall be in the year ot our Lord 1697 which Number of men are to be Listed and formed in such ways and after such manner as his Excellency the Captaine Qenerall shall think fitt and the B^d sum of 2793£ Gs 8d to be imployed and distributed by his •aid Excellency the Captaine General! amongst the said Number of 120 effective men to be posted and imployed for the rein- forceing and strengthening the fronteers as aforesaid and the rest of the four Companies sent ower by his Majesty for the ease and safety of this Province in such Manner and proportion as to his Excellency in his discretion shall be thought Convenient and. needful To be Laid Asseeeed raised and paid unto his Majesties receiver Generall for the time belbg at ■Hw City ot New Yorke la two equall payments the one moyety or equal half part of the ■aid sum of 259.S£ 6b Sd at or beforei the 29th day of September next and the other moyety or equal half part thereof at or before

/.oot^lc

the 25th da; March then next following which shall be in the year of our Lord 16y7 According the severall and Bespective QuotaB and proportions following That 18 to say for the Citty and County of New Yoi-ke Hevcn hundred ninety Seren pounds nine sliiUiugs being their Quota & proportion of 25'J'Si Cs 8d for the uses aforesaid for the Gountj' of Weatchestei" one hundred forty two pounds Twelve shillings and eight pence being their

Quota and proi>ortion as aforesaid for the uses afoi^eeaid (or the County of Kichuiond sixty four pounds sixteen shillings and Eight pence being their Quota & proportion as aforesaid for the uses aforesaid Kings County four hundred fifty five pounds two shilllnga and eight pence Being their Quota and proportion as aforesaid for the uses aforesaid Queens Ounty four hundred and seven pounds three shillings being their Quota and pro- portion as aforesaid for the uses aforesaid Suffolk County four huudi'ed sixty six pounds sixteen shillings being their Quota and proportion as aforesaid for the uses aforesaid Ulster and Dntches County two hundred thirty three pounds eight shillings being their Quota and proportion as aforesaid for the uses aforesaid and Orange County Twenty five pounds eighteen shillings and eight pence being their Quota and proportion as afoi-esaid for the uses aforesaid and for the assessing Levying and paying the aforesaid sum of 2593£ Gs 8d Currant money aforesaid be it further Enacted by the Authority aforesaid that the Mayor and Aldermen of the Citty of Kew Yorte the Jbs- ticea of the peace the Assessors and Colloctoi's for the time being of all and Every the respective Cities Counties towns MannOTs Liberties and Jurisdictions Within this province are hereby re- quired impowered and authorized to suiumonB assess collect and pay the several! sums of money hereinbefore mentioned Accord- ing to the Proporti'on before expressed in such ways and means and acTOi-ding to such manner rule and direction and under such pains and penalties as is Contained enjoyned prescribed and directed in An Act of Generall Assembly passed in the Sixth year of his Majesties R^'ign entituled An Act for the raising and paying one hundred and seventy men for the securing the fron- teers of this province in the Citty and County of Albany and all and Every article rule Clause pains and penalties mentioned in the Aforesaid Act for or Concerning the sumoning assessing, ool- lecling and paying or refusing and neclecting the Execution of their respective Duties therein required Shall be abide and remnin in full force and effect to alliDtentsandpiirposesinasfull and ample manner for the doe Execution of this Act untill the above said sum of 2tifl3£ fis 8d be duely fully and Compleately assessed Collected and paid as above directed in As full and in liemnnner as if the same were particularly and at Large recited and Set

down in the body of thla At^t any thing Contained therein to the Contrary hereof in any wayea notwithstanding and the Mayor

and Aldermen of the Citty of New Yorke and all and Every the Justices Assesaors and Collectors of the respecti.'ve Cities and Connties aforesaid and all otbera herein Contained are to take Notice hereof accordingly.

[CHAPTER 57.]

[Chapter 57, of LlvtiiKston & Smith and Van Schaack, where tbe title only is printed. Printed in full in Brlnley's Bradford, p. 123. TlUe 19 printed in Baskett, p. 23.]

An act for the Confirming and Continu-
ing an Act of Generall Assembly made in
.fourth Year of his Majesties Reigne entituled
An Act for the satisfying and paying the
debts of the Government Eighteen months
Longer then the time therwn mentioned for
Ithe paying the Debts therein Expressed.
[Passed, April 18, 16M.]

The Eepresentatives Convened in General Assembly upon Examination of the Debts of the GavemmCTit, do find it abso-
lutely Necessary that the former Additional Duty Be Continued Eighteen Months Longer then the time limitted for the expira-
tion thereof for the ends and purposes hereafter mentioned and to no other purpose whatsoever be it therefore Enacted by bis Excellency the Governour and Councill and Representatives Con-
vened in Generall assembly and by the autliority of the same that an act of Generall Assembly made in the fourth year of his Majesties Heign entituled An Act for the Satisfying and paying the debts of the Government and since Continued by two Several Acta of General! assembly for the purpose and ends therein mientioned nntill the fourteenth day of November next aball be Continued and Confirmed from (he Said 14th day of November next untill the end and term of Eighteen kalander months then next following that is to aay from the said 14th day of November next untill the 14th day of May that shall Be in the year of our Tx)rd 1698 and no Longer and it is further Enacted by the Author-
ity aforesaid that the Additionall Rates and duties made payable upon Merchandizes and Liquid's imported into this province by Virtue of the said Act shall be levied Collected and paid unto hia Majesties Receiver Generall for the time being at his Majes-
ties Custom bouse in the Citty of New Yorke for the term afore-
said and no Longer according to such Rules and directions and under auch pains and forfeitures as is contained and enjoyned by the Said Act and the aforesaid Act and Every Article Bale and

. '.".ooglc

Clause therein meotioned shall be abide coDtinueaad remaine in full force virtue and effecttoallLitentsandpiirpoBefl for the paj-meut of the Said Sum of Money hereafter mentioned in such due and equal proportions as in the afM-esaid act is expressed and directed and to no other purpose or intent or in any other man-nor or proportion 'Whatsoever as fully and in IJke manner as if thi; siime were particularly and at Large recited and set down in the body of this Act anything contained in the aforesaid Acts to the Contrary hereof in any ways notwithstanding and to the end that the Bates and Duties paid in manner aforesaid and now in hand by virtue of this Act may be duely truely and in the proportions aforesaid paid and implojed unto the severall and respective peratms and usea here after mentiomed and to no other use purpose or intent whatsoever be it further Enacted by the aiuthority aforesaid that the some ot two thousand seven hundred & thirty four pounds eleven shillings and three farthings now in hand and raised by virtue of the said Act be distributed according to the proportions aforesaid Amongst the persons and to the uses hereafter mentioned and the residue and remainder That shall arise and become payable by virtue of this Act to be Likewise distributed in like manner aforesaid unto the purposes hereafter mentioned until the same be Compleatly paid and Sat-isfyed that is to say for the paying and satisfying of 317£ 138 Ig due from the Government for Incidental Charges expended for the security of the fronteers from the 28th day of March 1691 to the First day of may ICflC and Likewise for the paying and Satisfying tlie sum of 250£ together with the Interest of ten per Cent per Annum untill the same be paid due for the pay of the offlooni and Souldiera of Major Schuylers Company accord-ing to establishment and likewise the sum of 1056£: 13:
lid : Igr to Coll Stephenus Oortlandt being a Debt due to him from the Government and for the paymient thereof the Additional Duty was first raised and Likewise the sum of 1103£ 9b 8d Igr to Major brockhost and Captaine Baxters Company being a debt due As Last aforesaid and also the some of 1E£ being a debt due John Bosie and Likewise the sum of 74£ Ss to 5Iajop Wessellet being a Debt due as Last aforesaid and Likewise the Sum of 1224£ 68 4d being a Debt due

to the magistrates of albany as Last aforesaid and Likewise the sum of 77£ 8s: 8d: lof; being a Debt due to Thomas Clark as Last afore8aid,and also the Sum of 1B£ being a Debt due to David Schuyler as Last aforesaid the whole of said Deb's for which the Said Additional Duty & Bates was first raised amount-ing to the snme of three thousand five hundred Sixty Six pounds Six Shillings and P^ght pence and Likewise for finishing of his Majesties Chappd in the fort the Sum of ;loO£

and Likewise the Sum oif 150£ to Coll Bichard Ligoldsby for tba defrajing the Extraordinaiy Charge Ixe Las been at by being posted at alban; for the Becurity oi the fron-teera all which Debts and sums of Money amount in the Whole onto the sum of f onr thousand seven hundred thirty three pounds Nineteen fdiillings and Eight pence farthing and for the mtw^ regular payment of the Debts aforesaid be it farther Enacted by the authority aforesaid that within one Moenth after the Publication hereof the severail and respective Oreditors hereto-fore Mentimed and Expressed shall register or cause to be Festered the Debts due to them respectively in a book at his Majesties Custom house of Kew Yorke which his Majesties Eeceiver Generall for the time being shall have for thut purpose Wherein he Shall likewise keep a perfect and distinct Account of the Bates and duties upon Merchandize that shall Become payable unto him by virtue Of this act and the same shall adjust every three Months and make payment thereof lo the persous alMJve mentioned their Executors Administrators or asaigna in Quiarterly payments and in equal Proportions according to tlte greatness and smallness of the se^-eral and respective sums aforesaid and to no other use porpose nor in any manner or way whatsoever any things contained herein to the contrary hereof or in any otiier of the said actB notwithstanding. '

THE FIFTH ASSEMBLY.

Fourth Session.

(Began Sept 12, 1696, 8 Wm. HI, Benjamin Fletcher, Governor.)

[CHAPTER 58.]

[Chapter 58, of Llvlngstou & Smltli and Van Scbaack, where the tltJe

only la printed. Printed Id full In Brlnley'e Bradford, p. 128. Titl ia printed hi Baskett, p, 26.1

An Act for the Raising One hundred men to be listed in his Majesties three Oom- panyes posted at Albany for the t-'eeurity of the fronteers and for the Raising of Twelve hundred pounds for the Encouraging such as shall list themselves in the said Com- panies and for the defraying of other contin- gent Charges at the sd fronteers.

[Passed, October 30, 1606.]
Whereajs the provision that was l&tely nmde for the reinforcing and strengthening the ffronteers of this Province at Albany hath not had that effect that was dedgned maaiy of the Souldiers that
47

370 LAWS OP THE COLOXY OF NEW YORK.

were listed in hia Majesties Oompanyee and posted there haveing deserted the said Sen-ice whereby the Said fronteera are much weaii.ened and his Excellency being pleased in his speech to Recomend that one hundred men should be forthwith raised to be added to the two hundred and Twenty one men that are in his majesties three Companies there as a necessary force for the Defence of that place the Hepresenfatives convened in (jenerall assembly taJcing the same into their serious consideration and being willing on all Occasion out of their dulif nil and Loyal Affec tions unto his most Excellent Majesty to joynewith and assist his Excellency in the great and prudent care he hath all wayes talien and does daily tal;e for the Security of the Said fponteers humbly pray that it may be Euactt^ and be it therefore Enacted by his Excellency the Oovemonr and Councill and BepresntatiTes convened in (lenerailassembly and by the authority of the Same that the Sunie of Six hundn^ pounds Currant m<raey of this province he laid assessed raised and levyed upon all and Every of the Inhabitants Reaidents Sojourners and freeholders of, and in this pfo^nnpe to be imployed by his Excellency for the Raising one hundred Effective men to be listed in his Majoerties Said three Ooiuj>anyes to be I'osted there for the necessary Defence ot the Said fi-onteers and there to continue and reraaine from the first day of November next untill the first day of May then next fol'owing and for the Ix-tter enabling his Excellency to raise the

Said one hundred efTective men tlie Said Six hundred pounds is to be distributed in manner following that is to Say, the same of five pounds to be given t'O' Such persons as Shall voluntarily list them Selves in the Bald Oampanyes and twenty shillings to Suoh person or persons f<w Each man he or they Shall procure to be Listed in the Said Corapanycs in manner aforesaid. And Whereas the Enemy by their late Incursion into the Indian Country had destroyed the two Castels of the Onondagos and Oneydes and also wasted and destroyed' their Indian com by which means the Said two Nations of Indians are constrained to disperse themselves, and their wives and children likely to perish if provision be not made for their Relief and SubBistance this ensuing winter, be it further Enacted therefore by the authority aforesaid that the Sume two hundred pounds be also laid assessed raised and levyed upon all and every the Inhabi-tants Residents Sojourners and freeholders of and In this pro-vince to be Imi>loyed by Major peter Schuyler Major Derrick Wesaella and Mr, Killian van Ransslaer, fore the procuring of com and other necessary Pro\'ision and the same to be Distri-bnted by them among such of the said Indiuns as shull want rellefe as to thrir discretion shall seem Meet and Convenient they Keeling a true and Exact ax:coimt thereof And Whereas the

aiany false alannes that have lately happened in thia province have occasioned Great Charge and iliscontent among I'ji luUa'ji-tantB to the End that the same may for the future be pieventt'd be it further Enacted by theautbority aforesaid that there be the sum of tno hundred pounds also laid assessed rainel and leveyed upon all and every of the inhabitants Befiident? ISojourners and fEreeholders of and in this Province to be Imgloyed by the Said Major Schuyler Weasels and Kajislaer in the sending of Scouts of Christians and Indiu'iS to the lalie or elsewhere to Discover the motion of the Enemy which are to be continually in the Said Ser\-ice from the first day of November next until the first day of may next fol-lowing and also for tlie payment of those that were lately Sent out and are now in pursuit of the Enemy. And Whereas his Excellency waa Necessitated to raise some money upon the credit of the Government for the defraying of the Extraordinary charge at the time of the late Invasion of the Enemy into the Indian Country be it furthtT Enacted by the authority aforesaid That th(e Suuie of two hundred l*ounds be also laid, assessed,

raised and levyed upon all and every the Inhabitants, Residents, Sojourners and freeholders of and in this Province, for and towai-da the payment of the mouL'y raised upon the Said Credit, and the defraying of the Extraordinary charge. And Whereas the Money agreed to be raised by tliis aet will be now presently wanting for the payment of such men as shall voluntarily list themselves as aforesaid and the supplying tlie other Necessities hereby granted be it further Enacted by the authority aforesaid That the Sum of one hundred pounds Like currant money afore-said be laid assessed raised and levyed upon all and every the Inhabitants Residents Sojourners and freeholders of and in this province to be imployed for the payment of tlie Interest of ten per Cent for the money that shall be advanced by any person or persons for the purposes aforesaid upon the Credit of this act all wiiich several! and respective sum and sums of money to be laid and assessed in manner aforesaid makes in the whole the Sume of twelve hundred pounds currant money aforesaid which, sd Sume shall be laid assessed raised and paid unto his Majesties Receiver Generall for the time being at the Citty of New Yorke at orbeforethe25thdayof March nixt which shall be in theyeare of Our Lord 1697 for the End and purpose aforesaid and to' no other End or purpose whatsoever according to the Severall and respective Quotas and proportions following that is to say for the Citty and County of New Yorlie three hundred sixty five pounds for the County of Westchester sixty nine pound twelve for the County of Richmond thirty seven pounds four shillings for Kings County one hundred ninety four pound Eight shillings

...C^oogle

for Queens County one hundred ninety three pound Slxteene shil-lings for Suffolk County two hundred sixteen poundaforUIsterand I>ncthes8 County one hundred and Eight pQund for Orange County twelve pound and for the due and better assessing I^evying and paying the Aforesaid Sume of 1200£ Currant money aforesaid Be it further Enacted by the authority aforesaid that the Mayor and Aldermen of tlie City of New Yorke the Justices ot the peace for tlie time being for tlie ae^-erall Respective Countyea afore-said for the severall Counties respectively for the which they Shall be Justices of the peace do within fourty days after the publication hereof awemble and meet together in the court

houses for the Beverall and Besjiective Cittyes and Counties or Such other place or places as they shall agree upon among th«in-selvea and shall there onJier that the assessors and Collectors for the Citty of New Y'orke and. the Severall and Hespectjve Towns mannors or Liberties within their Severall Jurisdictions for the assessing collecting and receiveing of the publicke Bates for the defraying of the I'ublick charge of each respective Citty and County aforead be the assessors and collectors for the assess-ing collecting and receiveing the sume or sumes of money here-inbeforementioned according to the proportion before Expressed as to the Said Mayor Aldermen and Justices shall seem meet and Reasonable. And forasmuch as there are Severall Towns Mannors and Jurisdictions within the Respective Counties afore-said who refuse negk-ct or do not Elect annually or once Every yeare assessors or collectors whereby the Intent of this & other acts heretofore made and published may be Evaded and frus-traljed be it therefore Enacted by the authority aforesaid that if any of the respective Towns mannors or Jurisdictions within the Severall Counties aforesaid shall refuse neglect delay or deny to cbuse or elect Assessors and Collectors for the assessing of there Severall and respective Towns mannors or Jurisdictions and for the Collecting the Same according to the true intent meaning and direction of this and the other Acts in Such case made and provided then and in Such case it shall and may be lawfull for the Justices of the peace or any two of them in the Counties where such Towns raannora or Jurisdicfioua are who are hereby impowered and authorized to nominate and appoint Assessors and collectors for Such Towns mannors and Jurisdictions as shall refuse neglect delay or deny as aforesaid or heretofore have refused neglected delayed or denyed which Assesswa and Collectors so nominated and appointed in manner aforesaid shall to all intMits and purposes be devnied and Esteomed the asai'ssors and collectors of the said Towns Mannors and Jurisdictions and observe and Execute the Directions of this and other Acts under the pains and penalties in the said act contained and menconed

and [The remaiDder of this act is miseing from, the Bolls and is copied from Brinley's Bradford.!

Anid be it further Enacted by the authority aforesaid, TbAt the Baid Mayor and Aldermen, the Justices of the Peace for the respectiTe Cities and CounticB, Towns, Mannora and Jurisdic-

tions, have and Khali have, by virtue of this Act full Power and Authority, each of them by himself to administer to Buch Asses-sor or ABsesBOrs tliat shall be elected or noiminated and appointed in manner aforesaid. That they shall Well and Truly execute the OtRce ot an Aaseasor, and Well Truly, Equally, Impartially and in due proportion assess and rate the Estates of the Inhabi-tants, Residents, Sojonrnere and Free-holders of the respective places for which they shall be chosen, elected, nominated and appointed Aasessors, according to the best skill and knowledge and therein they shall spare no Person for favour nor afFection, w grieve any Person for hatred or ill will. And the said Asses-sore are hereby required to deliver one Copy of their Assessment fairly written and subscribed by them, unto the said Justices or to the Office of the Clerk of the Peace of the respective County to which they belong. And the said Justices for each respective County or any two or more of them, are hereby oinlered and required to cause the said several and re^wctlve Assessments to them delivered, to be fairly written, and to sign and seal several Dnplicates or Copies of the said Assessment, and one of them so signed and sealed, forthwith to deliver, or cause to be delivered unto the respective within the several and respective (^ties and Counties aforesaid, and shall likewise deliver, oi-canse to be delivered another fair Copy, so signed and sealed, unto the Clerk of the Peace of the respective County to which they shall belong, there to be filed and remain upon Kecord. And the Clerk of the Peace of each County is hereby required to transmit the Sum of the Assewment of each Town unto the Beoeivep Generall at New York for the time being.

And be it further Enacted by the Authority aft>reeaid, That If any Person or Persons, who shall l)e chosen elected, nominated or appointed, in manner aforesaid, Assessors or Collectors, shall deny, neglect refuse or delay, or unequally and partially shall BSsesB, as by this, and the other Acts are required, so shall deny, neglect, refuse or delay to collect any Sum or Sums of Money, in form before mentioned, assessed that then in such case it shall and may be lawful for any two of his Majesties Justices of the Peace of the City and Counties where such Offenders shall hap-pen to dwell or reside, and who by virtue of this Act are required and hnpowered to do the same by Warrant under Hand and Seal, to commit snch Assessors or C<rfl«ctorB, so denying, refuwng neglecting or delaying, or unequally and partially assessing o*

refusing to collect, as aforeBaid, to the common Goal, there-
to remain without Bail or Mainprize till he or they
shall make fine and Banacon to his Majesty, for such
his Contempt as aforesaid. Aiid upon suob Commit-
ment, the Justices are speedily rcquii-ed .to nomimate and
appoint other Collwitors and Assessors in their stead and rotHn
And Whereaa there are several Prsons that have shut their
Doors, and refused to pay the Rates assessed by virtue of several
Acts of Assembly heretofore made and pronded, whereby the
intent of the said Acts seemed to be frustrated, Be it further
Enacted by the authority afoR'saad, That if any Person or Per-
sons shall longer neglect or refuse to pay the sei'eml Kates and
Assessments whei-ewith they were formerly charged by severaJ
Acts of General Assembly hei-etofore made & provided, or here-
after shall neglect or i^efuse to pay the several Rates & Asaess-
mests wherewith he or they are charged with this Act, for or in
respect of his or their Goods & Chatties, Lands or Tenements,
shall be neglected or refuse to be paid, then upon demajid of the
Collectors that shall be chosen or appointed to receive the same,
or within Ten days next and after the said Demand,
It shall and may he lawful to and for such Collectors
and they are hei-eby required, for non-payment thereof,
by Warrant under the hand of two Jnsticca of the
Peace, to distrain the person or persons so refusing or neglecting
to pay by his or their Goods and Chatties, or distrain in and
upon the Messuages, Lands & Tenements so charged, & the
Goods and Chatties then and there found, and the distress so
taken to carry away, and the same to expose to sale in the Town
or County where such Distress is made, and for want of buyers,
to carry the said Distress unto any other place in the Province for
the sale of the said Distress acordingly, for the pajTuent of the
said Rate or Assesment, and the Over-pins coming by the said
sale, if any he over and above the Charges of taking
and carrying away the said Distress, to be immediately returned
to the Owner thereof. And moreover, it shall and may be lawful
to break open in the day time any House; aJid upon Warrant
under the hanl and seals of any two or more of the said Justices,
any Chest, Trunk or Box or other things, where such Goods are,
and call to their assistance the Con9tahIes^ or any other persons
within the respective Cities, Counties, Towns, Mannors and Juris-
dictions where any refusal, neglect or resistance shaJl be made;
which said Officers and Persons are hereby required to be aid-
ing & assisting in the Premises.

And be it further Enacted by the Authority aforesaid, That if any Mayor, Aldermen or Justice of the Peace within this Province, who are hereby required, impowered and authorlEed to

take effectual care that this Act, and every Article and Claaae therein be dueiy executed, according to the true intent and meaning thereof, shall deny, neglect refuse or delay to do, perform, fulfil & execute all and every the Duties, I*owerfl & Authorities by this Act required and impowered by him or them to be done, perform^, fulfilled and executed, and shall there of be convicted before his Excellency, the Governour and Councill, or before any of his Majestiea Courts of Record within tliis Province, he or they shall suffer such Pain by Fine and Imprisonment, as by the discretion of his said Excellency, the Governor and Council, & the Justices of the said Courts shall be adjudged.

And be it further Enacted by the Authority aforesaid, That if any Action, I'laint, Bill or Information shall be brought, moved or prosecuted at any time hereafter, against any pwson or persons, for any matter, cause or thing done or acted in pursuance or executiou of this ^Vct, such person or j)ersons so sued o prosecuted in any Court whatsoever, shall and may plead tlie general Issue, Not Guilty, and give this Act and the special mattrr in Evidence. And if the Plaintiff or I^rosecutor shall be Non-anitc^, or forbear further Prosecution or suffer Dis-continuance or Verdict to pass against him, the Defendant or Defendants shall recover tribble Costs, for which, they shall have the like Remedy, as in case where Costs by the Law are given to Defendants.

Provided always, That no Mayor, Alderman or Justice of the Peace shall be troubled, sued, prosecuted or molested for any Omission, Offence or Neglect by virtue of this Act, but within the space of one Year after such Omission, Offence or Neglect, and not at any Time hereafter, any thing contained herein to the contrary hereof in any wise notwithstanding.

[CHAPTER 59.]

iChapter 59, of Ltvingston & Smltli and Van Schaack, where the title odI; ifl printed. Title only la printed In Brlnley'e Bradford, p. 12 Bnskett. p. 26. Baehett states tbat tbls act was conflrmed, but does give date of conflnuatton.]

An Xct to vacate a deed of trust exe-
jcnted by John Bobinson and Man^areet his
.wife for the land now In the tenure and
loccupacon of Cornelius Bameson and forthe
{fonflrming of the same unto him his heir's
and assigne's forever.

[PasBed. October 30. 1696.J
Whereas John Robinson of Queens County on the Island of
Nassaw by A certain Deed seaJed with his seale bearing date the
15th day ot June in the fourth yeare of the Reigne of the Late
l^g James the Beoond and In the yeare of Onr Lord 16 IMd

..t.ooglc

graote bargaine Sell convey and aasore unto WiUlam KlocoUs
end bis heires One third part of a certaine Dedc of land com-
monly cailed madmans little nedt witb the appurtenances late
in the Tenure of Bicbard Oomwall deceased lying and being in
Queens County at Oombury Together with all and Singular the
measaugefl tenements bames Stables orchards Gardens arable
Lands meadows Pastures Incloeures hereditanxents and appnr-
tenances in trust for the use and uses hereafter Expressed to
have and to hold unto the Sayd William Mccolls and his hedres
in trust for and to the use and behoof of the Sayd John Bobinson
and Margaret his wife for and during the Naturall I4ves <rf blm
the Sayd John Bobinson and Margaret his SaJd wife and the
Naturall life of the Survivor of thran two and afterwards for and
to the use of the heirea of the Body of +be said John Bobinson
begotten or to be b^otten and in default of Such to the
right heires of the Said John Robinson forever as by
the Said Deed of Indenture entered in the Heoords <rf
the Said Queens County relation being thereunto had
may more fully and at large appear and Whereas the said John
BobiuBOn and Margaret his wife afterwards by their certaine
Deed poll baring date the 17th day of March In the yeare of our
Lord 1693 for the considerations therein m^nconed but more
Especially for the summe two hundred pounds currant money of
New Yopke to them in hand paid by Cornelius Bameson of lllat
Bush in Kings County Yoeman, Did Grant bargaine alien sell

and conflnne unto the said Cornelius BameBon his heires and Assignes for Ever all that certaine fanue Lyeing and bein< In Combury in the bounds of dushiug formeriy bought of BSchanI Comweil Sen'r, Deed together with all the houses Outhouses bamea stables Pastures orchard's Gardens ways Easements woods undenvoods, waters and water Courses and appur- tenances to have and to hold the premiases unto the said Corne- lius Bameson his heires and Asstgnes for ever to the sole and only proper use benefltt and behoof of him the said Cornelius Bameeon his heires and Aasignes for ever as by the Said Deed, poll bearing date as aforesaid Entered in the Records of the Towne of flushing relation being thereunto had may more fully and at Large appeare and Whereas the Said John Robinson and Margaret his wife have by their I'etition Presented to his Excel- lency Benjamin ffletcher Captaine Qenerall and Govemonr in Cheife of this his Majesties Province of New Yorke and Terri- toryes thereon Depending in America the Councill and Eepre- sentativea convent in Generall Assembly prayd that for their present subdatanoe and that they may be the better Enabled to Pay their debts that the aforeredted deed of trust made to tiie aforesaid William Mcholls for the Dse« therein mentioned may

by act of G«iiera] Assembly be declared null Toyd and of uooe £ffect and yt the deed made unto the Sayd Gomeliua Bameflon may rexoaine Continue and abide in fall force and vircue ns It the said Deed of trust for the uses within meDOoned had never been Executed any thing threin to the contrary in any wayes not- witbatanding which just and reasonable request being taken into consideration it is declared and Enacted and bee It therefore Enacted by his Excellency the Goremour and Conncill and Repre^ sentatives convened in Generall Asaembly and by the authority of the Same that the aforesaid deed of trust and the enrollment and Becord thereof made by the Said John Robinson unto the Baid William NichoUs in manner aforesaid Shall by the authority of this Oenerall Assembly bee made Voyd and Cancelled and that the use and uses remainder and remainders thereby raised Limited and declared and therein inenconed or intended to be therein raised Limited or declared shall from henceforth cease detennine and bee utterly Voyd and of none Effect And to the end that the said Conne- lius Bameson may for the future peaceably and quietly possess and Enjoy all the aforerecitedl^nd and PremissesAccord-

ing to the true intent and meaning of the aforesaid deed Poll. Bee it further Enacted by the authority Aforesaid that the Said Deed Poll Executed by the Said John Robinson and Margaret his wife in manner aforesaid Shall for Ever hereafter be deemed and Esteemed In the Law a Good and perfect deed for the convey- ance of the premisses from the Said John RobinsoD and Margaret his wife unto him the Said Cornelius Bameson his heires and Assignes for Ever to all intents purposes and Constructions in the Law wtsoever in as full and ample manner as if Such a Deed of trust had never been made any thing contained theiiin to the contrary thereof in any wayes Notwithstanding.

THE FIFTH ASSEMBLY.

Fifth Sesnon.

(Begun Mch. 27, 1697, 9 Wm. m, Benjamin Fletcher, Governor.)

[CHAPTER 60.]

[Cbapter 60, of LlrlUKston & Smith and Van Sctiaack, where tbe title only Is printed. Printed tn full in Brlnley's Bradford, p. 137; titl Is printed In Baskett, p. 27.]

An Act to Enable the City and County

of Albany To defray Tbfir nedessary chanje.

[Passed, April 21, lefiT.]

WhereajR there was an act of Generall Assembly made in tlie

Seventh Year of His Majesties Beigne intitled an act to liable

DgizedbyGoOgiC

the City and Cotinty of Alhany to defray thfip necessary charge for two years from the publication thereof which act doth Tenninate by its own limitation ujion the ffirst day of July

next And the K<*presentative8 of the said City and County of Albany humbly praying That the said act may be Keveived and continued ffor two yeaif Lonj^er after the Kxpiration of the Said act IJce it therefore Enacted by His Excellency the Govem- onr and Coimcill and RepresentativeB convened in Generail Ab- sembly And it is hereby Enacted by the Authority of the same, the buposition or rate of two per Cent shall be raised and Levyed upon all Indian goods that are Brought up to thah City and County of Albany, and there sold and Consumed, also that the Impost of Three pence be raised and Levyed upon each gallon of rum that is sold and consumed within that City BJid Oounty and for the due and orderly collecting of the Respective Imposts and Rates the Treasurer of the said City for the time being or any appointed by him and the Mayor of the Said City under the publick seale of the said City are hereby Impowered and authorized to appoint constitute and Establish a Collector or Receiver of the rates and Imposts aforesaid who shall have Power to Receive the same and to Enter In a fair Booka kept for that purpose all Snch Sume and Sums of money as shall be so entered, and record for the respective dutys aforesaid. The said Collector or Receiver appointing certaine convenient Times and plans for the keeping of the OfRce as shall be Directed by the Coijrt of Mayor and Aldermen and Assistanta of the said City & all persons that tmde and brioR np to the said City and County the aforementioned Indian goods and rnm are hereby Required to make a report of the qnantity and value of Such goods and rum they so bring up and all Sell in the City and C-onnty aforesaid and pay the duties and Imposts Hereby Established without being at any ffurther charge then the said duty and in Default hereof it shall be lawful! for the Mayor Treasurer or any other officer hereby authorised to Issue out his or their Warrants under his or their hand and Seale for tbe seizing of all Such goods & rum as shall be Embezeled and not pay the dutyea aforesaid, one third to the Informer and one third to the said CHty and Coun^ of Albany and one third to his Excellency the Govemour or Commander in chiefe for the time being provided that all the sume and snmes of money that are hereby Received shall be only appropriated and applyed to the defraying of the necessary charges of the City and County aforesaid and that the Treas- nrer Collector or Receiver for the time being shall not pay

Digi-jzedbyGoOgiC

any of the money received as aforesaid but by warrant frran the Mayor of the said City and Approved by the Justices of the peace of the County Provided that this act shall only remain in force for the space of Two years and no longer and to CMnmence upon the expiration of the former acts any thing contained herein to the contrary hereof notwithstanding.

[CHAPTER 61.]
[Chapter 61, or Llvingeton & Smith and Van Sctaaack, where the Utle only Is printed. Printed In full In Brinley's Bradford, p. 137; Ba 27, Baiskett states that thu act was confirmed September 6, 1700.]

An Act for the Raising a Yearly Hate #to pay the respective Collectors in Each Jtespective City and County in this Province for their payns in Collecting and paying the publicli: Rates & Taxes.

[Passed, April 21. 1697.]

I Whereae the Respective Cities and Countyes within this Pro- Tince have Neglected to mate an Annuall Rate for the Satisfye- ing the collectors for the charge and trouble in the Collecting and paying the publick Taxes Raised in their Bespective Cityes and County to the great hurt and Loss of those Collectors that have been Employed in the Said Service as well as the Oreat delay in the paying of the Said Taxes unto his Majesties Col- lectors Receiver General! to the end therefor that the same may be Removed Be It Enacted by his Excellency the Oorernour and Council and Representatives Convened in Generall Assem- bly and by the authority, of the same that there shall be the I^id and assessed Annually & once Every year a certaine rate in each respective Citty and County within the said Province for the paying and Satisfying the Respective Collectors of the publick taxes within their Respective Limitts and Precincts in their Respective Counties According to Such Agreement as the Respective Justices of the Respective Cities and Counties within this Province Shall make witli the Several] Collectors in the Respective Cityps and CoTintles aforesaid provided the same Shall not Exceed Nino Pence P pound unless Queens County

who may Raise a Rate for the- Safisfying the Arrears doe to their Eespectnve Collectors within the Said County.

Digi-jzedbyGoOgiC

LAWS OF TEE COLONY OP NEW YOKE.

[CHATTER 62.]

[Chapter 62, of LlvlngBton & Smith and Van Schaack, where tbe title only Is printed. Printed in full in Brlnley'e Bradford, p. 13a Title is printed in Baskett, p. 27. This act continaes chapters 28 and

Ad Act for the conflnulng & GontiDneing two acts passed in the ffiftb and Seventh year of His MajestieB mgne for the Estab- lighiug Courts of Judicature &c for one year Jjonger after the timeB mentioned In the Said Acts Expired by their Ldmitation.

[Passed. AprU 21, 1607.1

Bee it Enacted by his Excellency the Governour and Councill & Bepresentatives Convened in Generall Assembly and it is hereby Enacted by the authority of the Same that an act of Asaetnbly paaaed in the Beventii year of the Beigne of Onr Soverign Lord William the third King of England &c I^titled an act for confirming and continuing an act for the Estabiiehing Courts of Judicature for the Ease and Benefitt of Each Respect- ive City town and County within this province Shall be abide continue and Bemaine in full force and Effect To all intents and purposes whatsoever and all and Every the articles Bulea and Clauses mentioned In the Baid act as well aa all & Every the articles Rules and Clauses Becited and mentioned in an other act of Assembly made in the fflfth year of the Beigne of our said Sovereign Lord the King that now is Intitled an act for Establishing Courts of Judicature for the Ease and Beneflte of Each Bespectlve City Towne and County within this province for and dureing the space and Terme of one whole yeare next and after the Expiration of the Time Llmitted in the aforesaid act and no Longer In as full and ample manner as if all and the aforesaid Rules Articles and Claoses were

Becited Expressed and mentioned in this act any thing therein to the Contrary hereof in any wayes notwithstanding.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OP NEW YOKEL

[CHAPTEB 63.]

JCb^ter 63, of UvlDgBton & Smith and Van Scboack, Wbera the title J ia printed. Printed in fuU in Btlulejr'B Bradford, p. 134. TlUe o l0 printed in Baakett, p. 27. Llvlngaton & Smltlt atate that thla a paaaed April 26, 16d7. Van Schaack elates that the act was pasaed Ap 22; 1687. From the Minutea of the Council, It appears that the bill passed AprU 20, IQBT. (See Jonmals of Legislative CouncU, p. 106.)!

An Act for the raising the Sam of three and twenty hundred pounds to Enahle bis Excellency to secure the ffronteers at Albany and for Recruiting his Majesty three Company Posted there with a Sufficient Number to Compleat three Hundred Effect-ive men to Ecmaine there from primo may next untill the prime may then next follow-ing and to Free the Inhabitants Durrfng the Said time from Detachment.

[Passed, April 20, 1697.]

The Bepresentatives Convened in Oenerall Assembly in Humbly Ackoowldgnient of the Great and Prudent care that his Excel-lency hath taJien for the Security of the ffronteers of this Pnov-ince at Albany as will as that his Excellency may be the better Ehiabled to Secure the Said ffronteers by BecmitiDg his Said Majesty three Company Posted there with A Sufficient Number of Compleat the Said Companyee three hundred Effective men and for their Encouragement to Bemain there from the Prim(> Day erf May next to the primo day of May then Next flollcwing aa also I>nreing the said time to Ease the Inhabitants of the said province from any further Bupplyes in assembly for the Serrioe as well as ffree them from detachments Except in the

case of inevitable Necessity do humbly pray that it may be Enacted and Be it therefore Enacted by his Excellency the Gov- emoor and Councill and Bepresentatives Convened in Qenerall Assembly and by the authority of the same that the sum of three and twenty hundred pounds Currant money of this province be laid Assessed Levyed and Raised upon all and every the Inhabi- tant Residents Sojourners and ffreeholders of and in this pror- ince to be imployed by his Excellency in manner and form fol- lowing that is to say the Sume of Eighteen hundred pounds part of the said Same of three and twenty hundred ponnds for the Seorniting ot his Majesties Said tluee Companys Posted at.

Digi-jzedbyGoOglc

Alttany for tlie Secarity; of the ffronteers of this proviDce there with a aufflcient Auiuber to Compleat the said three Companies three hundred Effective men and for there Encouragement To Kemaine there from the aforesaid prime da; of May next to the primo da; of may then next tEollowing aa alao dureing the aaid time to Ease the Inhabitants of the Said Province fi-om any fur- ther supply in Assembly for the service as well as to free them from detachments unlesse in the caae of Inevitable Necessity and also the l^ume of five hundred pounds the Kesidue <A the afore- said Some of three and twenty hundred pounds Currant money aforesaid to be Lodged at Albany and Deatributed amongst finch as Shall be Employed to Bange the wood» for the Discov- ering of the motion of the Enemy on occasion and to no other Use intent or purpose whatsoever which fiumm of three & twenty hundred pounds Currant money aforesaid Shall be raisod assessed Ie\-yed & paid Unto Hia Majesties Collector and Receiver Generall for the time being at the City of New York in two Equall payments that is t!o Bay the one moyety or half part thereof at or before the twenty ninth day of Septembernext and the other moyety or Equall halfe part thereof at or before the twenty flfth-day of March then next following in Such manner & according to the Several! and Respective Quotas and propor- tions following that is to Say for the City and Clounty of New Yorke the Sume of Seven hundred and seven pound Five Shil- lings Currant money aforesaid for the County of Suffolk the Sume of four hundred and fourteen pound Currant imoney afore- said for Kings County the Sum of three hundred sp-venty two

pounds twelve Shillings Currant money aforesaid for Queens County the Sum of three hundred seventy one pound nine Shillings Currant money aforesaid for the Countys of Ulster and Dutchess the Sunmi of One hundred Ninety seven pounds sixteen Shillings Currant money aforesaid for the County of Westchester the summ of ona hundred thirty three pound Eight Shillings Currant money aforesaid for the County irf Ricluuond the sume of Eighty pounds tenn shillings Currant money aforesaid for the County of Orange the Sum of twenty ttiree pounds Currant money aforesaid and for the due and Better Assessing Raising Ijevying and paying the aforesaid stumn of three and twenty hundred pounds Currant money aforesaid Be it therefore further Enacted by the antliority aforesaid that the Mayor Aldermen of the City of New Yorke the Justices of the peace the Assessors and Collectors for the time being of all and E^'ery of the Respective Cittys and jChnmtyes Towaes maanws Libertyes and Juiisdlctions Within

Digi-jzedbyGoOgiC

this troviDce are hereby Eeqnired Impowered and Authorized to Suimuons and aasesa Collect and pay the Severall Himuus of money hereinbefore menconed Accoi-ding to the Quotas and proportions before Expressed in Such ways and means according to Buch rule manner and Directions and under auch payna and penaltyes as are contained Enjoyned Pi-escribed diitcted and mentioned in an Act of Generall Asstimbly piisucd in the Eighth yeare of his Majesties reigne Entitled an act for the nvisdng of one hundred men to Be listed in His Majesties three Oompanyes posted at albany for the Security of the ffronteers and for the raiseing of twelve hundred pounds for the Encouragement of such as shall list themselves in the said rotn^^uyeB and for the Defraying of Contingenl: Charge at the Said fCronteers and all and every article, rule, clause, pains and penaltyes Expressed and mentioned in the aforesaid act for and concerning the Summoning Assessing Collecting and paying of money oe for Befnsing and N^Iecting the Sevtrall and Re»pe<'tive Quotas Bequired therein shall be abide Continue and remaine in full force and BIffect to all intents and purposes in as full and ample manner for the due Execution of this act untill the aforeaiiid summ of three and twenty hundred pounds Currant mont'y aforesaid be

duely fully and Compleatly assessed collected and paid as above directed as fully and in like manner as if the Same were particularly and at Large recited and set down In the body of this net any thing therein Contained to the contrary hereof in any way<'B notmthstanding and the Mayor and Aldermen of the Cilty of New Yorke and all and every of the Justices assesdors and eullectors of the Respective CIttyes and Connives aforesaid and all others concerned herein are hereby required and Commanded to take Strict notice hereof accwdingly.

THE SIXTH ASSEMBLY.

{Began Mch. 18, 1698, 10 Wm. Ill, Richard, Earl of Bellamont, Governor.)

[No acta were passed at this Assembly.]

DigizedbyGoOgiC

LAWS OF THE COLONY OF NEW YOKK.

THE SEVEINXH ASSEUBLY.

JF'iTit Session.

{Begun Mch. 2, 1699, 11 Wm. lU, Richard, Earl of BeilanKmt,

Governor.)

[CHAPTEE 64.]

[Chapter 64, oC'LlTliiKStoii & Smith and V&n ScbtCacb, wbere the titl aa\s Is printed. Printed In full In Brlnley's Bradford, p. 163. Titl Is printed In Baakett, p, 39. All the acts that were passed in 169 erroneously stated In Brinlej's Bradrord, p. 140. Baskett, p. 29, as having been passed in 13S8. Llrlngston & Smith and Van Schaack state that this act was passed April 15, itjOO. From the Minutes of the Council, it appears tbat the act was signed by the Oovemor, May 16, 1699. (See Jonrnals of LegiBlatlve Coancil, p. 143.)]

A Bill for the IndempnMedng of ali Sach

persons as were Excepted out of ye Genn^l

pardon made by Act of 0«neraJt Aasembly

in this province Id ye year <rf oar Lord 1691.

[Passed, May 16, 169Q.]

WHEBEAS the General Assembly of this Province did by aa Act Entituled an Act for pardoning Such as hare been Active in ye late IMaorders, Except against Severall of his Matys Good eubjecta vizt. Jacob Leieler, Jacob MilbOTne, G^rardus Beekman, Abraham Govemeur, Abraham Brashier, Thomas Wil-liams, Mynart Coerten, Joannes Vemelse, Nicholas Blank, Garret Duylung, Hendrick Jansen, John Coe, Willlaan Lawrenoev of Eaat Jarsey, Cornelius Plerier, William. Churchill, Jost Stoll, Saonnell Stuutes, Jacob Mauritz, Bobert Leoock, Michael Hansen, Richard Ponton, Joseph ^mth, John Bayly, Boelof Swartwont, Anthony Swartwont, Joaanee Proi-ost, Jacob Melyen, Benjamin Bla^ Joachim Staatee & Bnchard Pretty, who had been forward in ye late happy Revolution from havelng the benefit thereof. And ye Eepresentatives now Convened in Generall Assembly takeing tnto their Berious Consideration the ill Consequences that have already accrued & yett Still may ensue by ye aforesaid Excep-tions to ye great damage & ruine of fluch as Declared for his present Maty at ye time of ye said Happy Revolution as well as ye Continuall Disturbanes which persons ill affected to ye peace of this Govemm't doe hereby Insinuate Great & foment. And whereas her most Sacred Ma'ty ye late Queen Mary (of blessed Meanory) by her order in Councel dated ye 13th day of May 1692 was graciously pleased to Discharge all Becognisances & pro-

Digi-jzedbyGoOgiC

ceedings thereupon for any matter or thing Comitted in ye AsBiBtlni; of Capt Jacob Leisler whilst he had ye Administration of ye Govem't of this Province. And whereas by Act of parliam't mude in ye Sixth and Seaventh yeare of his Ma'tya Reigne, for ye Reasons & motives in ye Bald Act at iJarge Expressed the Judge-merte & Attainders of Jacob T^iBler DeccaBed, Jacob Milbome, Deceased, and Abraliam Govemeur (three of ye persons men-

coned & Excepted in ye Said Act of Aaeemblj) were rerereed made & DeclaAd to be null & Void to all Intents Oocstmocons & purposes whatsoever as if no Such Convlcti»ms or attainders had ever been bad or Given. And now whereas Gerardus Beekman Thomas Williams Deceased Mynart Coerten Abraham. Brashier and Joanues Vermelse deceased were together with ye said Jacob Leieler & for ye joineing with & Assisting of ye Bald Jacob Leisler & holding of ye fort Against Major Ingoldsby were Sevei-all attainted and Convicted at ye Bupream Court of Judi-cature in this Citty of Jfew yorke of Treason & Murder. Bee It therefore EN ACTED by ye Gov'r Councill & Bcpresentatlves in GeneraJl Assembly Convened & by ye Authority of ye Same that ye Said Several! Convictions Judgem'ts & Attainders of ye Said Gererdus Beekman Thomas Williams Deceased Mynart Coerten Abraham Brashier & Joannes Vermelse Deceased & every of them be & are hereby repealed, reversed, made & Declared null & void to all Intents Construccons & purposes whatsoever & that no Corruption of Blood or any other forfeiture of Lands, Tencm'ts hereditaments, Goods & Chatties be by ye said Convic-tions or attainders or either of them Incurred any Law usage or Custome to ye Contrary notwithstanding. And be it further Enacted by ye Authority aforesaid that all & every thei above named Gerrardus Beekman, Abraham Brashier, Thomas Wil-liams, Mynart Ooerten, Joannes Vermelse, Nicholas Blank, Gar-ret Duyking, Hendrick Jansen, John Coe, William Lawremoe of East Jarsey, Cornelius Plevier, William Chnrchill Joost Stoll Samuel] Staates Jacob Mauritz, Robert Lecock Michael Hansen lUchard Ponton Joseph Smith, John Baily Roelof Swartwont Anthony Swartwomt Joannes Provost Jacob Melyen Benjamin Blagg Joachim Btaates, and Richard Pretty be & are here-by forever Indempnifled for all and every ot their Actings in the late happy Revolution as aforesaid and all Judgments & Execu-cons had against their persons or Estates for or by reason as aforesaid, are heret); Declared to be null and void and ye Same are hereby repesled & reversed any Iaw Usage or Custome to ye Contra'rv notwithstanding.

Digi-jzedbyGoOgiC

[CHAPTEB 65.]

[Cbapter 60, of Livingston & Smith and Van Schaack, wbere the title only Is printed. Printed la full In Brtnley'a Bradford, p. 1S4. TiUe la printed in Ba^kett, p. 39. The act repealed Is chapter 16. Llvln ft Smith and Van Schalck state that the act was passed April 19. 1 From the Minutes of the Council, it appears that the act was signed the Governor, May 16, 16»9. <See Journals of Legislative CouncU, p.

A bill for ye repealing an Act of
Assembly entituled An Act for ye ref^late-
Ing Damages done in ye time of ye late dis-
orders & for ye Uniting ye minds of tb^r
Maj'ties Subjects within this proyinoe & for
calling home Such of their Ma'tyes BubjectP
lyt have lately absented themselves from
their habitacons & their asnal places <tf
their abode.

(Passed. May 16. 1699,}

WHEREAS an Act of Assembly made in ye third year of bis Ma'tys Reign Entitled an Act for ye Regulating damages done in ye time of ye late disorders &c is found greivous to many of his Ma'tys good Subjects within this province & hath not in ye least measure answered ye design for wch it was made and ye continuance thereof would be very prejudicial! to all hlB Ma'tys said good Subjects for remedy whereof. Bee it ENACTTED by bis Excel ye Oov'r & Councill.A representatives C<Mivened in generall Assembly. AND it is hereby ENACTED by ye Author^ ity of ye Same That ye aforesaid Act Entituled an. Act for ye regulating damages done in ye time of ye late disorders Ac be repealed, reversed, vacated, and become nuiland void & of none Effect, And ye Said Acf and all ye Articles & aanses therein menconed are hereby declared to be repealed. Reversed, Vacated & become null void & of none Effect to all Intents Constmctions & purposes wtsoever and all process, Snmons Judgm't Sen- tence & Degree Determinacons and Execucons heretofore had ag't any person or persons or his or their Estates Lands A tene- mt's, Oo&ds or Chatties for or by reason of any power or Anthor ity granted unto any person or persons as Com'rs for ye Execo- tion of any of ye powers or authorityes menconed in ye Said Acts Are hereby declared to be null and void & of noe force & Virtue and Shall for ever hereafter Cease & Determine to all Intents and purposes whatsoever in as full & ample manner at

if no Such Act had ever been in being or of any force or Virtue anything Contained in ye Said Act to ye Contrary notwithstanding.

Digi-jzedbyGoOglC

LA^TO OF THE COLONY OF NEW YORK.

[CHAPTER 66.]

IChapter 66, ot Llvlngaton & Smith and Van Schaack, where the tlUe only Is printed. Printed In foil Hi Brlnley'a Bradford, pp. 1:!7. 14 (wly ia printed in Baakett, p. 39. This act was continued by cbapte UTingattm & Smith and Van Scbaadc state that tbla act was passed Ap 19, 1609. From the Minutes of the Council, it appears that the act dgned by the Governor, May 19, 1699. (See Journals of Legislative Council, Q. 143.)]

A Bill for ye Reflating and return-
ing of able and SufDcient Jurora in
TryallB at Law

[Passed, May 16, 1699.]

WHEREAS great hurt & damage does arise to ye Inhabitants (rf Uiift province by reason of ye great abuses in ye returning of Jurora not Sufficiently quallifled to discern ye Causes in question upon Tryalls between party & party That ye Same for ye future may be rentedyed & y't able & Sufficient Jurora for Try-alls bereaftef to be bad may be duely returned by ye SberiSa * other officers authorised for y't service BEE IT ENACTED by his Excel, ye Qm-'r & Oouncill & Representative* Convened in Oenerall Aaaembly And it is hereby Enacted by ye authority of ye Seme that all Jurora who are to be returned for ye tryalla ot Isaaes Joined in any of bis Ma'tys Supream or Inferiour CJonrt or Courts of May'rs & Aldermen within this province who shall have Conginzance of any please of his Ma'^s Courts of Kings Bench Cfmon pleas or Exchequer or before any Justices <rf Assize or nlsi-prlus Oyer and Terminer Goale Delivery or General) or quarter Sessions of ye peace from & after ye publi-cation hereof in any Citty or County of this province shall every of them then have in thedr owne name and riftht a good house or

message with tenn acres of Land of ffreehold (in ye respective Countys wherein th^ doe reside & in ye Clttys of New Yorii & Albany one dwelling house free from all Incumbrances or a personal! Estate to ye value of fflfty pounds Currant money ot this province free & Cleer from all Debts & Lawfull demands whatsoever in ye Same Cltty towne & County where Such Jnrors shall reside all w'ch persons baveing Such Estate in manner aforesaid are hereby Enabled and made Liable & Suf- ficiently qoaJifled to be returned and to Serve as Jurors for ye tryalls of Issues before ye Justices & Courts aforesaid any Law or Statute to ye Contrary notwithstanding and if any person of a lesser Estate and Value shall be respectively returned upon any Such Jury or tales in Default of Such Jurors it

. '.".ooglc

shall be a good Canee of Cfttallenge and ye party returned Bhall be discharged upon ye Baid CballeDge or hia owne Allegation & Oatb thereof & y't ye Same hereafter may be duely observed. The writt of Venire facias w'ch shall hereafter be awarded and Directed for ye Impanneling of Juryes in Cases aforesaid w'thin any Citty & County w'thln this province ^all have menconed in ye body thereof twelve free & LawTii! men of ye Neaghbourtiood of w'ch each of y'm sliaJl have in thrir owne >'fune and right a good hinise or message w'th tenn Acres of Land of ffrehold in ye County & ye Cittys of New York & Al- bany a dwelling house free from all Incumbrance or a per- sonal! Estate to ye Value of fifty pounds free & Cleer from all I>e4>ta & Lawful) demands w'tsoever and ye preamble and residue of ye Said Writt shall be after ye usuall manner and y't upon every Such Writt & writts of "X'enire, facias the Sherifl Coroner or other minister of each respective (Mtty and County in this province unto whom ye makeing of ye pannell Shall ap- pertaine Shall not retume any person in any Such pannell unless he Shall then have ye Estate a^ aforesaid respectively in ye Same Cittys & Countys where ye Issue is to be tiyed. And that Jurors may ye better appear upon tryalls at ye Courts aforesaid be it further ENACTED by ye authority aforesaid that ye Sher- iff of ye respective Cittys & Countys of this province for ye time being shall from benc^orth oau'se twelve good & Lawfull men qualified as aforesaid to be duely Sumoned or warned two dayes

at Least before ye boning of ye respective Courts aforesaid to be & appeare at ye first day of ye Sitting of ye Said respective Courts & there to attend during ye Sessions of ye Said Courts to perfonne their Said Dutj- & Service to ye Court as Jurors or Jury-men in Such Cases between party & party wherein they Shall be respectively returned & Lnpannelled upon pain y't every of them that Shall make drfaulf to appear & attend at & Dureing ye Session of ye Said Court unless they have leave from ye Said C-onrt to Depart to forfeit ye Some of thirteen Shillings & foure pence Curraut money of this province to Such use as ye said Court shall appoint & ye Same to be levyed recovered & had by ye Sheriff or bis Deputy in such manner and wayes as Issues of Jurors are used to be Levyed formerly provided also that there Shall not be returned any person to Serve as a Jupor aforesaid who is under ye age of One & twenty yeares anything to ye Contrary notwithstanding and this Act to re-maine in force for two yeares n^rt^ after ye publication heiwrf & no longer

Digi-jzedbyGoOgiC

[CHAPTER 67.]

[Chapter 67, of Livingston & Smith, where the act la printed In ful Chapter 67 of Van Schaack, where the title only la printed. Printed fuU In BHnley'a Bradford, p. 124,]4ri. Title only la printed In Ba p. 29. Basken and Van Si-bani^e state that this act was repealed by King, September 5, 1700, See Letter of I^rds of Trade to Governor Lovelace, In Doc. Rel. to Col. Hist V, p. 47. Livingston & Smith a Van Schaack state that the act was passed April 19, 1699. Krom the Minutes of the Council, !t appears that the act was signed by the Uovemor, May 16, 1699. (See Journals of Legislative Council, p. 143

An Act for >e BeetrainlDg and punJBli-ing privateers and Pirates.

[Passed. May 16, 1699.]

WHEEEAS nothing can more contribute to his Sacred Majestjs haa'r than y't Such ArticlPB as are Concladed & agreed

on in all Treatiea of peace ehould by all his Ma'tya Subjects According to their I^uty, be moat Inviolabl.v preserved and Kept in and over all his Ma'tya Dominiona & Terintories, and whereas not onl.v against Such treaties of peace made by his Ma'ty w'th his Allies, but alsoe Contrary to his Ma'tjs Eoyall proclamacon Severall of his Subjects have and doe Continually goe off fr<an this hia Ma't.vs province of New Vorke into fforeign princes Ser- Tioee and Sail und'r their Cofnand CoTitrary to their Duty and good Allegiance and by fair means cannot be restrained from Soe doeing.

Be it therefore Enacted by ye Gov'r Councell &. Assembly; & it is hereby ENACTED by ye Authority of ye Same that from & after publication hereof; it shall be felony for any persons w'cb now doth, or within four yeares last past henetofore bath or hereafter shall Inhabit or belong to this province to Serve in America in any Hostile manner under any forreigne prince, State or potentate or any Imployed under any of them against any other forreigne prince State, or potentate in Amity w'th his Ma'ty of great Brittaine without Speciall Lycense for soe doeing nnd'r ye band & Seal of ye Gov'r or Comand'r in Chief of this province for ye time being & that all & every Such offend'r or offcnd'rs contrary to ye true intent of this Act being thereof duely Convicted in bis Mat'ys Supream Court of Judicature within this province to w'ch Court, Authority is hereby given to bear & to determine ye Same as other Cases of ffelony, shall Suffer painea of Death without benefit of ye Clergy PROVIDED nevertheless yt this Act nor any thing therein Contained shall Extend to any person or persona w'ch now are or have been in ye Service or Employm't of any foreigne prince State or potentate wt soever y't idiall

. '..ooglc

return to this province & leave & destt-t Such Service, 8i naploym't before ye first day of May In ye year of our Lord One tbousaod & Seaven hundred next ensueing rendring j'm Selves to ye Gov'r or Comand'r in Cheif for ye time being and give him. Such Security aa he shall appoint for their future good behavionr & alsoe y't they shall not depart thia pro^-ince without y'e Go\-'rB Tickett And for ye better & more Speedy Execution of

Justice upon such who haveing 0<Hnitted Treason piracies, ffelonies, & other offences upon ye Sea shall be appr^ended in or brought prisoners to this province. Bee it further ENACTED by ye Authority aforesaid That all treason, ffeltmles, Pyraciea, Bobberies murthers, or Confederacies, Comitted or y't hereafter shall be Comitted upon ye Sea, or in any Haven, Creek, or Bay, where ye Admirall hath Jurisdiction shall be Inquired trjed heard Determined & Adjudged w'th in this province in Such like forme, as if such offence had lieen Comitted in & upon ye Land & to yt end & purpose ConunissioEa shall be had under ye Kings great Seal of this pro\ince directed to ye Judge or Judges trf ye Admiralty of this province for ye time being and to Such other Snbstantiall persons as by his Ma'tya Gov'r or Ccmander in Cheif of this province for ye time being Shall be named or appointed w'th Said Com'rs or Such a Quorum of y'm as by Such Comon shall be hereunto Authorized, shall have full power to do all things in & about ye Inquiry, hearing determining Adjudging & punishing of any of ye Crimes & offences aforesaid as any Corn's to be appointed by Ooonon und'r ye great Seal of England, by virtue of a. Statute made in ye twenty Eighth year of ye Keigne of King Henry ye Eighth are Impowered to doe Execute w'th in ye Kingdccne of England & y't ye Said Offend'rs w'ch are or Shalt be appHheudod in or brought prison'r to this province shall be Lyable to Such order process Jndgem't & Execution by vertue of Such Comission to be grounded upon this Act, as might be awarded or given against thesa W they were proceeded against w'th in ye Realm of England by Vertoe of any Comiseion grounded upon ye Said Statute. And all Tryalls heretofore had against Such Criminall or Criminalla before! any Judge or Judges by vertue of Such Com'on or Au- thority at any time heretofore granted, & all proceedings therfr upon, are hereby rattifled, confirmed, & adjudged Lawfull ft all Such Judges w'th all & every ye Inferiour officers that acted thereby are hereby Indempnifled to all iutenta & purposes whatsoever & in case they or any of them shall at any time hereafter be Sued, vexed, molested, or troubled for any Such their proceedings as aforesaid, he or they So Sued,

Digi-jzedbyGoOgiC

vexed, or molested shall plead ye general) Issue, & give thia

Act in Evid^ice, any Law Statute, Custome or usage to the Con-
trary in any wise notwithstanding. Bee it further ENACTED
by ye. Authority aforesaid that all & every person or persons
that shall any way knowingly, entertaine, harbour, Conceale,
trade or hold any Correspondence, by Letter or otherwise, w'th
any person or persons that Shall be deemed or adjudged to be
privateers pyratts or other offenders w'thin ye Construction
of this Act, & that Shall not readily endeavor to ye best of his
or their power, to apprehend or Cause to be apprehended Such
offender or offenders shall be lyable to be prosecuted as access-
saryes & Confederates & to Suffer Such paines & penaltyes aa
in Snch Caae by Law is provided & for ye better & more effect-
uall Execution of this Act. Bee it further ENACTED by ye
Authority aforesaid that all Comission officers in their Severall
precincts w'thin this province are hereby pequis«d & Impow-
ered upon his or their knowledge or notice given, That any
privateers, pirates or other persons, suspected to be upon any
onlawfnll Designe are in any place w'thin their respective pre-
cincts to raise & levy Such a number of well Armed men, as
he or they Shall think needfull for ye Seizing apprfhending
& Carrj'ing to Goale all and every such person & persons, &
in case of any Resistance or refiisall to yeild Obedence to his
ma'tys authority it shall be Lawfull to kill or destroy Such
person or persons and all & ever person or persons That shall
oppose or resist by strikeing or flreing upon any of ye Comanders
parties Shall be deemed taken & adjudged as felons without
benifltt of ye Clergy & every Such officer y't shall omitt or
neglect his duty herein shall forflet fifty pounds Currant money
of this province for every Such offence to be recovered in any
of his Ma'tys Courts of Record within this province, by Bill
plaint or Informacon wherein no Essoigne Wager of law or
protection shall be allowed; One~moiety thereof to be to our
Soveraigne Lord ye King bis heirs & Successors for & toward
ye Support of ye Oovem't of this province & the Contingent
Charges thereof, and ye other moiety to ye Informer and all
and every person & persons that upon orders Given him or
them Shall refuse to repaire Imediafely w'th his or their Armes
well fixed, and Ammunition to Such place or places as shall
be appointed by ye Said officer & not readily obey his Comands
in ye Execueon of ye p'mises shall be Lyable to Such fine or
Corporall pnnlshm't as by a BeglmentalT Coart marohall shall
be thought fitt

Digi-jzedbyGoOgiC

[OHAPTEBI 68.]
[Chapter 68, of LlTingston &, Smith and Van Schoack, wbere tbe Utle onlr iB printed. Printed In full In Brliile;r'B Bradford, pp. 146, 1 oulj Ib printed In Baskett, p. 39. LlTlngston &, Smltb end Van Scba state that the act was passed April 20, 1899. From the Minutes of Council, it appears that the act was passed April 22, 1689. (See Jonrnala of Legislative Council, p. 131.)]

A Bill for tbe Comittiug of Eben^er WillsoQ and Samuell Burt flarmers of the Excise of the Island of Nassau for their :Coiiteinptiious Befusing to render an Ac- ooimt of what they farmed the same for to the BeBpeotire Counties Towns and Mannors on the said Island for the Last Yeere.

[Passed, AprU 22, 1699.)
WHEREAfl all jnat ImproTCTnent of his Majesties Berenue in this province is not onlj highly Important to his Majesties Service but tends to the good Wellfare Benefltt and behoof of all the Inhabitants therein, and bis Excellency the Governor, and Councell mett in Generall Assembly having the same und^ their consideration upon a due Inspection into the several! Branches thereof doe find that the Elzcise for severall yeares last past lett to fEanue either by fraud Colusion or great Negligence in those who have been Impowered to lett It has Bendred this last yeare in one County much lesse, than in former yeares it has been lett for, and that the Excise cS the Island of Nassau has not produced what might Beaeonebly be Expected in pro- portion to the other parts of this province That in order to Discover tbe truth of such management past as well as to Enable them how l>est to Improve the same for the future, have thought fltt to Bequire such ffarmers of the said Excise of Nassau Island to lay before this boiise upon oath the moat pMn and perfect Account they are able to give of what they haye lett the Excise of the SE'V'EEALL Towns Mannors and Jurisdif^tlonB within the said Island of Nassau the last yeare of their ffarm aforesaid, and Mr. Samuell Burt and Captain Eben- ezer Willson of this City having owne they did ffarm the same and being often Required for the Beasoms aforesaid to Bender

to this house such Account soe necessary for bis Majesties Sct^ vice and In order to Detect all fraud and N^ligence In all those who have lett the same as well as for the Better Improvement of that branch of his Majesties Eevenue for the future The said Burt and Willson without giving any snfflcient Beaeon, In Otm-

DigizedbyGoOgiC

tfimpt of his Mfljeetiee aathorit; with which this house in the Quali^ thej aie now Sitting is Invested willfully and Stubbornly have done and doe refuse to give any such account as Required Be it THEBEFORE ENACTED by his Excellency the Governor and CouQcill and Bepresentatives Convened in Oenerall Assem- Wy and it is hereby Enacted by the authority of the same That- the said Samuell Burt and Ebenezer Willson be and Stand Com- mitted into safe Custody without Baile or Mainprize untill they shall Exhibit under their hands upon oath the most plain and perfect Account tliey are able to give of what they have lett the Excise of the eeverail Towns Mannors and Jurisdictiome within the seid Island of Nassau for the last yeare of their ffarm efore- sald as in duty they ought to do any Law or Statute to the Coo- tr&fy hereof Notwithstanding.

[CHAPTER 69,]

{Cliapter 89. of Livingston & Smltb and Van Schaack, where the title only U printed. Printed In full In Brlnl^'a Bradford, pp 144. 166; Baskett. p. 34. ConQrmed by tbe Queen. May 28. 1708. (See Fowler's Bmdford. p. CXXXVIII.) Livingston & Smith and Van Sdjaack, state that tbe act was passed April 26, 1699. From the Minutes of the Co)t appears that tbe act was signed by the Governor, May 16, 16W. < Journals of Legislative Council, p. 143.))

A Bill for preventing vexatious Suits & Settling & quieting ye minds of his Ma'ties peacable Subjects w'thin this province.

[Passed, May 16, 1600.]

WHEBEASnponthenewaofyelate happy Revolution and his Ma'tJes Olorloua Enterprise to rescue ye Kingdomes of England Scotland and Ireland and ye Dominions thereunto belonging

tram popery Slavery and Arbitrary power Se\'erall persons well affected to hia Ma'tys person ye protestant Beligion and the good of their Country in this province did according to ye most noble Example of ye great people of England declare fiw their Deliverer and for his Service took upon y'm ye Oovei—nm't of this province & appointed Capt Jacob Leisler Comand'r in Cheif thereof tmtill his Ma'tys pleasure should be known therein who was afterwards Confirmed in ye Baid Oomand by his Ma'tyes Royall Letter dated ye 30 day ot July One thousand Sii hundred Eighty nine and by vertue thereof kept ye administration of ye Goverm't untill ye arrival of Col Henry Sloughter his Ma'tys late Capt Generl of this province And whereas ye persona afore—said thro^ ye Exigence of ye Warr & ye Continiiall troablea

H,—,:.tll:yG00gIC

raJ«ed by persons disaffected to his Ma'tys person & QoTcrm't were by Iae\—itable necessity Constrained for ye preservation of this province to take & Seiae and Secure Severall diaaflected persons & enter into ye possessiona and houses of Sev«rall Merch'ts and otlier and there took SeveraJl Goods Wares & Mer—chandiaes w'ch were Imployed for his Ma'tys Service and ye Defence of this provmce in all which force violence and defect irf ffopme was unavoidable which Id a time of peace & Comon Safety would not have been warrantable yet were necessary and allowable in regard of ye Exigence of ye publidt affaires & ought to be Justified and ye persons therein Concemied Indemp^ nitied, neverthelees Some person 8 ill affected to his Maj'tys Goverm't & ye Safety & welfare of this province have Comenced & prosecuted & threaten to Cfflnence & pi—osecute actions & Suits against his Ma'tys good Subjects for & by. reason of their actings and doeings aforesaid' Therefore for preventing ye trouble & Chaise which ye said good Subjects might be put to by ye means of Such Vexatious Suits ye Representatives Con—vened In general] Assembly taking ye Same into their Serioos C—onsideracnn and an Act of Parliament mad» in ye fti—st yt—ar of w'm &*Diary entituled an Act for preventing Vexatious Suits against Such as acted in order to ye bringing In thcdr Ma tya A for their Service & ye Effectual! remedies therein prescribed would be of great use in this province

Bee It therefor* ENACTED and It is herpby Enacted by ye Gor'r Oonncill & Representatives in Uenerall Asaennbly Convened & by the Authority of ye Same that all personall actions Suites moles- tacons or prosecucons whatsoever and Judgem'ts & ExecucwiB had thereupon for or by reason of ye p'misses or any matter or thing advised Oomanded appointed happened or done in ye late happy Revolucon in this province for their Ma'ties Service & ye Safety of this Gov'ment be and are hereby discharged & If any Action or Suite hereby declared or Intended to be die- charged shall be Comenced or prosecuted every person Soe Sued may plead ye general! Issue & give this Act & ye Special! mat- ter in Evidence, and if ye plaintiff shall becom^e non Suited or forbear further prosecution or Suffer discontinuance or If a ver- dict passe against him ye said Defend't shall recover his double Coats for which he shall have ye like remedy as in Case wher^ Costs by Law are given to defend'ts

Digi-jzedbyGoOgiC

LAWB OF THE COLONY OF NEW YORK.

[CHAPTER 70.]

[Chapter 70, of Livingston & Smith and Van Schaack, wbere the title lair la printed. Title onlf 1b printed In Biinley's Bradford, pp. 14 Baskett, p. 38. Livingston & Smith and Van Schaack, state that the wu pawed May 2, 1689. From the Minntes of the Council, It appears tbat the act was signed by the Governor, May 16, 1699. (See Jonmals Leilslatlve Conncll, p. 143.]

A Bill for Betling ye Estate of Jacob Milboorne Eaq. Dece"il.

{Passed, May 16, 1699.]

WHEREAS Itfarj Itfilbome ye Wife of Jacob Miibome Dece'd hath by her peticon to ye house of Hepresentatives Convened in Gener'l ABBembly sett forth that by an Act of parliam't passed in Englajid in ye Sixth & Seaventh yeore* of his Ma'tya Beigo had ye attainder of her said Husband Reversed togeUier with all ye penaltys & forfeitures w'ch did ensue by reasou of ye Cmi- riction of her said Husband in as full and Ample manner as if

no Sacb Conriction & Judg^n't's had ever been or happened
and whereas she hath further sett forth in her sadd peticMi,
that her husband dyed Seized ot Sundry Lands &, Tenem't's in
ye Citty and County of New york and the County of Ulster w'ch
she prayes may bee settled upon her & her Son Jacob Lawfully
begotten by her said husbiand in Wedloclc and ye Survivor of
them And whereas ye Said Mary Milboume hath been deprived
of her husbands bookes of accounts which were left in ye fEort
at ye time that he was Seized & Comitted to prison and who^of
She could never since procure a Sight of y'm whereby She hath ■
been rendered una.ble to discover what Debts are due unto her
Said husband or what debts were owing by him- unto others &
therefore Craveth by her said peticon that she may have time
(or one year & a day to Inquire & Examine after ye Estate of
her said husband Dece'd & in ye nuane time to be B^empted
from all Actions & Suits until she can recover & come to ye
knowledge of her hualmnds said books of acco'ts & ye goods &
Chatties of her said husband now concealed from her which
reasonable request ye house of representatives haveing taken
into their Consideracon BEE it therefore ENACTED by his Excel
the Gov'r & Councill & Representatives Convened In General]
Assembly And it is hereby ENACTED by ye authority of ye
Same That all & every ye Irfinds & Tenem't's together witb all
& every thejlr appurtenances w'ch were in ye Seizing of ye said
Jacob MUl>orn at ye time of his Conviction or Decease in ye
Qtfy & County of New-ywk & ye County of UlBter or in any
oOkt County of this province are hereby inyested into ye rl^t

Digi-jzedbyGoOgiC

at je said Mary Milborne and Jacob Milbome her only Sod and
ye Survivor of y'm. To liare & to hold all & every ye said Lands
& Tenem't's topether w'th their and every of their appurtenances
Scituate lyeing & being in ye respective Citty & ("ountyea afore-
said unto y'm ye said Marj' and Jaco*) Milborne her only Son
thdr heirs and aseignes fore^'er in as full & ample manner & to
all Intents & puriwses whatsoever as he ye said Jacob Milbome
in his life time did hold ye same & as if no such Con\-iL-tion or
forfeiture bad ever happened or been anything to ye Contrary
thereof in anywayes notwithstanding. And bee it further
ENACTED by ye authority aforesaid. That the said Mary Mil-

bome her Executors and Administrators are hereby Exempted from all Actions & Suites for or Concerning any Debts or Dues owing by her Said husband for one year and a Day next after ye publication hereof & if any Action or Suit Shall During ye said time be brought against her or her Execut'rs & AdminiBt'rs for or Concerning ye premises then she or they shall plead ye Generall Issue & bring this Act & ye Speciall matter in Evidience & if ye plaintiff shall become nonsuit or suffer a Discontinuance or that a Verdict pass against him, she or they shall recover her or their full Costs for which shie or they shall bare ye like remedy as in Oases where Costs by ye Law are given to Defendants.

[CHAPTER 71.]

[Chapter 71, of LlviDfreton & StulU) «nd Vnn Scbaack, where the titl only Is pMated. Printed In full In Brinlej'i Bradford, pp. 133, 154. onl.v is printed la Baskt-tt, ii. W. l.iylngnUm & Siuitli and Van S state that the act was passed May 5, 1G09. Prom the Mlnntes of the Council, It appears that the act was slgtied by the Governor, May 1 16W. (See Journals of LegiHlatlve Council, p. 143.)]

A Bill for Granting unto his Ma'ty the Sume of two thousand pound fifteen hundred pounds whereof to be allowed to his Excel Bichard Earl of Bellonumt and five hundred Founds to Capt. J<din Nanfan Lenv't Gov'r. IPnsaed. May 10, 1699.]

TTie Representatives Convened in General! Assembly haveing In their Consideracon ye Exterordinary Dilligence nnd Care that hath been used by his Excel Since his Arrivall for ye Suppress-ing of pyracy & unlawful! trade and at ye Same tiane knowing that nothing can more effectually redound imto ye pnosperity and advantage of this province than yt ye trade thereof may be duely regulated and maintained according to those most Excel-lent rules and methods prescribed and Directed in ye Acts of parllam't made in England for ye Hegulacoo ot ye planta«oi»

Digi-jzedbyGoOgiC

trade and makeing ye Same mcH^ Berviceable to yo Interest of England in ye Sence wberetrf and in humble acknowledgm't of

that great Obligation done unto tbis pnmnco by bi» most Excel Mat'y in appointing a person of bo great Integrity to rule & Govern this province who maJies it bis Cheifeet end to promote ye bon'r Interest Dignity and Advantage of hia Ma'tys Crowiie of England, become most humble supplycanta unto his Most Extrel Ma'ty and pray y't his Ma'ty would be graciously pleased to accept of a demonstrawHi of their Loyall, Dutiful & Sincere affec-tions unto his ma'tys Boyall person and Oovem't Establisbt here the Bmne of two thousand pounds Currant muny of this province to be Levyed upon all & every the Estates reall & per-sonatl belonging to any of ye ffi'eeholders Inhabitants and Resi-dents within thia province &c in Such quota's and proportions aa are hereafter menconed. And with ye great*'fit affection do most humbly pray that yo'r most Excel Maty would be most graciously pleased to give and allow the Sum of ffifteen hundred pounds thereof unto his Excel Richard Earl of Bellomont your Ma'tys Capt Oener'l and GovV in Chief in and over yo'r Ma'tys province of New jork and territoryes Depending thereon in America and the Sume of ffive hundred pounds thereof being ye residue of ye Said Sum of two thousand pounds unto Capt John jianfan yo'r ma'tys Lelv't Qov'r of ye Same .And humbly pray that it may be So Enacted Be it therefore So Enacted by his Excel ye Govem'r & Oouncill and "Representa-tives Convened in General 1 AssCTubly. And it in hpn*by EWAOTED by ye authority of ye Same that ye Sume of two thousand pounds Currant mony of this pro\ince he Laid Assessed Levyed and raised upon all & every ye ffreebolders lahuhitanla Besidentjers and Sojourners of and in this province to ye uses afinesaid That is to Say ffifteen hundred pounds part of ye Said Sum of two thousand pounds for ye use of his Said Excel Richard Earl of Bellotnont his Execntora Administrators and Asslgnes and fflve hundred pounds being ye residue of ye Said Sum of two thousand pounds as aforesaid for ye use ot ye said Capt. John Nanfan Leiv't Oov'r his Execut'r Adm'r and Assignes and to no other use intent or purpose w'tsoever w'ch Sume of two thousand powids Currant mony aforesaid shall he raised, AsiMSsed, Col-lected Levyed and paid nnto his Ma'tys Collectiw* & Receiver Generll for ye time being at ye Citty of Xew York at or before ye 29th day of September next in thia rustant Year of our Lord One thousand Six hundred ninety nine in Such manner sitd according to ye Severall and respt^cttve quota's and pio-porcons following that is to Say For ye Citty and County of New York the Sum of fBve hundred S<«.Tenty one pounds Cqt-

Digi-jzedbyGoOgiC

i';iiil moDf aforesaid, for yt- ()uunt^ of west Chest(>r the 8ume of One handred and three poands and Eight ehillings for ;e Coud^ of Rictuaooid ffort; Setivec poaiids, for Kln;;ti Couut.r two hun- dred ninety fonr pounds for Queeos County Ihi-ee liuudred twei-^ nine pounds for ye County of Suffolk tliree hundred fforty Eight pounds Eight Bhillings for Ulster and Dutchess Countya tme hundred Sixty nine pounds four ahillinga for ye County of Orange Eighteen pounds for ye Citty and County of Albany One hundred & twenty i>onnds lall of ye Currant mony aforesaid. And for ye due and better assessing, Levying and paying ye aforesaid gom of two thousand pounds Currant mony aCoreeaid BEE it further Enacted by ye authority aforesaid That ye Mayors and Aldermen of ye Clttys of New york & Albany ye Justices of y« peace for ye time b^g, for ye Sererall respective Coantys afore- said, for ye Keverall Countys respectively, for w'ch they shall be Justices of ye peace do w'thln forty dayes after ye publication hareof, assemble & meet together in ye Oonrt boufies, for ye Beverall & Respective Cittyea & Countyes, or such other pla(« ae places as they shall a^ree upon among themselves, and shall there order y't ye assessors & Collectors for ye Clttys of New- yark & Albany and ye SeveraJl and respective Townee MannMS, or Liberties, within their Severall Jurisdictions for ye asaeBwng Collecting & Receiving of ye pnbliok Rates for ye De'raying of ye publick Charge of each respevlive Citty & County aforesaid be ye Aasessors and Oollectorg, for ye Assessing Collecting ft receiving ye Sum or Sums of mony hereinbefore menconed according to ye proporcons before Expressed, as to ye Said May'rs Aldenuen & Justices shall Heem meet & reasonable & for as much as there are Several Towns, Aiannors & Jaiisdictiao w'thin ye respective Oountyes aforesaid, who refuse, neglect, tr do not Elect annually or once every year assessors or Collecton^ whereby ye intent of this Act may be evaded & frustrated, Bee it therefore ENACTED by ye Authority aforesaid That If any rf ye respective Townes, MantxorB, or Jurisdictions w'thin ye Sevw all Oountyes aforesaid, shall refuse neglect delay or deny to Chose or Elect Assessors & OrJIectors for the aasess- ing of their Severall & respective Townes, Mannora, and Jurisdictions and f<M- ye Collecting ye Same accord- ing to ye true intent, meanifng &. directions of this Act then and in such Case it shall and may be Lawfall

for ye Justices of ye peace or any two of them in ye Counties where Such towns, mannors & Jurisdictions are who are hereby Impowered & authorised to nominate & appoint Assessors & Collectors for Such txnvns mannors and Jurisdicticms, as Shall refuse neglect; delay or deny as aforesaid, w'ch AnacmoTH ft

Digi-jzedbyGoOgiC

Collectors So nomiuoted & appointed In maoner aforesaid Bball to all intents & purposes be deemed & Esteemed ;e Assessora & Oollectore of ye said towues maiDnors & Jurisdictionfl and Observe & Execute ye DireccouB of this Act. And be it further EUACTED by ye Authority aforesaid lliat ye said Mayors and Aldermen, ye Justices of ye peace for ye respectiTe Cittyes & Countys, have and Shall have by virtue of this Act full power and authority each of y'm by himself to administer to Such . Assessor or Assessors that shall be Elected or nominated and appointed in mannor aforesaid an Oath That they shall well & truely Execute ye oflBce of an Assessor, and' well, truly, Equally Impartially and in due .proportion Assess, & rate ye Estates of ye Inhabitants Besidents Sojourners & ffreeholders, of ye respec- tive places for w'ch they shall be Chosen, Elected, nominated, aid appoimted assessors according to ye best skill and knowledge and therein they shall Spare no person for favour or affection, or greive any person for hatred or ill will, and ye Said Asses- BOrs are hereby required to deliver one Ooppy of their Aseeam't fairely writtCTi and Subscribed by them, unto ye said Justices or to ye office of ye Clerk of ye peace of ye respective Courly to w'ch they belong. And ye said Justices for each respective County, or any two or more of them are hereby oidered & required to Cause ye said Severall and respective Assessments to the-m delivered, to be fairely Written and to Signe & Seal Severall Duplicates or Ooppies of ye Said Assess- nieni and one of them So Signed and Sealed, forthwith to deliver, or cause to be delivered unto ye reapecrlvo Collector within ye Severall and respective Qtties and Counties aforesaid, ;i.nd Shall likewise deliver or Cause to be delivered another faire Copy So Signed and Sealed, unto ye Clerk of je peace of ye respective County to w'ch they shall belong there to be filed, and remain upon Record. And ye Clerk of ye peace of each County is hereby required to transraitt ye Sum of ye Assessment of each Town

raito ye Receiver General at New York for the time being wiihin Tenn dayes next and after his receipt thereof under the penalty of five pounds for Such his I>efault And be it further ENACTED by ye authority aforesaid That if any person or persons, who shall be Chosen, Elected, nominated or appointed, in manner aforesaid. Assessors or Collectors, shall deny, neglect, refuse or delay, or unequally and partially shall Assess, aB by this act is required, or shall deny neglect, refuse or delay to. Collect any Sum or Sums of mony in form before menconed assesses that then in Such Case it shall and may be Lawfull for any two of his Ma'tys Justices of ye peace of ye Cittys and Countys where Such offenders shall happen to dwell or redde and who

Digi-jzedbyGoOgiC

by vertue of this act are required & Impowered to do ye Same by wasrajit under hand and Seal to Comitt Such Assesora or Collectors, So denying pefuaeing neglecting or Delaying or un-equally and partially assessing or refusing to Collect as afore-said to ye Comon Coal there to Bemalne w'thout Baile w majne-prize till he or they Shall make fine & ransom to his ma'tj for Such his Contempt as aforesaid. And upon Such Comlttment ye Justices are Speedily required to nominatie ft appoint other CoUectrt-B & Assessors in th«r Stead and room. And if any person or persons shall Shut their Doores & refuse to pay ye Bated assessed by vertue of this act made ft proviHed whereby this act may Seem to be frustrated Bee it further ENACTED by ye authority aforesaid, That if any person or persons shall neg-lect or refuse to pay ye Severall Bates and Assessments where with they are Chai^;ed by this act of Generall Assembly for or in respect of his and their Goods and Chatties Lands, or Tenem'ts shall be neglected or refused to be paid upon Demand of ye Collectors that shall be Chosen & appointed to receive ye Same, or w'thin tenn dayes next & after ye said Deouind it shall & may be T^wfull to and for Sucb Collectors and they are hjereby required, for nonpayment thereof by warrant under ye hand of two Justices of ye peace to distrain ye person ot per-sons So refuseing or neglecting to pay by bis or their goods & Chatties, or distrain in or upon ye Messuagrs, Lands and Tenem'ts So Charged, and ye Goods and Chatties then and there found, & ye Distress So taken, to carry away and ye Same to

^pose to Sale in ye toTi-ne or County where Such Distress is made, & for want of buyers, to carry ye Said Distress to any other place In ye province for ye Sale of ye Said Distress accordingly, for ye paym't of ye said rate or assessm't, and ye Overplus oHn-ing by ye said Sale, if any be, over and above ye Charges of take ing and Carrying away ye Said I>ietres8, to be immediatrfy returned to ye owner thereof. And moreover it shall and may be lAwfuU to break open in ye day time any house; and upon warrant under ye hands and Seals of any two or more Juartices aforesaid, any Chest, Trunck or Box, or other things where Such goods are and call to their Assistance the Constables, or any other persona w'th in ye respective Cittys, Counties, towns mau-nors and Jurisdicrons where any refusal!, neglect or resistance shall be made, w'ch said offlcera and persons are hereby required to be aiding & aflsisting in ye p'mises. And be It further ENACTED be ye authority aforesaid That if any Mayor Aldeiman or Justice of ye peace within this province, who are hereby required, Impowered or Authorized to take Effectual! care that this Act and every Article ajid Clause therein be dnely Executed

Digi-jzedbyGoOgiC

according to je trae Intent and meoDlng: thereof Bhali den; neglect, refune or delay to do performe fulfill and Execyte all and every ye Duties, powers and autliorityes by this Act required and Mpowered by him or them tO' be done performed fulfilled and Executed, and shall thereto be Convicted before his Excel the Oov'r and Councll or befo*v any of his Ma'tys Courts of Record within this ppovince, he or they Shall Suffer Such painea by fine and Imprisonment, as by ye Discretion of his said Excel the Oov'r and Oouncill, and the Justices of ye said Courts shall be adjudged. And be it further Enacted by ye authority afore-said That if any action bill plaint or Informacon eball be brought moved or prosecuted at any time hereafter against any person or persons for any matter Cause or thing done c* acted in pur^ Buance or Execucon of this act Such person or persons So Sued or prosecuted in any Court w'tsoe^er shall & may plead ye generall Issue, Not guilty and give this act and ye Speciall mat-ter in Evidence And if the plaintiff or Prosecutor shall be non-suited or forbear further 'pi^f^ution, or Suffer discontinuance or Verdict to pass against him, ye defendant or Defendants shall

recover tribble Costs, for w'ch they shall have ye like Remedy as in Case where CoetsbyyeLawaregiven toDefendants provided alwayes, That no may'r Aldermen or Justice of ye peace shall be Sued, prosecuted or molested for any omis^on offence or ■neglect by vertue of this Act, but w'thin ye Space of one yeare after such (»niesion offence or neglect, & not at any time here- after anything herein Contained to ye Contrary hereof in any wise notwithstanding

[CHAPTER 72.]

[Chapter 72. of IJTlDgslon & Smith and Van Schaack, where fhe act I printed in fnll. Printed In fnll In Brlnley's Bradford, p. 140, 161; p. 33. Baakett eUtee that this act was passed hj the King, Septembe a, 1700. See chapters 1098. 1532 Llvlnftston & Smith and Van Schaack state the act waa passed May 5th. From the Bllnutes of the Council, appears tbat the act was passed Maj 16. (See Journals of Legislative Conncll, p. 143,)]

A Bill for preventing of Trespasses
[Passed, May IC. IflOG.]

WHEiTtEAS great Damage and waste is made upon ye Comons and particular freeholders belonging to ye Inhabitants of this province by a number of idle persons who enter upon other per- sona Estates and cutt downe their timber & carry it away Clandestinely to ye great Losse of ye owners thereof for ye preventing of Such practices for ye futune BEE it ENACTED by bis Excel & Councill and Representatives Convenod in Gen- erall Assembly and it is hereby ENACTED by ye Authority of ye Berne that if any person or persons Shall cutt or Carry off
61

.., C A.>(.>gle

any maiiDer of wood underwood timber p<^eB or trees Standing lyeing or growelng on ye Land w'oh to y'm does not belong but is in ye right and poBsession of any otber or oS or from ye l'k>moDs of any towne within this province other yn y't to whicli be doth belong or if withdn ye Sauie towne liaveing no right or priviledge there without Leave or Lycence from ye major part

of ye propriety or ye truetees of Such Oomons or ye owner or owners possessor or possessors of ye Lands whereon Such wood itnderwood timber poles or trees were Standing lyeing or growe-ing every person So offending Shall forfeit & pay unto ye party or partyes Injured or trespassed upon the Sum of Twenty Shill-ings Currant money of this province for every tree of one foot over and ye Sume of Six Shillings Currant money aforesaid for every tree or pole under y't bignes and for other wood or under-wood the vallue thereof to be recovered by action bill plaint or Information before any Justice of ye peace in ye County where ye offence is Comitted if the forfeiture Exceed not five pounds but if it be above that vallue then before ye Inferior Court of Comon pleas within ye Same County & if any person shall be Convict a Second time of Such offence he shall forfeit and pay to ye uses of ye towne where ye offence is Comitted ye Sum of forty shill-ings Currant m.ony aforesaid or Suffer one months Imprison-ment over and above ye forfeiture above said or damages to ye parties Injured. AND bee it further ENACTED by ye author-ity aforesaid That when in action of Trespass brought before a Justice of peace ye Defendant shall Justify and Detnurr upon plea of Title a Record shall be made thereof & ye matter of ffact taken pro-Con fesso & ye party malieing Such plea shall become bound w'th one (w more Snretya by way of RecogniBance unto ye adverse party in a reasonable Sum not Exceeding twenty pounds Mi Condition y't he shall persue his plea & bring forward a Suite for a tryall of his title at ye next Inferior Court of Comon pleas to be holden for ye County in w'ch Such Trespasse ia alleadged to be done & pay & Satti^ Such damages & Costs as by ye said Court shall be awarded against him w'ch Recognizance ye Justice is hereby tmpowered to require and take and Shall be paid for ye same by ye Recog-nizor the Sume of Eighteen pence & for Entring his plea nine pence and at ye Charge also of ye Same party shall Certify ye process & record of Such plea together with ye Beeognizance unto ye Said Inferiour Court of Comon pleas. And if Such Recognizor Shall neglect to bring forward Such Suite at ye Inffrior Court according to ye tenure of his Recognizance ye default shall be entred in ye Said Court and a wriitt of Scire facias Shall issue out of ye Clerks ofRce of ye Same Court in manner as by law is directed for ye Recovery of ye Sum op ■pen-

alty In ye Said Becosnlzanoe mencooed ci him ye Said Rect^-

nizor Ms Surety or Suretya, or U vp<m tryall before ye Said Court he shall not makie out a title to ye Land or Tenem't on w'ch ye trespaBB is alleadged to be done paramount to ye possesBion or other title of ye adverse party Judgem't shall Ite rendered tov ye party upon wh<xne ye trespaBS has he«ii done for treble damages & CoBts of Suite But if ye Defendant in trespasse Justifleing on plea ot title Shall r^use or neglect to become bound in manner as aforesaid then bis plea shall abate and ye Justice notwithstanding ye Same shall proceed to try ye Cause as aforesaid and upon due proof of ye trespasse Comitted by him shall award Damages against him accwilingly to what shall be made out & Costs of Suite. And if upon ye evening & pleading of any Action of trespass there be ppOTed any force or Violence and breach of ye peace ye party or partyes guilty thereof Shall be alsoe fined to ye King or otherwise punished as ye Law in Such Cases does provide. Alwayes jM^vided y*! ye Citty and County of Albany ye County of Ulster Be Exempted from ye priiiledge of this Act any thing herein Con- tained to ye Contrary hereof notwithstanding

[OHAPTOSB 73.]
(Chapter 73. of Livingston & Smith and Van Scbaack, where tbe title only ia printed. Printed In full In Brlnley's Bradford, pp. 132, 1S3 only la printed In Baskett, p. S8. Llvingeton & Smitb and Van Scbaa state that the act was passed May 5, 1680. From the Minutes of tli Council, It appears that the act was signed by the Governor, May 16 (See Journals of LeglslaUve Council, p. 143.)]

A Bill for ye naisdug of an Additional Duty for ye defraying ye Debts of ye Govermt,

(Passed, May 16. 1699.]

TBE Representatives Convened in General! Assembly hareiug under their Consideracon how much ye Creditt of ye Goverm't has been Exhausted for ye want of haveing ye Dehto of ye Goverm't paid and Sattisfled as in Juatioe they ought to be ft l>e]ng willing that ye Creditt of ye Govemm't should not Knke but ye Same may i>e Supported & those who have been forward to Creditt & AsMSt ye Goverm't upon Sundry Emergen- cies may be Lawfully recompensed and Sattiafied for such their Service and y't ye Contingent ChaJTje of ye Goverm't may be Sustained have agreed y't ye additiomil Duty* & Hates hereinafter menconed ehould be Levyed Collected and paid. And

pray that it may be ENACTED Bee it therefore ENACTED by his Excel and Councill and Representatives Convened in Generall ABsembly and be it ENACTED by ye Authority of ye Same That

Digi-jzedbyGoOgiC

there ahall be raised Levyed Collected and paid unto his Ma'^ for and Dureing the Space and tenne of two yeares from and after ye publication of this act and no longer the Severall rates and Duties hereinafter meneoned over and above all other Duties Charges Lnpositi<HkB rates and Castomes by any former Act & Acts Sett Estahiished and Imposed That is to say ye rate duty and Custome of Bix p Out upon all goods wares and nm'Cliaii- dize of ye Growth production or manufacture of Europe that shall fnm and after ye publication hereof be Imported into this pro- vince and Dependencies from any other part or place than his ma'ty» Kingdome of England Dominion of Wales & town of Barwick upon tweed And also ye rate Duty and Cuatome of Tenn per Cent upon all woollen manufactures made in our neighbour- ing Colonies w'ch shall be Imported into tliis province and Dependencies from and after ye piiblicartiiHi hereof And also ye rate and Duty of tenn Shillings Currant mony fore- said for each pipe of wine, that shall be Imported as aforesaid and Bo in proportion for a grea/ter & Lesser quantity and the Bxune of Thirty Shillings Currant mony aforesaid for each pipe of wine that shall be Imported as aforesaid from any other part or place than ye part and place where the Said wine wa» made and So in proportion for a greater and Lesser quantity and the Sum -of one haife penny Currant mony afmesaid for each gallon of Bum. Imported as aforesaid And ye Sum of two pence Currant mony aforesaid for each gallon of Rum yt shall be Imported as aforesaid from any other part or place than ye part and place where ye Said Rum is made and Distilled And the Sum of three shillings Currant mony aforesaid for each barrell at Beer that shall be Imported as aforesaid, and So in proportion for a greater or lesser quantity And be it further ENACTED by ye authority aforesaid that ye SeieraJl Rates and Duties hereby Imposed on ye goods wares merchandizes and Liquors aforesaid shall be raised Levyed Collected recovered & paid unto his ma'tys Collector and Receiver Genemll for ye time being dureing ye terme t)efore menconed in ye Same manner and forme and by

Such allowances wayes and meanee and under Such penalties fines and forfeitures as are menconed Expressed and Directed in and by an act of <TeDieraII Assembly made in tbUn present Seeeion of Assembly Intitled an Act for granting unto his ma'ty Severall Duties for ye Defraying ye publick Charge of ye ftovenn't after ye tinte Lymitted in an act Conflrmeing & C<m- tinuing unto their ma'tys ye Revenue E^ablished by an Act of Generall Assembly for defraying ye publick & necessary Cbarges of ye Govenn't is Expired In as full and ample manner as if ye Same were pertlcularly recited in this said Act any thing to ye Contrary hereof In any wayes notw'thBtandiag.

.., Coogic

LAWS OF THE COLOKY OF NEW YOKK,

[CHAPTE® 74.]

(Chapter 74, of Llviagatoa & Smith and Van Schaack, where the art U printed In full. Printed In full In Brlnle7'B Bradford, p. 129, 1 BoBkett, p. 29. Baakett atates that tbla act was confirmed by the King, ijeptember 5, ITOO. See chapter 94, for another at^t on the s subject. LlTlngBton & Smith and Van Schaack. state that lue act pasB May 8. From the Minutes of the Leglalatlve Council, It appears that act was signed by the Goreinor, May 16. <See Journals of Legislative Council, p. 143.)]

A biH for ye Regvlateing ElectioDS of Representatives in GeneraJ Assembly In each Respective Citty & Coanty within tiiis prov- ince.

[Passed. May 16, 1689.]

WHEREAS of late ye Election of ye RepreBcntatives to Serve in Assembly in ye respective Cittys & Countyes of this province have been mannaged with great ourage tumult & Deceit to ye grevioue oppresion And Depriveing of ye Subject of hia Cheifest Birthright in Chuseing d his Representatives in Assembly for Remedy whereof for ye time to come and y't ye Subject may freely enjoy his undoubted right of Electing his Representatives without Disturbance or molestacon. BEE It ENACTED by Ms Excel w Gov'r and Council! & Representa-

tives Convened in Generall Assembly And it is hereby Enacted by'ye Authority of ye Same y't ye Representatives of ye Cittyea and Couintyea to be Chosen within this prorince to came to ye Asseanbly of our Lord ye King in this province hereafter to be holden shall be chosen in e^ery Citty & County Amannor of this province who have right to Choose by people dwelling and resident in ye Same Cittyes Coimtyes and mann<H« whereof every one of them shall have Land or Tenem'ts Improved to ye valine of florty pounds in free hold free from all Incumbrances & have possessed ye Same three months before ye test of ye said writt & they w'ch Shall be Chosen shall be Dwelling & Resident w'thin ye Same Cittys Countys &. mannors & Such as have ye greatest number of y'm who Shall liave land or Tenem'ts Improved to ye valine of forty pounds in ffreehold free from all Incumbrances as afore- said shall be returned by ye Sherriffs of pvery Citty Countys & mannors Representatives for ye Assembly by Indenture Sealed betwixt ye Said Sherriffs & ye Said Choosers so to l|e made & every Sherriff of this province shall he hereby Impowered £ have Authority to Examin upon Oath every Such Chooser whether he be qualified by haveing Such an Estate as afores'd to Choose And if any Sheriff shall Retume Representatives to come to ye Assembly Contrary to ye intent of this Act, And

Digi-jzedbyGoOgiC

thereof be Coorict in je Sapreom Coiat of thiK proriDce sliall incur ye paine & forfeiture of fBfty pounds to ye twe of our Lord ye King liis lieira & Snccessora And ye RepreBentatives returned contrary to this Act shall not be qualified to Sitt in Assembly, and shall loose their wages. And whereaa ye Ifree- hoiders & others in their right of Election as also ye persona by y'm Elected to be their Eepreeentativee have heretofore been greatly Injured and Abused Now for nemedying <if ye Bwne, & preventing ye like for ye future be it further ENACTED by ye authority aforesaid y't when any New Assembly shall at any time hereafter be Sumoned or called there shall by forty days between ye test & Returns of ye Writts of Sumons And y't ye Secretary or Clerk of ye Crown of this province shall Issne out ye writts for ye Election of Representativea to Serve in ye Saone Assembly w'th as much Expedition as ye Same may be done, And ye writts shall be Sealed & Delivered to ye reapective

sherriffs of ye Cittys and Countys aforesaid & that every Such Sherriff upon ye Receipt of ye Same Writt shall upon ye back thereof Indorse ye day he rec'e3 ye Same and w'thiu His. duycs after he hath rec'ed ye Said Writt of Election shall caus*,' pub- lick notice to be given of ye time & place of Election, AuA give Six dayes notice at Least of ye day appointed to ye Constable of each towne within his Balywyick to be by ye Said Constables affixed to ye most publick place of each towne as aforesaid f(ff ye Election And bee it further ENACTED by ye Authority aforesaid that neither ye SherrifE or under Sherriff in any Oitty or County within this province bl.all give pay receive or taki- any ffree Reward or Gratuity w'tsoe^-er for ye makeing out Receipt Deliv- ery return or Exe<:ocon of any Such writt or precept. And bee it further ENACTED by ye authority aforesaid that upon every Election to be made of any Representative to Serve in this or any future Assembly ye Sherriff of yeCitty or County where Such Election shall be made shall hold His Court for ye Seme Election at ye most publick & usuall place of Election within ye Said Citty or County wSere ye Same has most usually been made, And in Case ye Said Election be not determined upon ye view with ye Consent of ye Electors there p'sent but y't a poll shall be required for ye Determination thereof yn ye Said Sherriff or in his Absence his under Sherriff with Such others as Shall be Deputed by him shall forthwith there proceed to take ye Said poll in Some open or pnblick place or places by ye Same Sherriff or his under Sherriff, as aforesaid in his absence or others appointed for ye takeing thereof as aforesaid. And for ye more due & orderly proceeding in ye said poll Said Sherriff or in his Absence his under Sherriff or Such as he shall Depute shall

Digi-jzedbyGoOgiC

appcrint SochnnmbCTof ClepkeaBtohim. Shall eeem meet & Con- venient for takeing thereof w'ch Clerks Shall all take ye Bald poll in ye presence of ye Said Sherrifl op his nnder Bherrifl or such aa he shall Depute and before they begin to take ye tktid poll every Clerk So appointed Shall by ye Bald Bherriff or his under Sherrifit as aforesaid be Sworn truely & Indifferently to take ye Same poll and to sett Down ye names of each Elector & ye place of his ffreehold & for whom he shall poll And to poll no Elector who is not sworn if So reqaired by ye Candi-

dates or any of them y'n & there present (w'ch oath of ye said Clerks ye said Sherriff op his under Shepriff or snch as he shall Depute are hereby luipowered to Administer) And the Bheriffl or in his absence ye under- Sberriff as aforesaid shall appoint for each Candidate Such one person as shall be nominated to him by each Candidate, y'n & there present to be inspectors of every Clerk who Shall be appoanted for takeing of ye poll & every Elector before he is admitted to poll at ye Same Election shall if required by ye Candidates or any of them first take ye oath hereinafter menconed w'ch Oath ye said Sherriff by himself or his under Sherriff or Such Sworn Clerk by him appointed for takeing of ye Said poll as aforesaid are hereby authorized to Administer Vizt you shall Swieare y't you are a freeholder fop ye County of And have Improved Land or

Tenem't to ye valine of fforty pounds lyeing at within ye said County of ffreehold. And that you have not been before polled at this BlectlMi nor have you procured this ffreehold to galne your Voice in this Election So help you God. And in Case any ffreeholder or any other person takeing ye said oath shall thereby Comit wilfull Corrupt perjury and he thereof Convicted or if any person doe unlawfully or Corruptly procure or subbom any freeholder as aforesaid op other person & shall be thereof Convicted he and they for ev<ery Such offence shall Incurr ye like pains and penalties as are in & by one Act of parliam't made in ye fflfth year of ye Reign of ye late Queen Elizabeth Intituled an Act for punishm't of Such persons as shall procure or Comit any willfull perjury EKACTED against all Such who Shall Committ wilfull perjury or Subhorn or pro- cure any person to Comitt any unlawfuti And Corrupt perjury Contrary to ye said Act And be it further Enacted be ye author- ity aforesaid that ye said SherrifiE or in his absence his under Sherriff or Such as he shall Depute as aforesaid shall at ye Same place of Election proceed to ye polling all ye Elections then and there present And shall not adjourne ye pole then & there held to any other town or place within ye Same County without

Digi-jzedbyGoOgiC

ye Consent of ye Caudidatea then & there preaent nor Shall bjr

any unnecessary adjournm't in ye Same place of Election pro-
tract or delay ye Election but Shall duely & orderly proceed in
ye taking of .ye Said poll from time to time from day to Day
without any further or other adioumm't without ye (>>Dsent <rf
ye Candidates then & there present uutill all ye Electors ihea
& there preaent shall be polled & no Longer. And bee it further
ENACTED be ye authority aforesaid that every Sherriff under
SherrifF or other Deputed by him to whom ye Election shall
belong for ye Electing of Bepresentatives to Serve in Assembly
Shall forthwith Deliver to such person or persona as shall
Desire ye Same a Coppy of ye poll taken at Such Election pay-
ing only a Reasonable Charge for writing ye Same. And every
Sherriff under Sherriff or other persod Deputed by him to whome
ye Execueon of any writt or precept for Electing Hepresentatives
to Serve in Assembly doth belong for every wilfull offence Con-
trary to this act SHiall forfeit to every party So greived the Bum
of Thirty pounds to be rece'd by him or them his or their Execu-
tors or Administrators togiether with full Costs of Suite, and for
which he or they may Sue by action of Debt bill plaint or Infor-
macon in any Court of Record in this province where no Essoign
protection wager of Law privilege or Imparliance shall be
admitted or allowed. And bee It further ENACTED by ye
authority aforeaaid that no person w'tsoever being under ye
age of twenty one yeares Shall at any time hereaifter be admitted
to give hia Vote for Election of any representative or Repre-
sentatives to Serve in thia or any future Aaaeanbly. And that no
person hereafter shall be Capable of being Elected a Bepresenta-
tlve to Serve in this or any future Asaembly who ia not of ye Age
of twenty one yeares. And e^'ery Election Retume of any person
under yt age ia hereby declard to be null & void. And if any
Such minor hereafter Chosen, shall presume to Sitt or vote in
Aasembly he aball incurr Such penalties and forfeitures, as if he
had presumed to Sitt and vote in Assembly without being
Chosen & returned, Alwayea provided that ye ffreemen m ye
Corporations of ye Cittyea of New York and Albany have Liberty
to vote in their respective Corporacons provided that they have
been freemen of ye Said Corporacona and have Actually dwelt
there three months before ye last of any Such writt of Election
in manner aforeaaid shall be issued out any usuage Cuatome or
Law to ye Contrary hereof in any wise notwithstanding and
alwayea proAided that nothing herein Contained shall be con-
strued to have any Representative of thia Assembly of hia right
of Sitting therein So long aa ye Same Shall Continue anything to
ye Contrary hereof in any wayes notwithstaading.

Digi-jzedbyGoOgiC

[CHAPTEB 76.]

ICtaaptef IB, of LirlngBton & Smith and Van Behaack. where the title only Is printed. Printed In full In Brialey'a Bradford, 145, 160. Th does cot appear to be In Boskett. Livingston & Smith and Van Scbaao state that the act was passed Ma; 8, 1699. From the Mlnntes of the Council, It appears that the act was signed bj the Governor, May 16 1699. <See Journals of LeglBlatlve Goaucll, p. 143; see chapter 49, Ma7 8, 1706.)]

A Bin for BeTiveing an Act ot AHsembly Expired by its owne LimittacoD Entitled an ■ Act (or ye K^ulateing ye retaineing Attor- neys at Law.

[Passed, Ma; 16, 1699.]

BEE it ENACTED by bia Excel, and Cauncill &. Repreaenta- tires Convened in Generall Assembly and the authority of. ye Same that an Act of Assembly Entitled an Act for ye Regulate- Ing the Botaineing Attorneys at Law which is Expired by the Limittacon therein menconed be Continue atnde & remaine in full force and vertue to all Intuits and purposes whatsoever and all tlie Articles & Clauses therein menooned are to abide and Continue in like force and Vertue to all Litenta and pur- poses wt'soever in aa full and ample manner for the Space of Seaven yearea next and after the publication hereof as if the Same were particularly recited in this Act any thing therein to the Contrary hereof in any wayes notwithstanding.

[CHAPTER 7G.]

[Chapter 75, of Livingston & Smith and Van Schaack where the title «nly Is printed. This act Is not printed In Brlnley'a Bradford or I Baskett, or Is any reference made to It. The CoimnlBBlonerB have bee unable to discover a copy of the original In the office of the Sec State. Livingston & Smith and Van Schaacb, sa; thai: the act Is los From the Minutes of the Council of May 10, 1699, It appears that t act was passed by the council on that date and eont to the represe

fop their assent. (See Journals of I^srlslatlve Houncll, p. 138.) It not appear from the Minutes of the Aaaembly, that the bill ever pas that House, or that It was signed by the Governor. The Commissioners are of opinion that It never became a law.]

An Act for pre-ventlng Frauds and Em-
bezzelmeots, and for the better Begulating
and Securing his Majesty's and his Snl>-
Jecta, just Rights to all Drift-Whales, and
other royal Fishes, that shall be cast on
the Shore, or found floating on the Coasts
of this ProTince.

[Passttd, Mar 10. 1689.]

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF SEW TOBK.

[CHAPTER 77.]

[Chapter 77, of LlTliigsti»i & Smitb and Van Sobaach, wIim« tbe titl only la printed. Printed In fuU In Brluley's Bradford, p. ^45, 166. act is not printed lo Baskett TbU act continued cliapter 4S, and U continued b; chapter 127. I.lvlngaton & Smith and Van Schaack, state that this act was paaaed May 10, 1(109. From the Mlnutea ot the Co It Bp|)earB that the act was slfrned by tbe Oovernor May 16, leW. Journals of Legislative Council, p. 143.)]

A Bill (or CoDtiDn^ng ye Act for

Bncourageing ye post office two jeares

Longer after ye Explracon o* ye last

Act nuade for Cont^uanoe (rf ye Bame

[Passed, May IS, 1699.]

WHEREAS ye Act (or Continueiag ye Act for Encourageing

ye post office did Expire by its owoe Ii!initl<'acon on Some ....

day of Aprill laat and ye advantage w'eh ye Inbabitanta

of this province dayly have bji ye muttrall CmTespondence they Ifave w'th their nreighbouring Colonies and plantacooe & for ye promoteing of trade and weaith of pach other Encourageth ye Coatinuance of ye Same Ilee it therefore Enacted by hie Excel ye Oov'r & Councill and it is hereby Enacted by ye Authority of ye Same That an Act Entitled an Act for ye Enoourageing ye i>oflt office which wae Continued by another act three yeares Longer than ye time Lymitted in ye Said Act shall be Continue and abide for ye .Space of two yeares Longer next & after ye Expiracon of ye time therein Lymitted in full force and Virtne and all ye rates and Sumes of money Establisht by virtue of ye Said Act upon Letters and pacquels that ehaJl be recei'd & diapjitcht by yp office and offices Contained in ye said Act shall lie paid by ye Space of two yeares next and after ye Expiracon of ye'terme Lymitted in ye Said Art According to Such rules & Directions and under Such p^tialties and forfeit- iirera as is Contained & Enjoin^ii by ye said Act and ye afore- said Act Entituled an Act for Encourageing of ye post office and every Article rule and Clause therein menconed shall he abide remaine and Continue in full force and Effect to aJl Intents and purpose dureing ye said time as fully & in full & ample manner as if ye same were particularly and at Large recited & Sett down in ye body of this Act any thing Conteinued therein to ye Contrary beretrf in any wayes nofwithstanding.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 7a]

(Chspter 78, of LlvlngBtoQ & Smith And Van Schaack, where the title only is printed. Printed In full In Brlnley'$ Bradford, pp. 138, 159 only is printed In Baukett, p. 39. Livingston & Smith and Van Scbaa st&te that the act was passed May 11. From the Minutes of the Legl latlre Council, it appears that the act was signed by the Governor, 16, 1689. (Bee Jenmala of Legislative Council, p. 143.)]

An act to Enable je City & County

of Albany to Defray their necessary Charge.

[Passed, May 16, 1699.]

WHEKEAS there was an Act of Oenerall ABsembly made in ye Nineth yeare of his Ma'l^—a Beign Entituled an Act to Enable the Citty and County of Albany to Defray their necessary Charge for two yeares from the publication thereof, which Act Doth Terminate by its owne LimittacMi upon ye first day of July next, and ye Represoitativesr of ye said Citty and County of Albany hncnbly praying that ye Said Act may be Renewed & Continued for two yeares Longer, after ye Expiracon of ye said Act BEIE it therefore ENACTED by his Excellency the GoTernor & Council & RepreBentatives Convened in Generall Assembly And it is hereby ENACTED by ye authority of ye Same, That ye Impoei-tion or rate of two p|er Cent shall be raised & Levyed upon all Indian Goods that are brought up to ye Said Citty &" County of Albany and there Bold and Consumed and also y't ye Impost of three pence be raised and Levyed upon each Gallon of Bum that is Sold and Consumed within yt Oitty and County and for ye dne and orderly Collecting of ye respective Lnposts and Bates, The treasurer of ye Said Citty for ye time being or any appointed by him & ye May'r of ye said Citty under ye publick Seal of ye Said Citty are hereby Impowered and authorized to appoint Constitute and Establish a Collector or Beceiver of ye Eat^ & Imposts aforesaid who shall have power to receive the Same, & to enter in a faire book kept for y't purpose all Such Sum and Snmes of mony as shall so entred & rece'd for ye respective Dutyes aforesaid ye said Collector or Eeceiver apointing Certain Convenient times & places for ye keeping of ye office as shaJl be Directed by ye Court of May'r & Aldermen and Asrastants of ye said Citty and all persons that trade & bring up to ye said Cit'ty Conuty ye aforemenconed Indian goods & Bum arehereby reiiuired to make a report of ye quantity & valine of Such goods A Bum they no bring up ■& sell, in y« Citty & County aforesaid & pay ye Duties and Imposts hereby Established w'Uiout being at any further Charge than ye said Duty and in Default hereof it riiaJl

be LawfnII for ye May'r Treasorer «■ any other ot&csr hereby Authorized to Iseue out his or their warrant ander bis (w their hand & t^eal for ye Seizing of all Such gCMids & Bum. as shall be Imbezelled & not pay ye Duties aforesaid one third to the

Informer, one third to ye s'd Citty & County of Albany and one third to his Excel the Gov'r or Comander in Cheif for ye time being provided that all ye Hum & Smas of mony that are hereby rece'd shall be only appropriated & applyed to ye defraying (rf ye necessary Charge of ye Citty & County aforesaid and y't the treasurer Collector or Receiver for ye time being Shall not pay any of ye mony rece'd as aforesaid but by warrant from ye May'r of ye said Citty and approved by ye Justices of ye peace of ye said County, provided that this act shall only remaine in force for ye Space of two Yeares & no Longer and to Comence upon the Expiracon of ye formjer Act any thing Contained her^n to ye Contrary hereof notwithstanding.

[CHAPTER 79.]

(Chapter 78, of LIvlngstou & Suilth and Van f!cliaack, wber& the act Is printed In fnll. Printed In full In Brlnlej's Bradford, pp. 147,1 Baskett, p. liS. LlTingeton & »m\th and Van Scboaclt, state tbat the was passed May 12, 1C09, but froia the Minutes of the Council It a that the act was slened by tlie Goveinor, May 16, Itlfflt. Repealed chapter 120. LlvloKBton & Smith and Van Schaick state that the repealing act was repealed by the Queen and this act was conflrmed, 20, 1708. The portion relating to water pond, repealed by chapter 00 The orlRinal of this act Is not In the office of the Secretary of copy Is made, partly from the enrollment thereof In the State Librar and partly from Brtnley's Bradford.]

AN ACT for ye Vacateing Breaking & An-
nulling several Extravagant Grants o* Land
made by Coll Fletcher the late Govr of this
Tro'vince under his Majtie.

[Passed. May 10, 169S.]
Whereas their Excellencies the Lords Justices of England have by their Instmctlons unto his Excellency the Govr bearing date ye flourteenth day of 9 Nmlier 16118 directed his sd Excellency to use all Legall M^^ns for ye breakeing of extravagant Grants of Land in this pi"ovince. And whereas there is an Extravagant Grant <rf Land Sealed wth ye Seale of ye Province made by Coil Fletcher late Govt of this pro\inoe under his Maty unto Mr Godfrey Delliua bearing date ye Iret day of Sepember 1696 & registered In the Recreys ofBce Containing a Certaine tract of Land lying upon the east side of Hndsons River between ye Northennost bounds of Saraghtogo and the Bock Rossln Coo-

...C^ooglc

tmning about Beavent? Miles in liength & goea backwards into ye woods irom the sd Hadsons Biver 12 Miles untitl it Comes unto ye wood bade and ao far as it Goes Bee it 12 miles more or Less from hndsons River in tlie East Side and from sd Creek b; a line 12 Miles Distant from sd Hirer to have & to hold ye sd land & appurtance unto him the sd Godfrey Deliua his beires & Asaignes for ever under the rent of one raccoon Skinn per Annum. And whereas there is another Extravagant grant of land made as aforesaid unto ye said Godfrey Delius Wm Pinhome & Evert Bancker &c Se^ed also with the Seal of the province bearing Etete je 30th of July 1697, & likewise reglstred in ye Secretaryes ofQce containing a Certaioe tract of vacant Land Lyeing upon Moquas Bivefl above a place Comooily known by the Name of Orrakkee begiming from a place Called by the Natives Owendiere & runs up along the sd river about 50 Miles more or Less to a [dace Called Arach Sochne & extending in breadth between the sd places Owendiere & Arach Soghne two Miles OD each side of the river as it nmna to have & to hold the sd Tract of Land & appurtances nnto the sd Godfery Delius, Evert Bancker Wm Pinhome &c their beires & Asaignes for ever nnder ye reserved rent of one Beaver Skion for ye first 8eaven years & five bear skins yearly forever thereafter [In Brinley's Bradford, Li\-ing8tOQ & Smith and Van Schaick the follofwing clause appears at this point, but it is not in the enrolled bill in the State library: — "That it having appeared before the Honee of Bepreswitatives convened in General As, sembly, that Mr. Godfrey Delliua baa been a principal instru- ment in deluding the Mohaque Indisne, and illegal and sur- reptitioiis obtaining of said Grant, that he ought to be, and is hereby suspended from the exercise of his Ministerial Function in the City and County of Albany."] and whereas there is another extravacant grant of Land Made in Manner aforesaid nnto Coll : Nicholas Bayard bearing date the 12th day of Decem- ber, 1695-6, & registred in ye Secreya Office Containing a Certain Tract of Land Scituate Lyeing & being upon ye Creek comonly called & known by the Name of Skoharee wch runns into ye Maqnac Biver about 24 Miles above Schenechtidey beginittg at ye Month of ye sd Creek from ye Indian feilds Called Jeandarage & extending upwards on both sides of ye sd Creek to ye head

or first Spring thereof where it ends at or Near the bill Com-
only known by the Name (rf Kanjearagore the whole being
bounded on the North by ye sd Indian feilds of Jeandarage on
ye East & west by ye ridge of ye Hills & South by the Hill
EanjeflraflDre & ye same Erected info a Lordpp or Manner by
ye Name of ye Maimer of Kingsfelld to have & to hold the sd

...Cooglc

tract of Laod & Lordpp & Manner unto hUu je Bd Nicholas
Bayard his h«ire« & Aasignes forever under the reserved rent
of one Otter Skinn p Annum. And whereas there U another
Extravagant Grant of Land Made in Maner aforesd unto Oapt
John Evano' bearing date the 20th ly&y of Sepmr. 1694 Begiatred
Id the Secreys office Containing all that tract & percell (rf Laad
scltuate Ijeing & being upon the weat rfde of Hudsons Biver
begining frtmi the South Bide of ye Land Called the False now
Inhabited by frenchmen & extending thence Sotberly along the
Bd HudBOQS river to ye land belonging to ye Indiana at the
Murdei-ei-8 kill & extending westward to the ffoot of the high
hill^B called Pitklskaker &Aia^awasting thence exitending Bonth-
erly all along ye sd Hilla & the river p^adaaank to a water
pond lyetng upon the ad HUU Called Merelary Comprehending
all those lands Meadows & woods called Nescatonck Chavangen
Memorasinck kakagh getawan annuck and Oillatawagh & all
& every of them & ye Same erected into the Mannor of Lordpp
of ffleteherdon to have & to hold the said tract of Land &
mannor oft ffleteherdon wth appurtances unto ye sd John Evans
his Heirs & Aasignes forever under ye rent reserved of one fat
buck per annum & whereas there ib one other Extravagant grant
of Land made in Manner aforesaid unto ye sd John Evans bearing
date ye &th day of Aagust 1694 registered in the Sec'rys office con
taining a Certain Swamp & ffresh pond called ye ffresh water
& adjacent to ye Kings- ffarm formerly Called the Dukes farm on
ye Island Manhattens beginning at a Stake set in ye ground
[the remainder of this act is copied from Brinley's Bradford.
The enrollment thereof in the State Library ends at this point.]
on the sooth side of the »ald Pond, and at the north east comer
of the Idnd belonging to William Merrit, thence it rangetU along
the south Bide of the eaid Swaanp and Pond by the upland, to the
Beech, «n the east side of HudBOns River, so along the Beech to

the upland, thence crossing a small gut of said Swamp to the Land on the east side thereof thence by the said Land, as it runs, to the east side of the Tanyard, and thence to the place where it begun. To have and to hold the said certain Swamp and Pond and Appurtenances unto him the said John Evans his Heirs and Assigns forever, under tlae yearly reserved Bent of one Pepper Corn. And wherenB there is another extravagant Clrant of the Kings Farm, in manner aforesaid, beinfc a Lease or Demise of the said Farm unto the Church-wardens and Vestry-men of Trinity Church for seven years from the date thereof, being the 19th of August 1697. Registered in the Secretary's OfflcB, To have and to hold the said Farm and Appurtenances Into the said C5harch- wardens and Vestry-meo of Trinity Church,

.., C A.>(.>glc

their SnccesoFB and AsBignft, for the term of seven years from the date aforesaid, until the said term of seven years be fully ended, under the yearly reserved Hent of sixty Bushels of Wheat And whereas there is 'aiiother extravagant Grant of Laud out of the Kings Garden, in manner aforesaid, unto Ooll. Caleb Heathcote, bearing date the 2d of April, 1696, and registered, in the Secre-tary's OflBce, eootaining a certain Lot or Toft of Ground lying withoot the Stwckadoes of the Oity of New-York, near adjoyning to the Locust Trees, which wtre formerly part of the Kings Garden, containing in breadth forty one foot, & in length fifty foot. To have and to hold the said Lot or Toft of Ground unto him the said Caleb Heathcote, his Heirs and Assigns forever, under the yearly reserved Rent of one Shilling. And whereas there is another extravagant Grant of Land out of the said Kings Garden, in manuier aforesaid, & of the date aforesaid, unto the said Oaleh Heathcote, being a Demise or Lease of another part of the said Kings Garden for the Tenn of forty one years, which lies vacant and unimproved being bounded by the Stockadoes or Pence of the said GaJden bo far as the said Garden, in the reer, does extend, and from the said Fence of Stockadoes so far into Hudsons River as low Water-Mark, To have and to hold the said other part of the said Garden unto the said Caleb Heathcote his Heirs and Assigns, for the said term of forty one years from the date of the said Demise, under the yearly Rent reserved of four Shillings.

And whereas it does appear unto his said Excellency and Council that all and every of the above^recited se^'eral and respective Grants and Demises of Land and I*remiBes, to all and every the Person and Persons aforesaid, their respective Heirs, Successors and Assigns, are In fact and deed absolutely extrava-gant Grants issued by the saTfl Coll, Fletcher, late Govemour of this Province under his Majesty, contrary to and against the Trust reposed in him by his said Majesty, and are extravagant Grants according to the true intent, meaning and Construction ol their Excellencies the Lords Justices of England said Instruc-tions, and as such ought to be broke, vacated, annulled and made of none effect forever. Be it therefore Enacted by his Excell«icy the Go^'emour and Council, and Representatives convened in General Assembly, and it is hereby Enacted li.v the Authority of the same. That all and every of the several and Respective extrava-gant Grants of Land and Prnnises, granted, demised and sealed, in manner aforesaid and heretofore recited and meution(»d, within all and every of their several and respective limiis and bonds afore-mentioned, & expressed are hereby brake, vacated and forever annulled, and of n<Mie effect. And al) and every the

Digi-jzedbyGoOgiC

afore-recited Orants and Diemiaes, in manner aforesaid, for all and every the several and respective lYacta & Parcella of Land, Farms and Garden, with Appurtenances within all and ever; of their several and respiectlre limits and bonnds aforesiiid And ail the Lordships, Mannors, Jurisdiction s, I'owera Authorities, Rights, Benefits, FroJlts, Advantages beioTtipng unto them cr either of them shall fonever hereafter cease, determine and become null and void, and of none effect, to ali intents, purposes and constructiouB whaitsoever, as if no such Orants Demises and Registers of the same in the Secretarys OfBce had ev^ been done. And they the aforesaid Grantees, Lessees, and every of them, their and every of their Heirs Successors and Assigns are forever hereafter diveated of any Right, Title, or Claim unto, the same, OP unto any part or parcel thereof within the aevernl and respe-:-five LimitB aforesaid, any Law to the contrary hereof in anywise notwithstanding. And his Majesty is hereby fully and imme-diately Re-seized & Bepossessed of all and every of the before

granted and d^nised Premises, in as full and ample manor as if the same had never been granted and demised.

And be it further Enacted by the Authority aforesaid. That ali and every of the Grants & Demises for the several and respec-tive Tracts of Lands, Bwamps, Farms and tiardena, as aforesaid, which are B^stered In the Secretary's OfQce, shall upon the I'ublication hereof be obliterated, razed, defnced, and the Memory or Becwd ot all and every of the nforr^said Grants shall he reduced into Oblivion and Forgetful qoss, as if no such Grants had ever been made or registered In the said Office, any thing to the contrary hereof in any wise notwithstanding. And to the intent that it may not be in the Power of any of his Majesties Governours or Commanders in chief, for the time being here-after, to maJie for the future any such eztravaj^ant Grants of Lend, as aforesaid, Be it further Enacted by the Authority afore-said, That it shall not be In the Power of any of his MajestJes GovemouPB or Commanders in chief, which shall hereafter be Governours or Commanders in cheif of this Province under his Majesty, his HMrs and Successors to grant or demise for any longer than for his time in the Government, any of the Lands hereafter mentioned, that la to say, Natten-Island, The Kings Farm, the Kings Garden, The Swamp and Fresh "Water, as tliey are now limited and bounded, being the Denizen of his Majesties Fort at New-Yorli, and for thje benefit and accomodation of liis Majesties Governours and Commanders In chief for the time being; and if any such Grants or Demises for the future shall be made Icmger than for the timeafore-mentloned,thanaIland every of TQch Grants shall, Ipso facto become null and Yold, and of no

Digi-jzedbyGoOgiC

ase to all intents and purposes whatsoever, any Law, Custom or Usage to the contrary hereof in any wajes notwithstanding. Saving to the City of New-Ywk the Bight they, have to the Fresh Water, and Lands to low Water Marie behind the Kings Garden.

[CHAPTEBI 80.] *

[Chapter 80. of Livingston & Smith and Van Schaack, where the tide onljr U printed. Printed In full In Brinlej'B Bradford, p. 126. 147.

only ia printed in Baskett, p. 30. LlvlngBlon & Smith state that th waa poBsed Maj 12, 1099, but from the Minutes of the Council, It a tb&t the act was signed by the Governor, May 16, 1C89. (See Journal Leglslattre Council, p. 143.) This act expired May 12, 1701, and is prorldefl fw b7 chapter 87.]

A Bill for preventing Soldiers Listed in his Ma'tya Servi-ce in this Province of New York from deserting his Ma'tys Bald Service

{Passed, May 16, 1689-1

FomamDch as Sundry of lus ma'tys Soldiers in his Garrisons of Xew York & Albany have absented themselves & Deserted ye said Garrisoiw of Kew York & Albany for ye prevention of ye like for ye future Bee it therefore ENACTED by ye Gov'r & Cooadl & Representatives Convened in Genera] Assembly, and by ye authority of ye Same, that w'tsoever Soldier that ia now listed in his Ma'tys Service for ye Security of this province as aforesaid or hereafter shall be listed, That shall Desert or forsake ye said Service without leave first obtained from ye Gor'r Lieu't Gov'r or Commander in Cheif for ye time being under Ms hand & Seal Shall Suffer ye pains of Death according to ye tennure of an Act of parliam't passed in his Ma'tys King-dom of England Entituled an Act for punishing officers ASoIdiers who shall mutiny or Desert their ma'tya Sen'ice and for punish-ing false musters, & to ye end y't none of ye Inhabitants within this province shall knowingly harbour Receive ©ntertaine or in any manner of way be helping, Aiding, assisting, or incourage-ing to any of his Ma'tys Soldiers listed as aforesaid to desert his Ifa'^ys said Service. Bee it further ENACTED by ye author-% aforesaid that whatsoever persons Inhnbiteing. residing, or 8<^ming within this province shall after publication hereof I tnowingly receive, harbour, Entertaine, or Conceal any of his 1 Ma'tyB Soldiers listed as aforesaid, who shall desert his Ma'tys Service without leave obtained as aforesaid in their houses, Barnes, Stables, or any other Concealed places in any part of •Us province w'thin THREE miles of Yoit Albany or any other 69

Digi-jzedbyGoOgiC

Garrison or place where any number ot SucIl Soidiera ahall be hereafter posted or ahull be in any manner of way be aiding helping, assisting, or Encourageing to any of ye tSaid Scrtdiers to desert his Ma'tys Service or be any ways helpfull to Carry any of the Said Soldiers out of this Province Either by Ships. Barque Sloop, Vessel Boa.te Cannoe horse or any oither way Shall for each Such offence pay or forfeit the Sume of twenty poimda Currant money of this province to be Recovered by Bill plaint or Informacou in any Court of Record within this province where no Essoign protectiMi or Wager of Law shall he allowed one halfe whereof to our Sovcraigne Lord the Iving his heirea and Successors to be Imployed for ye Keeping ye said CompaDim Ooanpleatly full & ye other halfe to ye Informer or he y't shall Sue for the Same. And if it shall so happen that any persoo or persons as aforesaid that shall be Convicted of any of the aforesaid Offences & hath not Goods and Chatties Lauds or Teoft ments for ye Satiafieing the forfeiture afonwaid shall be Severely whipt upon his naked back according to the Doscretion & Direc- tion of y't Court of Record where ye prosecution shall be made, provided they do not Exceed ye number of fourty Lashes Save one, and shall likewise be Listed in ye Company where such Desertera was and there Serve untill Some other Sufficient per- son be Listed in his Boom to make ye said Company so Com:< pleat, as It was befoi-e such Desertion happened. And to ye end that all Such as shall Desert, his Ma'tys Senice as afore- said may be taken up & brought to their Respective officers. Bee it further ENACTED by ye authority aforesaid that what- BOerer person or persons that shall Discover any Soldier Listed In his Ma'tys Service as aforesaid that are absenting themaelves or Deserting the Said Service & bring ye said Soldiers onto hiB Ma'tys G-arrison of New york or Albany shall have for hia Reward Ave pounds Currant money aforesaid over & above ye Charges he shall Expend in Bringing him to his Ma'tya said Garrison of Xew york or Albany and in the doing whereof all hla Ma'tys Justices of ye peace Shtrriffs, under Sherrifls, Con- stables & all others of hia Ma'tys officers both Civill & military are hereby required to be Aiding and Assisting both in ye Discovery and bringing of sucK Deserters to his Ma'tys Gar- risons of New-york or Albany as aforesaid Provided that nothing Contained in this bill shall Continue or remaine in force Longer than two yeares next and after ye publication herecrf any thing Contained herein to ye Contrary hereof in any ways not w^- ■ standing.

Digi-jzedbyGoOgiC

[CHAPTER 8L]

[Chapter 81, or LlyingBton & SmltL and Vaa Scbaacfc, where tlia titl only is printed. Printed in full In Brlnley'B Bradford, p. 110, 140. only 1§ printed In Baskett, p. 38. The original act is not in the the Secretary of State, nor among the enrolled lawe In the State Ubrary. The act as here printed was copied ^rom Brinlej'a Brad- ford, pp. 119, 140. Ltvlngaton & Smith and Van ScUaach, state that the act was passed May 15, 16B9, but from the Mlnates of the Connc > it appears that the act was signed by the Oovemor, May 16, 1699. chapter 121.)J

An Act for Granting unto his Majesty Several DutieB for the defraying the pablit± - Charge of the GoTerament after the time

limltted in an Act, entituled, AN Act Con- ftrming and Continuing unto their MajestLes the Revenue Estabiished by an Act of Gen- eral Aasemblj for Defraying the Publick and Necessary Charge of the Government, is expired.

[Passed, May IS. 1699.}

"IITHEBEAS the Act of Assembly, eoUtuled An Act confirming *' and continuing unto their Majesties the Revenue estab- lished by an Act of General Assemhly made in the fourth Year of their Majesties Reign, for defraying the Publick and Necessary Charges of the Government, five years longer than tlie Term therein mentioned, doth expire by its own limitation upon the Igth day of MAY, which sliall be in the year of our Lord 1700. And Whereas the great Happiness which hath attended this Province since his Majesties auspicious R^gn, doth call for the grateful Acknowledgment of all the good Subjects of this hia Majesties Province, for so great a blessing, which by the good- nesB of Almighty God rtiis and all his ilajeaties Kingdoms, and Wther Dominions, do enjoy under his gmcious and vigilent Gonerranent. In most humble aence whereof, the Representar

tildes convened in Genet^ Assembly, having also In their Consideration the extraordinary Care which his Majesty hath at all timee talten for the Safety and Welfare of this Province; and being willing to give such fresh Demonstmtions and Assurances of their constant and unshaken Loyalty, and most dutiful Affections unto his most Excellent Majesty, do therefore freely and heartily give and grant unto his most Excellent Majesty, for and daring the time, term and space of six years, from and after the 18th day of IiL\Y, which shall be in the year of oar L(wd 1700 the Rates, Duties, Excise and Sums of Money herein after m.entioned, for the defraying the necessary Chaise of the Oovemment. And do mast humbly pray that it may tie

Enacted and be it therefore Enacted b; his Excellency, the Ooremour, and -Coancil, and Bupreeentatives oonrened In GeDeral Aseembly. AND IT IS HEREBY ENACTED BY THE AUTHORITY OF THE SAME. Tliat there shall be raised, levyed, collected paid and satiafied unto hie Majesty for the time, term and space of six yenra, frtnu and after the said 18th day of May, which shal) be in the year of our Lord 1700. for the use afoiresaid, the Rates, Dnties, Impoflitions & Excise upon the Qoods, Wares, Merchandizes, Furs, Wines and other Ldquors herein alter mentioned, In manner and Form following, that is to say.

For eveiy Qallon of Bum, Brandy and Distilled Liquors, that shall be Imported into this rrovince, and Dependencies aforesaid, the Sum of FOTTR I'ENCE current Money, of this PrOTince, And for every Tipe of Madera, Malmsey, Fyal, St. Georges, Pas-xAo, Canary Mallego, Bherry and all other sort of sweet Wines, the Sum of Forty Shillings, current Money aforesaid; and so in proportion for greater and smaller Quantities Imported bb aforesaid. And for every Hogshead of Rfld, White and Rhenish Wines the Sum of Twenty Shillings current Money aforesaid and so in Proportion for all greater and smaller Quantities, Imported as aforesaid. And upon all oth^* Merchandizes importied into this Province and Dependencies aforesaid, the Sum of Forty Shillings, current Money aforesaid, for every hundred Pounds prime cost, except these hereafter specified, viz. Salt, Brick, Pontiles, Coles, Fish, Sugar, Mallosses, Cotton, Wool, Ginger, Log-waod-Braxilletto, Fustick, or any other sort of Dying Wood, West India Hides, Tobacco, Bullion, Plate,

Cocco, Pork, Oyl, Tar, Flax, Soap. Candles, Tallow, Cheese, Butter, Beef, TVTiale-bone, Hops, Apples, Pears, Syder, Fire wood, Plank, Boards, Pipe Staves, Timber, Peltry, Beaver. Sheeps Wool, Onions, Dressed & Undressed Deer Skins, Honey, Bees Wax, Bay Wax, Indian Com, Wheat, Barley, Rye, Pease, or any other sort of Grain, or any oither thing of the Growth & Production of our Neighbouring Collonies and Plantations in America.

And be it further Fnacted by the Authc«-Ity aforesaid, That there be also given and granted unto his said Majesty, for the intent aforesaid, upon all Merchandize commonly railed by the Name of Indian Qoods, as Duffls, red. blew, and black, Strotmds, BlanketR, Plains, half thicks, Woolen Stockins, White Ozenbrags, Melliah Kettles, Hatchets, Hoes, Red Lead, Vermillion, Cotton, Bed Kersies, Knives, Indian Habhardasherry, & other Indian Goods, the Sum of Five Pounds current Money aforesaid, for every hundred Pounds prime cist, which dhall he imported Into this Province and Dependencies, aforesaid, over and above the

Forty Shillings (op every hundred Pounds prime Cost before given and granted unto bis Majesty, by this present Act; and that the Value of the prime Coat, shall be at the Kates hereafter mentioned, viz., Indian DuiBls to he valued at two Shillings & four Pence per yard, Indian Strouds, half a piece, four Poimds, a whole piece eight Pounds; Indian Blankets, each jiier^e four Founds, Indian plain Gotten, eighteen pence per yard; half Thicks two Shillings and two pence per vnrd, Indian white Ozen- bnigs Hellish, the English Ell eight Pencp, Indian Kettles, under eight Gallons, six Pounds per hundred weight; Tndian Hatchets, twelve Shillings per dozen; Indian Hoes, twelve shillings per dozen ; Bed Lead, twenty Shillings per hundred weight; VermilliiKi, four Shillings per pound, Cotton sizteeti pence per yard; Bed Kersies, two shillings six pence per yard; Knives, three shillings p^ dozen; Indian Shirts, twenty shillings per dozen; Indian Drawing Knives, Looking Glasses, Indian Wooden Combs, Indian Beads, Tobacco in Bolls, Indian Bells, Scissars, Jews Harps, Indian Points, Drills, Tobacco I'ipea, little painted Boxes, Awls, Sword Blades, Copper I'obaceo Boxes, Tlncey Lace, Indian Gimp Lace, Needles, Tobacco Tongs, Indian Powder Horns, Indian woollen Stockins, and Indian Steels, the Sum of six Pounds current Money afores^jid, over and above the Two per Cent, aforesaid, for every hundred Pounds value ut

prime Cost.

And be it further Enacted by the Autliority aforesaid, That there be also given and granted unto his Majesty, for the intent aforesaid, for every Barrel of Powder six StiillingK, for every hundred Pounds of Lead, six Shillings for every Gun with or without a Lock, six Shillings that shall I'O carryed up Hudson's Elver in any Vessel Sloop or Canow, or by anj other way whatsoever.

And be it further Enacted by the Authority aforesaid, That there be also given and granted unto his said Majesty, for the purpose aforesaid, the Duty of Excise upon all Liquors retailed throughout the Province and Dependencies aforesaid, —indcr the Quantity of five Gallons, the sum of twelve Pence, current Money aforesaid, for each Gallon so retailed (Beer and Syder only excepted) and likewise the sum of sis. shillings for each Barrel of Beer and Syder sold by Betail through oat this Province,

And it is further Enacted by the Authority aforesaid. That there be given and granted, and there is hereby further given and granted unto his said Majesty, for the T'se aforesaid, a Rate and Duty upon the Purs and Peltry, hereafter mentioned, that shall be exported out of this Province and Dependencies, that is to say, For every Beaver Skin, commonly called a whole Beaver, the sum

Lc;—,:.tll:yG00gIC

of !Nine Pence, currant Money aforesaid; and that all other Furs and Peltry be rated accordingly, (tliat is to aay) For two half Beavers the Bum of 9d. current Money atoresaid; for four Laps, 9d, for three Drilliuge, 18d. for ten Raccoons 9d. for four Fozea 9d. for four Fishers 9d for Ave Cats M. for six. Minka 9d. for on Otter 6d. for two Bear skins 9d. for twenty four Musk Rats 9d. for ten Martins 9d, for every twenty four iioundo of Deer and Muse skins 9d. and for every Ox, Cow and Bull Hide slaughtered Id this Province and llependencies, 6d. And all other Peltry to be valued to a whole Beaver, 9d.

AjxA for the due and orderly collecting ot the aforesaid Rates, Duties and Ezci«e, and also for preventing of Frauds and Im—

bezilments of the said Bates, Duties and Excise, Be it further Enacted by the Authority aforesaid, That all Ships and Ves- sels whatsoever, that shall come to any Port, Creek or Harbour within this Province and Dependencies, to trade or traCBck, the Master, Mate or Purser shall come to such place or places as shall be appointed by the Governour, for the time being, and there make Report of all such parcel or parcels of Merchandize, or other things, that he or they have on board such the said Ship or Vessel, and also declare upon their corporal Oathea, That he or they have not broke bulk since his arrival within this Province, before he or they made such Report, as aforesaid. And also, all Merchants that hare any Goods or Merchandize on board such Ship or Vessel, as aforesaid shall at such place or places as is above directed, make a true and distinct Entry of all such .parcel or parcels of Goods or Merchandize he hath on board such Ship or Vessel, according to the prime cost. And if any Difference shall arise about the Value of the said Goods, his Majesties Collectors, for the time being, is hereby authorized to admini'ster to all or any such pei-son or persona, making such Entry, their corporal Oath, Tliat the said Entry is according to the Invodce or Invoice* sent to them from the place or places from whence such Goods or Merchandize did come.

And it is further Enacted by the Authority aforesaid. That if any Master, Mate or Purser of any Ship or Vessel whatsoever, op any Merchant, Factor, or other, shall, contrary to these Rules above directed, break Bulk or land any Goods or Merchandize whatsoever, before he or they make Report or Entry, and pay such Duties aa is rnqnired by this Act, then and in such case the Master of such Rhip or Vessel, that shall break Bulk before making such Report, aa aforesaid, shall upon proof made thereof by two sufQcient and lawful Witnesses, forfeit his said Ship or VeoKl, with all her Tackle, Furniture, & AnununitioD, one third

.Google

to bis Majciitj, one tMrd unto the Oovemour, and one third onto the Infonner, to be sued for in any Court ot KecoTii within this Province, by Bill,' Plaint or InformatioB, wherein no EsBoyn, Protection or Wager of Law shall be allowed. And also, all

such Oooda as shall be landed without Entry made, as aforesaid, shall be in like manner forfeited, one third unto his Majesty, •ne third to the Gorernour, and one third to the Informer, to be sued as aforesaid.

And be it further Enacted by the Authority aforesaid, That all Masters of Ships or Veaaels that are within this Province, and do not belong unto the same, or any part thereof, and bound to any part within or without thds Province, shall, before they take any Merchandize, above expressed, come to such place ^ or places as shall be appointed for the ddlecting the Bates & Duties established by this Act, and there make their Entry and Beport of their I>e8ign, and enter into Bond, to the value of one Thousand Pounds, current Money of New York, with suf- ficient Sureties, that they shall not take on board directly or indirectly, any Goods or Merchandize afore recited and expressed, without such permit or Certificate from the Collector, or any baring authority under hiui, for the same. And if they do take on board any Goods or Merchandize afore recited and expressed contrary to the true intent and meaning of this Act, then they shall forfeit their Bonds, to be sued within three Months alter such fact committed, or otherwise to be void, and of no force and virtue.

And all Masters of Ships, Sloops, Boats, or any other Vessel belonging to this Province, and its Dependencies, shall ooce in the year repair to the Custom-house, or to other place or places, that shall be appointed for that pui-pose, and there enter into Bond, to the value of One Hundred Pounds current Money aforesaid, that they shall not dii-ectly or indirectly take on board and carry out of this Province, any of the aforesaid Goods and Merchandize, without first making Entry thereof, and paying such Bates and Duties as are before recited and expressed; and if they do take on board any of the aforesaid Goods and Merchandize, without makiuf; Entry thereof, or pay- ing of the Bates and I>utieB aforesaid, then the said Bond shaJl be forfeited.

And for the due and orderly Collecting of all Duties of Excise hereby given and granted, Be it further Enacted by the Authority aforesaid. That all Retailers of 'Wine, Bum, Brandy, or any other strong Liquors, within this Province or Dependencies, shall, upon their purchase and receipt of all such LiqiiT or Liquors, before expressed and exciseable, come to the Office or Offices of the

Digi-jzedbyGoOgiC

Excise, and there, or with him make Entry of all auch Liquor or Liqnors aa thej Bball huy or receive, and jiay such Unties as are hereby appointed, within twenty four lionrs, or at snch con-renient lime as the Officer of Excise shall appoint; and on Defanit thereof, all ench Liquors as shall be found in any Betailers House, or Ware-house, Cellar, or other place belonging unto him, within this Province or Dcpendeucies, iind have not been duely entered, and paid the DutlcH of Excise, na aforesaid, then and in such case, upon Conviction by Oath of one ur more credible Witnesses, before any Justicf^ of ibe I'eace within this Province & Dependencies, the said Retailer or Rt^tailers so offend-ing in the premises shall forfeit all such Liqnors £ three times the value thereof, one third to his Majesty, one third to the Governor, and one third to the Informer who shall prosecute the^ same before any Justice of the Peace throughont this Province and Dependencies, who are hereby Authorized and fnipowered to hear and determine the same, and if need be, to issue out their Warrant for the seizing and condemning of all sucli Liqnors for-feited aa aforesaid, and for committing to Goal all such RetailerB of Liquors who have not entered and paid the Duties of PIxcise in manner aforesaid, . there to remain without Bail or Main prize until the}' shall satisfle and make payment of three times the value of such Liquors seized and forfeited as aforesaid. Provided, That he or they have liberty to appeal to the next Sessions of the Peace, ginng Security to answer the same.

And be it further Enacted by Authority aforesaid, That if any Person or Persons within this Province Jfe Dependencies, not being duly licensed, shall at any time here after presume to sell by Retail any the liquors aforesaid that is to say, a less quantity, at one time than five Gallons, the Persons so offending shall forfeit and pay the sum on five Pounds, current Money aforesaid, for every such Offence, being thereof convict by the Oath of one or more credible Witnesses, to be sued as aforesaid before any Justice of the Peace throughout the Province, and to be imployed in such manner and proportion as aforesaid.

Alwayes provided, and it is tlie true intent and meaning of this Act, That no Retailers of Liquors, under five (halloas, cr any

other that shall sell auy Liquor or Strong Liquors, shall take any such Liquor into their Houses, Cellers or Warehouses, or into any other place belonging unto them, in New- York and Albany, but by the hands of the sworn Porters, inder the Penalty afore- said, to be sued and recovered, for the Taes afoves jid, in raunoer and form aforesaid. Alwayes provided, and it is hereby understood. That there shall no Duty be paid, nor forfeiture made upon any Goods or Mlerchandize that are not sold or landed

Digi-jzedbyGoOgiC

vitbin this Proyince and Dependencies. Always provided, Tbat all Merchants qualified to Trade, by Acts of NaTigation and Begolattng the Plantation Trade, coming into this Province, or any part thereof, be well and honestl; treated and demeuaed for mch things as by this Act is granted, without Oppression to be done to them, paying the Duties aforesaid.

[CHAPTER 82.]

[Chapter 82, ot Livingston & Smith and Van Bchaack, where the title mtj la printed. FHnted In full In Brloley's Bradford, pp. 13T, ISS. «o1t la printed in Baskett, p. 39.]

A Bill for ye Enabling ye C5ttj ot Kew Yoi^e to pay their Debba&to Erect & repair their publick buildings & defray, itheir Deceesary and publick Charge.

[Passed, M^ 16. 16S9.]

WHEREAS ye Citty of New york by reaaon of ye Excess rive Charge "Uiey have beea at dureing ye late Warr ia become Considerably In Debt, and their Citty tuill and fferry house are fallen into Such a Decay as there i» an absolute necessity Coc je rebuili^ng of ye Same^ a» well aa other necessary and public buildings for ye good weal and accomodation of ye said Citty. To ye end therefore y't ye said Citty of New York may be ye better enabled to Erect a new Citty ball rebuild their ferry house and other neoessaiy publick buildings in ye said Citty and pay their Jnst Dejbta and defray the other Contingent publick

Gbarge of ye same Bee it tlierefore Enaot«d by his Excel & Oooncill & Beprasentatives Convened in Oenerall Ass^ubly And it is hereby ENACTED by ye Authority of ye Same that ye Iby'r Beoorder Aldernien & A^stants of ye Said Citl7 for ye time being or ye Major part of them whereof ye May'r or Becorder of ye Said Citty to be ooe shall yearly in ye we^ before ye feast day St. Michael ye Archangel Elect & appoint Six good and Sufficient Oittyzena inliabitlng within ye Said Citty who shall be called ye overseers of ye publick wovka and buildings of ye Said Citty & th^ or any three of them by and with ye Oonsent of ye May'r or Becorder Aldermen & AsBistantB ot ye Said City are hereby authorized Impowered & Enabled annnally and once every year at the time aforesaid to niae a reaaonable tax npoo all & every ye Inhabltaots free- Uolden and Sojourners within the Said CTtty towards ye Erect- ing a new Cit^ hall rebnilding their fferry house & ye other uoeceajy pabUofc bnildings in ye Bald Oitty as well as for pe^-

D,g,;,zeclbyG00t^Ic

^g their Juat Debts and defra^g je other CoDtingent pabliok Qkarge of ye said Citty, And for ye better raiseiog & Ijevying ye said Texe for ye uses aforesaid, BEE it further ENACTED by ye authority aioresaid That ye May'r or Recorder Aldermen & Assistants of ye said Citty or ye Major part of then, whereof ye May'r or Beoorder of ye said Oitty to t>e one with ye overseen So to be nominated aB aforesaid or any three ot them shall meet tlogettieir at least once in every three moDths at ye Citty hali of ye said Citty or Such other place as ye May'r stiall appoint and there to Consider how much mony will be needfull to be raised for wie year for ye defraying of ye Ciiarge as aforeeaid & ye Estimate tliereof they shall cause to be particulariy expressed in writing that is to say the particular Sum or Sums that they siiall Judge needfull for ye Erecting a new Citty hall, & So respectively for all Such other buildings Debts & necessary Chai^ w'ch shall be needfull to be Imployed for one Year w'ch Sums & Sums of mony so particularized & Estimated as aforesaid shall be by ye Assessors of ye said Citty equally and proportiouably assessed upon ye reall & personal Estates (rf all and every ye Inhabitants freeholders & Sojoumers w'tlun ye Said Citty for one year for ye purposes aforesaid w'ch b^ng

allowed and Ooinflrmeid by ye Mayo'r or Becordep or amy two or more oif ye Aldermen of ye Said Citty Shall be Collected by ye respecti^ie Collectors of ye Said Citty and quarterly paid by every Beapeotive Inhabitant freeholder or Sojourner within ye Sam£ Citty upon Demand made thereof by ye respective Col- lectors aforesaid appointed to gather and Collect ye Same and in Case of Refusall or neglect of any person or persmis paying of ye Sume they Shall be so assessed when thereunto demanded aa aforesaid Then it shall be la-wfull by wairant of ye MavY or Recorder and any one or more of ye Aldermen of ye Said Cdtty umdep their hands and Seales to Cause Levy the Sum Bo assessed by distress and Sale of ye offctoders ^>oids all w'oh Sum or Bumes of mony Collected paid and Levyed aa aforesaid shall be paid unto ye Treasurer of ye Said Cit^ quarterly and there shall remaine untill ye Same be (wdered for ye purposes afOreeaid by order of ye Oomon Oonnclll of ye Said (Stty by war pant imder ye hand & Seal ol ye May'r And Bee it further ENACTED by ye authority aforesaid That if ye May'r ot EecomJer Aldetmen & Assistants shall refuse delay or neglwt to nominate and appoint overseers yearly as is before appointed that then each of them shall loose & forfeit for eveiy Such Default the Sume of fflve pounds Currant mony of New yortt to be Impl<^pd for ye reli^ of ye poore of ye said Citty. and to be Levyed by distresae on their goods by warrant from

.., C A.>(.>glc

ye geoerall quarter Seselons of ye pea<« of ye said Citty, And if iiny oreraeere asseBSor or Collector nhuJI refuse neglect or delay to Serve & Execate ye reepective Dulles before men- coned & requiced ^all for each Default tbat Shall happen Loose and forfeit ye Sume of fflve pounds Cnirant nw«y afore- said to be Levyed by diBtresse & Lnployed bb aforesaid by war- nant under ye hand & Seal of ye Ma/r or Becorder and any two of ye Aldermen of ye said Citty Provided that this act n<w notliing herein Contained shall Continue or reanaine Laug^ in ftorce than ye space and terme of three yeares next and after ye publication hereof.

[CHAPTEB 83.]

[Chapter 83, of Livingston & Smith and Van Schaack, where the act 1b printed tn full. Printed In full In Brlnle^'i Bradford, p. 139, Baskett, p. 32, states that this act was conQnned b7 the King, Sept 6, 1700.1

A Bill to Enable ye Respective Townes tvithln this province to build & r^air their meeting houses & other publick buildings

[Passed, May 16, 1699.]

WHEBEAS ye Severall & respeotiTe Townes within this province are at a great Loss for want of poblick buildings for ye worship and Service of God as weJl aa lor other neoessary pubHA Services, To ye end therefwe that each respective Town wltiiin this province may be Enabled to Erect publick buildings for ye worship of God & other publick Services Bee it ENACTED by his Excel & Councill and Bepresentatives Convened in Generall Assembly & it is hereby Enacted by ye Authority of ye Same that ye TruBtees of each re^>ective Towne within this province or Such other persons who Shall be yearly Elected by ye major part of ye ftreeholders of each respective Towns within this province shall be hereby Xmpowered annually OT once a year to make a yearety rate either for ye Erecttnjf of a publick Edifice or Church for ye worship & SCTvloe of God' where ye Same Is wanting or for any other publick buildings towne houses & Joales for ye publick Service of ye Town w'ch rate shall be laid upon all & every ye fFreeholderg Inhabitants & Sojourners In each respective town aforesaid. According to Such manner & in Such form as ye other publick rates are EstabliBhed for ye drfraying ye publick Charges of each respectire County w'thin this province, And ye assesBors & Ocrilectors <rf ye pe^>ective Townes aforesaid are hereby required to Execute their Dntys accordingly and if any person or persons within any of ye said respective townes who shall be rated

assessed as aforesaid shall retuee , to pay or Contribute their proportioD So rated & Assesfled then it shall be Lawfull for ye Collector of ye said town where such refusall shall happen to Levy ye Same by diatresee upon ye goods & Chattels of j'm or hilm So offending by warrant under ye hand & seale of ye Justice of ye peace of ye towne where ye offence shall be And all and every ye publick rates hereby Established shall by ye Trustees or Such other persons who shall be yearly Elected by

ye maj'r part of ye ffreeholdera as aforeaaid be only Imployed to ye buildings & repairing of ye Said pubiick Edifices & buildings & to no other use purpose op Intent w'tsoever any thing to ye Contrary hereof in any wise notwithstanding Provided & be it Enacted by ye authority aforesaid y't ye precinct of Bridge Hampton oMnonly called Sagaboneek & Meooxe within ye Towne of Southampton shall for ever hereafter be Esteemed a Distinct Parish from ye Said Towne of Southampton and have and Injoy all ye privileges & Benefits of a distinct parish for ye building and Erecting of a publick Edifice with its appurte- nances for ye publick Service of God according to ye true Intent & meaning of this Act and they are hereby Impowered & Author- ized to L^y rates upon their resppctive ffi-eeholders Inhabitants & Sojourners within ye Said precincts of Bridgbampton in as full & ample manner as if ye said precinct were a Separate & Distinct Town within this province anything Contained in ye Grant of Southampton to ye Contrary hereof in any wayes notwithstanding.

THE SE^rENTn ASSEMBLY.

Second Session,

(Begun July 25, 1700, 12 Wm. Ill, Richard, Earl of Bellamont^

Governor.)

[CHAPTER 84.] —
[Chapter 84, of LivlngBtMi & Smith aad Van Schofick, wbere tbe act printed in fulL Printed la foil in Brinler's Bradford, pp. 154.

Baskett, p. 41. Livingston & Smith and Van Schnach. state that tbe waa passed Jul; 31. ITOO. The portion of the original containing the of passage and signature of the Governor U torn off. hut from the Minutes of the Council, it appears that the act was signed by

Oovemor, August 9. 1700. (S<^e Journals of IjegislatlTe Council, p.

Conflrmed liy the Queen, May 20, 1708. (See Fowler's Bradford,

CXXXVIII.)]

An act against Jesuits & popish preists

[Passed, An^et)>. 1700.]

WHEKEAS divers Jesuits preists and popish missionaries have of late, come and for Some time have hail their residence id the remote parts of this Province and other his ma'tys adjacent

Colonies, who by their wicked and Subtle Tnfliniiations Indaa- triouslj Labour to Debauch Seduce and w'thdraw the Indians from ttielr due obedience unto his moat Sacred ma'ty and to Excite and Stir them up to Sedition Bebellion and open HoBtility against his ma'tys Goverm't for prevention whereof Bee it Enacted by his Excel the Gov'r Council and RepresentativeB Convened in Generall Aseembly and it is hereby Enacted by the Authority of the Same, l^at all and every Jesuit and Sem- inary Preist missionary or other Spirituall or Ecclesiasticall pCT'son made or ordained by any Authority power or Jurlsdicon derived Challenged or p'tended frcan the Pope or See of Rome now residing w'th in this province or any part thereof shall depart from and out of the Same at or before the first day of November next in this present year Seaventeen hundred.
And be it further Enacted by the authority aforesaid, That all and every Jesuit Seminary Preist Missionary or other Spirituall or Ecclesiajaticall person made or Ordained by any Authority ■ power or Jurisdiction derived Challenged or p'tended from the pope or See of Bome or that shall profess himself or otherwise appear to be Such by preaching & teaching of others to Say any popish prayers by Celebrating masses granting of absolutions or using any other of the Bomish Ceremonies & Bites of worship by what name title or degree So ever such persooi shall be called or known who shall Continue abide remaine or come into this province or any part thereof after ye first day of November aforesaid shall be deemed and Accounted an incendiary and disturber of the pablick peace and Safety and an Enemy to the true Christian Beliglon and shal be adjudged to Suffer per- petuall Imprisonm't and if any person being So Sentenced aud actually Imprisoned shall break prison and make his Escape and be afterwards retaken he shall Suffer such paines of Death penalties and forfeitures as in Cases of ffelony. Aud it is fur^ ther Enacted by the authority aforesaid, That every person that shall wittingly and willingly receive, harbour, Conceale aid Succour and releive any Jesuit preist missionary or other Eccle- siastical person of the Bomish Clergy knowing him to be Such and be thereof lawfully Convicted before any of his ma'tya Courts of Records w'th in this Province w'ch Courts are hereby

Lnpowered and Authorized to hear try and Determine the Same he shall forfeit the Sum of two hundred pounds Currant mony of this Province one half to his Maty for and towards the Sup- port of the Goverm't and the other half to the Informer who shaJl sue for ye Same in any Court of Record w'thin this province wherein no Essoyn protection or wager of Law shall be allowed and Such person shall be further punished by being Set In ye

H;-,:.tll:yC00gIC

pillory OB three Several! dayea and also be bound tc the good behavioar at the discretion ot the Court And be it farther Enacted by the Authority aforesaid That it ehali and may be Lawful! to and for every Justice of the peace to cause any per- son or persons Suspected of brfng a Jesuit, Seminary Preist or of tbe Romish Clergy to be apprehended & Convented before himself & Smne other of bis ma'tys Justices and if Such person do not give Sattisfactory acco't of himself he shall be Com- mitted to prison in order to a Tryall also it shall and may be Lawful! to and for any person or persons to app'rebend w'thont a warrant any Jesuit Seminary preist or other of tbe Romish Clergy as aforesaid and to Convent him before ye Gor'r or any two of the Council to be Examined and Imprisoned in ordor to a Tryall unless he give a Sattisfactory acco't of himself and as it will be Esteemed and accepted as a good Service don for ye King by the person who shall Seiz & apprehend any Jesuit FrelBt missionary or Bomish Ecclesiactick as aforesaid So the Gov'r of this province for ye time being w'tb ye advice & Con- sent of the Council may Suitably reward him as they tliinb fltt Provided this act shall not Extend, or be Construed to Extend unto any of the Romish Clergy, who sball happen to be Ship- wrackt, or thro' other adversity shall be cast on shoure or driven into this province, So as he Continue or abide no Longer w'thin ye Same than until! he may have opportunity of passage for his Departure Sp also as Such person Immediately apon his arrival! shall forthw'th attend ye Gov'r if near to ye place of his Residence or otherwise on one or more of ye Council or next Justices of the peace, & acquaint y'm w'tb bis Circumstances & observe ye Direccons w'ch they shall give bim during his stay in ye province.

[CKAPTEat 85.]

[Chapter 85, ot LlvlngBtoa & Smith aod Van Scbaacl^ wbere the tld« only l8 printed. Printed In full In Brlnley's Bradford, p, 1B2, 173. only 1b printed In Baskett. p. 43. Livingston & Smith and Van Schaa state that the act was passed August S, 1700. From tbe orif^nal It appears to have been signed by the Governor, August 9, 1700. This a was continued by chapter 111.)

An Act for Appointing & Enabling
Com'rs to Examine & take & State ye publick
acco'ts of this Province.

[Passed, August 9, 1700.]
■WHEREAS this Province in the late long Waxr have been at great Expence of blood and Treflfiure for the defence thereof and whereas some persons pretend great Snmes of mony yet to remaine unpaid and that the fonds granted in gennall Asa^u-

II., Google

biy have been not Soffloient to drfraj the Same Therefore for the better knowledge ExaminaoHi & Stating the acco'ts of the receitB Iseued & distribuconB of the pubiiek Revenue of this pro-vince and Such Taxes raised & Imposed upon the people thereof by acta of General Assembly for the Defence of this Province in the late Warr w'ch ye fifrench and their Indians and other the Incideut CbargcB thereof aa well iu the said time of warr as also at any time Since Bee it Enatted by hia Excel and Councill & Bepresentatives Convened in General assembly, & it is hereby Enacted by the authority aforesaid That Leonard Lewis Esq'r Abra: Govemeur Eaq'r Speaker of the Honble House of Repre-sentatives of the province of New york Rip Van Dam, of the Citty of New York merchant, & Cornelius Sebring Esq'r and David Provoost Esq'r shall be and are hereby Constituted Com'rs for Examining takeing and Stateing of the acco'ts of all mony of the said publick Revenue of this province and all the acco'ts of taxes Subsidies or aids granted unto the late King Charles the Second and the late King James the Second his Ma'ty and the late Queen Mary of happy Memory and Since to his Ma'ty from and after the arrival of Col. Thoimas Dongan late Gov'r of this

province untill the begining of thia present Sessional of ye Gen-
erall Assembly. And Bee it further Enacted by the authority
aforesaid that the said Com'rs or any three of them, are hereby
Impowered from time to time to Issue forth their warrant under
their hands and Scales to order the Collector or Receiver General
or the Com'rs for Executing the office of Collector and Receiver
General of this province for the time being ordering them to lay
before them the accosts of the publick Revenue and all the
acco'ts of taxes Subsidies or aids granted unto the late King
Charlea the Second ye late King James the Second nnto his Ma'ty
& the late Queen Mary (of happy Memory) and Since to his Ma'^
from and after the arrival of Col Thomas Dongan late Gov'r of
this province until! the begining of this present Sessions of the
Generall Asaembly iogeiherv/'th ye acco'ts of the Issue» and dis-
tribucons of the Same and every part thereof to any person or
persons whatsoever or for what use or uses Soever, And be It
further Enacted by the authority aforesaid that the Com'rs or
any three or more of them are hereby ordered to make return of
their proceedings hereon the first day of the next Sessions of
the Generall Assembly unto the House of Representatives to the
end Such furiiier Consideracon may be had in the Aaaembly of
the matters aforefeld as for the peace and welfare of thisi province
shall be thought Convenient. And be it further Enacted by the
Authority aforesaid that All & every the Com'rs aforesaid shall
take ye Oath hereinafter menconed before the Gov't of this pro-

Digi-jzedbyGoOt^Ic

\ince for the time being, Vizt I, A: B: do Sweare that according
to the best of my 8ki)l and knowledge I aball faithfully Imparti-
ally and tmely without favour or affection to any Demean mj
Self in takeing Stateiag and EzaminiDg all the publick acco'ts
of this province brought and to be brought before me, in Exe-
cacou of an act Entituled an act appointing Com'rs to Ezamin
to take and State the publick acco'ta of this Oovemm't according
to the tenure and purport of the said Act So help me God. And
Bee it further ENACTED by the Authority aforesaid that the
Bald Com'rs shall have Such Sallarjes for and Concerning their
trouble in the matter aforesaid as to the Qenerall AsBeuibly ol
this province att their next Sessions shall Seem meet Provided
that this act and every Clause therrfn Contained Shall be of

force imtill the first day of the next Sesaons of Qenenill Assembly and no longer anything to the Contrary thereof in this act Contained in any wise notwithstanding.

[OHAPTEK 86.]

[Chapter S6, of UTtngston & Smttli and Von Scbaack, where the title only Is printed. Printed In full in Brlnler's Bradford, p. 161, 172. only la printed tn Baskett, p. 43. LlvlngBton & Smith and Van Bchaa state that the act waa passed August 8, 1700, but the original law to have been signed by the Governor August 9, 1700. Repealed by chapter 91.]

An Act for ye better Secureing ye five Naitions of Indians in their tSdelity to his Mat'y.

(Passed, August 9, 1700.]

WHEREAS notliing can more Oontribute to ye Safety of this Province than ye fflde1ity & ffrieudship <rf ye five Nati<»iB of Indians. And Whereas the said Indians have by Reiterated instances to his Excel the Gov'r desired ye building of a flort amongst them w'ch being thought necessary by ye Representa- tives in Gener'l Assembly. Bee it therefore ENACTED by his Excel the Gov'p Council & Representatives now in Gener'l Assem- bly Ctmvened and it is hereby Enacted by the Authority of the Same That ye Sume of one thoiusand pounds Currant mony of this province be raised and Levyed in Such way & manner as is hereinafter Exprest for & towards the speedy Erecting bnilding ft finishing a Sort amongst ye Indians in Such Convenient part of ye County as by his Excel ye Gov'r by & w'th ye advice of the managers hereinafter named for ye Security of the Indians shall be thought fltt. And be it further Enacted by ye Authority aforesaid that for ye Satisfying & paying the Sum of One thou- sand pounds aforesaid that there shall be raised Levyed Col-

Digi-jzedbyGoOgiC

lected ft pajd unto his Ma'tj for and Dureing ye Space ft Term of one year from & after je publicaconi of this act & no longer

ye Severall Bates and Duties hereinafter menconed over & above all other Dutyes Charges Impositions rates & Customes by any former Act and Acts Set Established and Imposed {That is to Say) the rate and Duty of Twenty five sbllllnga Currant mmy of thU province for each Pipe of Wine that from and after the pub-licacon hereof shall doreing ye Term aforesaid be Imported into this province or its Dependencies and so proportionable for a greater or lesser quantity two pence half penny on each gall. of Rum Imported as aforesaid the sum of two per Cent to be on ye first Cost of all European goods Imported as aforesaid the Sum of Twenty shillings on each hh'd of Molasses Imported as aforesaid the Sum of three pence on every Empty Barrel Imparted as aforesaid the Sum of. Two pence on every Empty half barrel Imported as aforesaid the Sum of Three Shillings on each Bar-pell of Sider Impcwted as aforesaid, the Sum of Twenty shillings for every ton of Logwood Imported as aforesaid and the Sum of Six pence on each half Barrel of fflower that shall be Exjwrted out of this province to be paid by the Exporter. And be it further Enacted by the authority aforesaid that ye Severall rates and Dutyes hereby Imposed on ye goods wares Merchandizes and Liquors aforesaid, shall be raised Levyed Collected recovered and paid unto his Matys Collector & Receiver Generall or to ye Com'rs for Executing ye office of Collector & Receiver Qen^all of this province for the time being dureing the terme before-menconed in ye Same manner and forme and by Such wayee and meanes and under Such penalties fines and forfeitures as are menconed Expressed and Directed !n and by an Act of Oenerall Assembly made in the Eleaventh year of his ma'tys Reigne-Entltuled an Act for Granting unto his 'Maty Severall Dutyes for the defraying the publick Charge of the Govemm't after ye time Lymitted in an Act Confirming ft Continuing unto their Ma'tys the Revenue Estflbliaht by an Act of Generall Assembly for defraying the publick and necessary charge of the Governm't is Expired in as full and ample manner as if the Same were parti-cularly recited in this Said act anything to the Contrary hereof in any wayes notwithstanding. And be it further Enacted by ye Authority afcM-esaid Hendrick Hansen John Bleeker & Peter Van Burgh Esq'rs bee & are hereby appointed to be managers of the building Erecting ft finishing Said ffort and providing materialls. for ye Same in Such way & manner a« by hie Excel the Gov'r by and w'th ye advice of said managers shall be from time to time thought fitt. And bee it further Enacted by the Authority aforesaid that ye Col. or Receiver Generall of this province op

Digi-jzedbyGoOgiC

ye Com'r of tlie CuBtome of this province for je time being be and are hereby- i-equired to keep a particular book of all the Duties & Kates Accruing & paid by Virtue of this act. And tha,t ye Said Receiver Gener'l or the Com'rs for Executing ye oflSce of Colector and Receiver Generall of this province shall every three months Send up to ye managers aforesaid the Bum or Sumes of mony w'ch he or they have rece'd by vertue of this Act untill the said Sum of one thousand pounds shall be paid unto them & if an.v Surplusage remaines over or above the one thousand pounds aforesaid in his or their bands the Same is to be dis- posed of as by ye Generall Assembly shall be thought Convenient And bee it further Enacted that whatever Sum or Sumes of mouy shall be paid for any materialls or workmen or any other matter relating to said ffort shall be by warrant from his Excel the Gov'r by and w'th advice of the managers ae any two of them aforesaid

THE SEVENTH ASSEMBLY.

Third Session,

(Begaa Oct. 2, 1700, 12 Wm. KI, Richard, Earl of Bellamool^

Governor.)

[CHAPTER 87.]

[Chapter 87, of Livingston & Smith and Van Scbaact, where the title only Is printed. Printed In full in Brlnley's Bradford, pp. 157, 180 only iB printed In Baskett. p. 43. The original of this act is not office of the Secretary of State, The copy here i)rlntcd is made fr enrollment thereof In the State Library. Livingston & Smith and Van Sehaack, state that the act was passed October 27, 1700. From the Minutes of the Council. It appears that this act was signed by the .Governor, October 26, 1700. (See JournaJeot I.*glslatlve Council, p.

Afi Act for punishing Officers and Sool- diers who shall Mutiny or Desert his Maj- esties Service and to prevent their being har-

boured and Concealed by the Inhabitants of this province, and to Incourage the Seizing and Securing such as shall desert his Mag- tiea Service for the future.

[Passed. October 26, 1700.]

Whereas his most sacred Majesty out of his Hoyall and tender care of the preservation and Security of this province hath with great Expence been pleased to send over and maintain a body of Troops bom on his Majesties pay with their proper ofBcers, And whereas it will be allways necessary that a Competent force should be constantly kept on foot for the defence of this prov- ince, which is a ffrontier to the rest of bis Majesties Plauta-

. '.iooglc

tions on this Continent rf America, and that the forces which DOW are, or hereafter shall he in his Majesties pay within this province, should be kept in due discipline of war; And Whereas no man may he forejudged of Life or Limb or subjected to any kind of punishment by Martiall Law or in any other manner than by the Jadgment of his Peers, and according to the known and Established Laws of England and this province Yet neverthe- lesse it being Requisite for the Retaining such forces as allready are, or hereafter shall be Established in his Majesties pay within this province in their duty, and that an Exact Discipline be observed, and that Bouldiers who shall Mutiny or stir up Sedi- tion, or shall Desert his Majesties Service he brought to a more examplary and speedy punishment than the usnall forms of Law will allow Be it therefore Enacted by his Excellency the Governor- and Council! and Representatives Convened in Gen- erall Assembly, and is is hereby Enacted by the authtffity of the same. That frcan and after tlie publication of this act, every person being in his Majdes Service mnstered, and in his Majties pay as an Oiflcer or siraldier, who shall at any time hereafter Excite cause or joyn in any Mutiny or Sedition in any Garrison Oitty Town or place within this province where they ^aJl be posted, or shall Desert his Majties Service in the same shall suffer Death, or such other punishment as by a Court Marshall shall be Inflicted And it is hereby further Enacted and Declared by the authority aforesaid that the Governor or Comander in

chief of this prorince for the time being shall and may by virtue of this Act have full power and Authority to grant ComisKons nnder the Seale of this province to such persons as are herein named and appointed from time- to time to call Assemble and Anthofize Court Marshalls for punishing such offenders as afore- said. And it is hereby further Enacted and declared that no Court Marshall which shall have power to Inflict any punishment by virtue of this act for the offences aforesaid shall ConsiBt, of Lesse Number than seaven, four whereof to be Members of his Majties Councill of this province, whereof bis Majties Chief Justice of the said province for the time being allwayes to be one, and the rest of the said Number of Seaven to Consist of the chief Military Officers who Comand the Established fforces aforesaid undCT the Governor or Comander in Chief for the time being, and the place for holding the said Court Marshall to be where the Governor or Comander in Chief shall appoint and Direct And he it further Enacted by the authority aforesaid, That such Court-Marshall shall have power and authority to Administer an oath to any Wittnesses in order to the Examina- tion OP Tryall of the Offences aforesaid Provided ailways that nothing In this act Conteined shall Extend to be Construed to

. '.".ooglc

Exempt any Officer or Souldier wliatsoever from tbe ordinary procease of Law, Provided allways that this Act nor any thing herein Conteined shall Extend, or be any ways Constraed to Concern any of the Militia forces in this province or Detachniient of the same -Vnd Provided allwaya and be it Enacted that in ail TryalU of Offenders by Oooirt Martiall to be held by virtue of Act where the oOencea may be punished by death every person present at such tryall before any proceedings be had thereupon shall take an oath upon the Evangelist in open Court before the Governor or Comander in Chief for the time being OP whome he shall authorize and appoint to administer the saniie in these words (that is to say) You shall well and trul try and determine between our Soveraigne Lord the King and the Prisoner to be tryed so help you God. And no Sentence of Death shall be given against any Offender in such case by any Court Marshall unlesse five or more of the seaven persons shall ooncurr therein, by which majority of five or more so swore aa

aforesaid the Judgment shall pass and no proceedings tryall or Sentence of Death shall be had or given against any Offender but between the hours of Eight in the morning and one in the afternoon And be it further Enacted And it is hereby Enacted by the authority aforesaid That the Governor or Comander in Chief for the time being have, and are hereby authorized and Impowered to nominate authorize and appoint a fltt person to be Judge Advocate with ail other necessary inferior Offloers proper for such Court Marshall as aforesaid And be it further Enacted by the authority aforesaid That whatsoever person or persons Inhabiting Betiding or Sojourning within this province shall after publication hereof knowingly Receive, harbour, Entertain or Conceale any of bis Majesties Souldiers who shall Desert his Majesties Service in their houses bams Stables or any other concealed places in any part of this province or shall be in any manner of way ayding helping, Advising Assisting or Inconraging to any of the saJd Souldiers to desert his Majesties Seivice, or be any ways helping to carry any of the said Souldiers out of this province either by Ship, Barke, RIoop, Veasell, Boat, Canoa, horse or any other way, shall for each such offence pay or forfiet the sume of Twenty pounds Currant money of this ppovince to be Kevovered by bill plaJnt or Information in any •Court of Record within this province where no Easoign Protection or wager of Law shall be allowed, one half whereof to the poor of the parish where the offence is comitted and the other half to the Informer or him that shall sne for the same, which said Courts are hereby Impowered and authorized to hear try and determine the same; and that if it shall happen that any per-

son or perBonft aa aforesaid that shall be Convicted of any of the aforesaid OfFemces, and hath not ChattellB Lands Goods or Tenem^its for sattisffjiog the fcMrfletures afctfesald shall be Severely whiped upon his naked back according to the BlBcretlon aiui direction of that Court of Record where the prosecution shall be made, provided they do not Exceed the Number of (forty Lashes save one, And to the End that all euch as ehall I>e8e4-t his M'ajesties Service aforesaid may be taken up and brought to their Respective Officers Be it further Enacted by the authority aforesaid, That whatsoever person or persons that shall discover any Souldier Ijsted in bis Majties Service as aforesaid that are absenting themselves or deserting the said service, and bring the said Souldiers unto his Majesties' Garrisons of New

Totk or Albany or any other Garrison in this province, and in the doing whereof all his Majties Justices of the peace, Sheriffs, irndaraheriffs, Oonstables, and all other hie Majties ofBcecs both Civill and Military are hereby Required to be aiding and Assist- ing both in the Discovery and bringing of such Deserters to his Majties Oarrlsons of New York and Albany or any other in this province as aforesaid And be It further Enacted by the authority aforesaid that if any persons shall knowingly buy or Exchange or otherwise receive any arms Cloitbes or AccoutrMuents belong- ing to the King frcm any Souldier or Deserter upon any account or pretence whatsoever, the person so offending shall forflet for every anch offence Tenn pounds, and being Convicted thereof at tiie Quarter sessions the same shall be Ijevied by distresae br warrant under the bands of two or more Justices of the peace, upon the goods and Chatties of such offender one moyety theretrf to be payd to the Informer, and the other Mojrety to the poor of the parish where such Offender shall Beside, And if any person BO prosecuted for harbouring ronoealing or Assisting a Deserter or for buying Exchanging or Beceiveing'Arma Cloatbs or Accoa- tmoents shall be found not guilty he shall Recover TrebleOosts, to be Recovered as Costs in any other Case, where by the Said Costs are given to Defendants And be it further Enacted by the aathority aforesaid that upon the Publication of this act, an Act of Generall Assembly of this province made in the Eleaventh year of his Majties Reigne, Intituled an Act for preventing Soul- diers Listed in his Majesties Service in this province of New York from deserting his Majesties Service be and Is hereby Repealed Reversed Vacated and become nntl and voyd aad of none E(fe«t & the sd act & all the Articles & Glauses therein mentioned are hereby declared to be repealed reversed vacated & become null voyd & of none effect to all Intents Constrnrtions and purposes whatsoever any thing Oontdned in the said Act to the contrary

. l'.tH>t^lc

hereof in any wise nottwithKtandiiig. Provided tha* this act and Every clause the«in oonteined shall only be of force for the time of ITiree yearee from and after the pubUcatkm hereof any thing to the contrary hereof in this act contelned in any wi^ notwithstanding.

ICaAFTEB 88.]

{Chapter 88, of Llvlnfreton & Smith and Van Scbaacfe, where the titl onlr is printed. Printed in full In Brinley'a Bradford, pp. 100 (183 Baakett, p. 42. The original of this act Is not la the office of Secretary of State. The copy here printed waB made from the enrollme thereof in the State Library. This act expired October 29, 1705. Bev b7 chapter 197. Livingston & Smith aay that the act was passed October 29, 1700, but from the Minutes of the Council It appears to been siKned by the Governor, November 2, 1700. (See Journal of Legl» laUve CouncU, p. 155.)]

An Act for the Inconraging ot Seamen.^
[Passed, November 2, 1700.]

Bee it Enacted hy the Governor and Oouncill and Bepresenta-tives Convened in General! ABswnbly, That whataoevCT Tavern-keeper Alehouse-keeper Viotualler or ■Victuollers with the City and Cotinty of New York, that shall Tmst or Creditt any Seaman belonging to any ship or Vessell that U in, or shall hereafter come into the Road or harbour of the said City for any sum. of money above the sum of six shillings Currant money of this province shall loose the same, and no writt or process shall go out against any Seaman as aforesaid at the suit of any Tavern keeper. Alehouse keeper or Victualler within the City aforesaid and County for any greater sum than six shillings as aforesaid. Except he be Master of some ship or Vessell. And if any Tavern-keeper, AlehouBe-keep^" or Victualler within the said City, shall trust or give Creditt to any Seaman that is out of Service for any greater sume Than Twelve pence, p day, m long as he shall be out of Service, shall likewise loose the same, and no writt or process shall go out against any Seaman at the suit of any Tavern-keeper or Alehouse-keeper within the said City and County for any greater sum than the propwticMi of twelve pence p diem dureing the time he shall be oat of service, Except a Master of a Ship or Vesae]T as aforesaid. And if any Clark of the Courts of Record within the said City and Ooun^ shall issue any writts against any Seaimen Circnmstanced as •aforesaid contrary to the Intent and meaning of this Act shall for his offence forfiet the snme of tflve pounds Currant money of this province to be recovered brfore the Mayor or Recorder or any two of his Majties JoBtices of the pea^e of the said Ci^ and County the one half to the nse of the poor of the said City, and the other half to the Informer or him wlio shall sue for liie

1 1., Google

same without further appeale. Aod all Masters of Vessella trading to and from, the said City shall within fforty Eight houres after his or their arrivall bring unto the Town Clark of the said City, a list of the names of all such Seamen aa he did Lupoi-t OP belong to his and their Vessells and the same cause to be Begistred in the OflBce of the said Town Clerk who shall take no greater Beward for the same than one abilling Currant money aforesaid. Provided that this act shall not continue in force longer than fire yeares after the publication hereof.

[CHAPTER 89.]

(Chapter SO, of Livingston & Smith and Van Schaack, wbere the title only iB printed. Printed in full In Brlnley'a, Bradford, p. 101, 184 only la printed In Baskett, p. 43. The orlgnal of this act Is nut office of the SL'cretary of State. The copy here printed waa made f the enrollment thereof In the State Library. This act expired October •JS, 1705. Livingston & Smith state that this act was passed October ITOO. From the Minutes of the Council, It appears to have been sign by the Governor, November 2, ITOO. (See Journal of Legislative Counci p. 15Q.)]

An Act for the Incouraging the brewing of Beer and making of Malt witbin this province.

[Passed, November 2, 1700.]

Whereas the Representatives of this province now in Generall ABS^nbly Convened do find that the Brewing of Beer and making of Malt is greatly Discouraged within this province by reason of the great Quantities of Beer and Malt dayly imported to the great Discouragement of the trade and Manufacture of the same, Now to the End that the Inhabitants of this province may be Incouraged in the brewing of beer and making of Malt Be it Enacted and it is hereby Enacted by his Excellency the Gov- ernor and Councill and Representatives now in General! Assembly convened, and by the authority of the same, that the following rates and duties be paid unto his Majesty his heires and Suc-

cessors for and towards the Support of the Government and the Contingent charges thereof fnmi and dureing the time and Terme of fUve yeares Comencing from and after the first day of January next ensuing the publieation of this act (thai is to say) the sume of Kine shillings Currant monqy of this province on each Barrill of beer imported into this province from any of his Majesties plantations in America and so proportion ably for a greater or Lesser Quantity and the sume of one shilling Currant money aforesaid for each Bushell of Malt imported from any of his Majesties plantations in America as aforesaid and so proportionably for a greater or Lesser Quantity and Be it Enacted by the authority aforesaid That the rates and duties

afor«iiieiifIoiied be Levyed Collected and payd in Buch manner and under sucli reflations and Distributions and upon sucti ffiiies and fforfletures as is declared in and b; one Act of Assembly Intituled An Act for granting unto his Majesty sev- erall duties for the defraying the publick Charge of the Gover- ment after the time Limitted in an Act Conflrming and Continu- ing unto their Majesties the Revenue Established by an Act of 0«nerall Assembly for defraying the publick Charges of the Goverment is Expired to all intents Constructions and purposes whatsoever atj if the said act and every clause therein con- trined had been in these presents particularly mentioned and Expressed any Law usage or Custom to the contrary here<rf in any ways notwithstanding.

[CHAPTER 90.]

[Chapter 90, of LlvlugstoQ & Smith and Van Scbaacb, where the act I printed in full. Printed In full In Brinley'a Bradford, pp. 191, 1S4 only is printed tn Basbett, p. 43. Baskett states that the act wag pealed Febm&iT 11, 170^. (See chapter 36.) The original of this act not in the ofBee of the Secretary of Stale. This copy Is mude from enrollment thereof In the State Library. LlTlngston & Smith and Van Schaack, state that tbla act was passed October 29, 1700. From the Miantcs of the Council, however. It appears to have been slf^ied by Governor, November 2, 1700. (See Journal of Legislative Council, p.

Aji Act for Declaring the Town of East- chester, in the County <rf Westchester, A pistinct Parish from the Town of West-

chester in the County aforesaid.

[Passed, November 2, 1700.]
WHEKEAB hy an Act of the General Aasembly of this Prov-
ince, Entituled, An Act for settling a Ministry and rais-
ing a Maintenance for them in the City of New York County
of Biehmond, West-chester and Queens county, it is
among other things declared and Enacted, that the Towns
of Westchester East-chester, Lower Yonckers, the Manner of
Pelham in the County of Westchester, shoidd be a
Pariah together, for the better maintaining of a good and
sufHcient Protestant Minister. And whereas since the making
of said Act, it has been found Inconvenient, and to the great
discouragement of Eeligion and the publick wtH-ship of God,
for the Inhabitants of East-chester to travel to West-
chester aforesaid, to be present at the Preaching of the
Word of God, wherefore the said Inhabitants and Freeholders
of the Town of East-chester, aforesaid, have by their ham-
ble Petition to the House of Representatives now conven'd in
General Assembly, most humbly pra/d that it mig^t

be declared and Enacted, and be it declared and En-
acted by his Excellency, the Governour and Conncil, and
BepresentatlveB now conven'd in Genera! Assembly, and by the
Authority of the same, That the said Town of Eaat-cbester in the
Connty (rf Westchester, be from henceforth and for ever hereafter,
aeperated from the Parish of Westchester, Eastcbester, Lower
Yonhers and the Mannor of Pelham, to alt intents constructions
and purposes whatsoever, the said Act Entituled, AN Act for
setling the Ministry and raising a Maintenance for them in the
City of New York, County of Hichmood, Westchester, and Queens
County, or any other Act to the contrary hereof, in any ways not-
withstanding.

And be it farther Enacted by the Authority aforesaid; That
the said Town vi Eastchester in the County of Westchester, Be
and is hereby declared to be and remain forever a Distinct Parish
from the Parish of Westchester, Eastchester, Lower Yonkers
& the Mannor of Pelham, by the name and style of the Parish
of Eastchester in the County of Westchester, Provided that the
Freeholders and Inhabitants thereof do maintain a good ortho-
dox Protestant Minister in the said Town of Eastchester, any

Law, Usage or Custom to the contrary hereof in any ways notwithstanding.

[CHAPTER 90a.]

[TblH act does not appear Id Lirlngston & Smltb, or Van Siduiack. T title only 1b printed In Brlnley's BradforH, pp. 101, 184. An act o same title was signed by the Qovernor, August 9, 1700, which Llvin^t & Smith evidently considered to be Indeutlcal with this act. The Min ct the Council, however, for November 2, 1700, Intllcate that a. dis act of this title was signed liy the Governor on tha't date. (See of I^^slatlve Council, p. 155.) The original of this act, Is not In office of the Secretary of State. This copy is made from the enroll thereof In the State Library.]

An act for appointing and enabling Commissioners to examine, take and state the publick Accounts of this province.

IPassed, November 2, 1700.]

WHEREAS this province in the late long warr have been at great Expence of blood and treasure for the defence tliereof, and whereas some persons p'tend great suras of money yett to remain nnpayd, and that the funds granted in Generall Assembly have been not sufficient to defray tlie same. Therefore for the better knowledge Examination and stating the accounts of tlie Receipts Issued and DisbuPseuKntB of the publick Eevpnuo of this province and such taxes raised and imposed upon the people thereof by acts of the Generall Assembly for the Defence of this province in the late warr with the ffrench and their Indians, and other 5C

J by Google

the iDcidentall Charges thereof, om 'well in the said time of warr as also at any time since ^VXI) \\'HEREAS the Commissioners appointed by au act of Generall -Vasembly Entituled an Act for appointiDg and Enabling OcmmiisaiMiers to Examine take and State the publick Acounts of this province have acording to the dii-eccons of the said act proceeded in the Examining and Stating the publick Aoconnts of this province, and Reported the same

unto the house of Representatives now in Generall Assembly Convened, and upon Consideration HAD OF the same that the said act Expired by its own Limitation on the first day of this present sessions of Generall Assembly BE IT EXACTED by his Excellency the Governor and Councill and Representatives con-vened in General Assembly, and it is hereby Enacted by the authority ^^fo^esaid that Leonard Lewis Esq: Abraham Gouver-neur Esq. Speaker of the hon'ble house of Representatives of this province of New york Rip van Dam of the City of New York Merchant, Cornelius Sebering Esqr: and David I*rovoost junior Esqr: shall be and are hereby Constituted Comissioners for Examining takeing and stating the accounts of all mony of the said public Revenue of this province, and all tlie accounts of Taxes Subsidies or aides granted unto the late King Charles the second and the late King James tJie second his p'sent Majesty and the late Queen Mary of happy memory, and since to his Majesty from and after the arrivall of Collouel Thmnas Dongan late Governor of this province untill the first day of October of this present yeare seaventeen hundred, and of all Embezillments and Coneealmwits of goods and moneys seized and forfeited to the Kings Majeetey by any penalty Law or Statute. AND BE IT PITRTHER ENACTED by the authority aforesaid that the said Comissioners or any three or more of them are hereby Impowered to Issue forth their warrants under their bands and seales to order tlie Collector or Receiver Generall of this province, or the Comissioners for executing the office of Collector and Receiver Generall of this province for the time being to lay before them the accounts of the publick Revenue and all the accounts of Taxes Subsidies or aids granted unto the late King Charles the late king James the second, unto, his Majesty and the late Queen Mary of liappy memory, and since to his ilajesty from and after the ai-rivall of Coll. Thomas Dongan late Governor of this province untill the beginning of this present Sessions of the Generall Assembly, together with the accounts of the Issues and Distribu-tions of the same, and every part thereof to any person or per-sons whatsoever or for what use or uses soever AND BE IT FURTHER ENACTED by the authority aforesaid that the said Commissioners or any three or more of them have power to give publick notice to all persons that can give them any light in the

maiiter of the Accoirata cv i;nj Relating therto to the end they ma know every man's pruteusion and to send for Records and papers

thereto relating, and that they the said ComissionerB or any three or more of them be hereby fully impowered and Authorized at certain days and times to cause to come before them or any three or more of them all Buch person or persons concenied in having had any part of the publick money, and to lay before them the accounts for which they had or P'tend the certain sumes of money, and also all persons suspected to have been any ways concerned in the Enibezilling or Concealing any goods or moneys seized or forfeited to the King's Majesty by any penall Law or Statute in this province, and to Examine them upon oath to the same or to all or any Articlee thereof, and that'll they or any of them do refuse to- give such account on oaths as aforesaid that the said Comissioners or any three or more of them do desire the Govenior of this province by writing under their hands to comitt such person or persons to Goale without Baile or Mainprize in the City or County where such person or persons shall Reside until) lie or they give such accounts and swear aa aforesaid, or pay and. refund the sume of money he she or they refuse to swear to. AXD BE IT Fl'BTHER EXACTED by the authority aforesaid That all and Every flie Comissionera afore- said shail take the oath hereafter mentioned before the Gover- nor of this province for the time being Vizt; I A: B: do swear that according to the best of my skill and knowledge, I shall ■ faithfully impn.rtiaJly and truly without favour or affection to any demean my self in Stating and Examining all the publick accounts of this province brought and to be brought before me in Execution of an Act Intituled an Act appointing Commis- sioners to Examine take and state the publick Accounts of this Goverment according to the tenoi- and purport of the said act So helpmeGod. PROVIDED that thiswot and every Clause therein Contained shall be of force for one whole yeare next after the publication hereof and from thence untill the first day of the next Session of General Assembly and no longer, any thing to the contrary hereof in this act contained iH any wise notwith- standing. AXD BE IT FTTRTHER EKACTED by theauthority aforesaid That the Comiasioners or any three of them or more are hereby ordered to make Rotnm of their proceedings herein the first day of every Sessions of the General Assembly unto the house of Representatives until the said act shall Expire to the end such further Considpration may be had in the Assembly of the matters aforesaid as for the peace and welfare of this prov- ince siinll be thought Convenient. AST> BE IT FTTRTHER ENACTED by the authority aforesaid, rthat the said COTnis-

sionera ehall be paj-'d for their pains and trouble in the matter aforesaid, as tlie General Aaseinbly aX the Expiration of the said act ehal\ think fltt.

[CHAPTER 91.]

[Chapter 91. of Llvloireton & SnitUi, aud Van Schaack, where tbe tit only la printed. The act Is printed In full la Brluley'a Bradford, ISS. Title only is printed lu Baukett. p. 43. Llvlagstun & Smith an Van Si'baafk state that the act was passed November 1, 1700. From t Minutes of the Council, however, It appears tbat the act waa sigmed by the Governor, November 2, 1700. (See Journals of Legislative Coun- cil, p. 155. The original of tbis act Is not In the oftiiv of the State. Tbe copy here printed was made from the enrollment thereof In 'i,the State Library. The act repealed by this chapter Ischapter 86

An Act for repealing an act of Assembly !Rntituled an act for the better Secnring the fflve Sations of Indians in their fBdelity to his Majtie and for granting unto his Majtie the Sume of one thousand pounds for ^building a ffort for the Security of the fSve Nations o' Indians.

[Paeaed, November 2, 1700.]

Whereas the Generall Assembly of this province at their last Sessions did thinke ConviBient to build a ffort for the Securing the (Bve nations of Indians at Such place aa Should be thought most Convenient for the Bame, and for the defraying the Charge thereof it was Enacted by an act made in this present year of his Majties reign, Entituled an act for the better Securing the five nations of Indians in their (Qdelity to his Majtie that the Some of one thousand pounds Currant money of this province should be raised by way of Severall rates and duties in the said act menconed to be in fforce for one whole year and no longer. And Whereas the representatives now in Genii. Assembly Con- ven'd liave Considered that the Continuaeon of the said act might prove very Inconvenient to the trade of this province and the lessening of other his Majties revenues as also that the Some menconed in the said act would not be Sufficient to defray the

Charge of the building compleating and finishing of the said ffort the building Tv-hcreof being approved by his Majtie and also Considering the Sume of ffive hundred thirty Eight pounds five Shillings and Six pence hath been received by the CMntnissioners of the Customes by virtue of the said act from the publication thereof nntill the twelfth day of October Instant, and therefore thought fltt that the Sume of one thousand pounds l>e assessed levyed and raified upon all and every the ffreeholders Inhabitants and Sojourners of and in this province in such manner and pro-portion as is herein after Expressed, to be added to the Sixae of

Digi-jzedbyGoOglC

fflre hundred pounds part of tbe said ffire hundred thirty Eight pounds five tjhillings and Six pence raised as aforesaid, and the remaining thirty Eight pounds five Shillings and Six pence to be disposed of as by the G^nll: Assembly shall be though fltt; Bee it therefore Enacted by his Excellency the GoTemor and Councill and representatives in Generall Assembly Convened and, it is hereby Enacted by the authority aforesaid, that the said act Entituled an act for the better Securing the five nations of Indians in their fidelity to his Maty be from and after the said Twelfth day of October Instant, repealed, reversed Tatated and become null void and of none effect, and the eeid act and all the articles and Clauses therein menconed are hereby Declared to be. repealed reversed, vacated, and become null' void and of none effect to all Intents Construccona and purposes what-soever from and after the said twelfth day of October Instant aforesaid, Provided and be it further Enacted that the said Sume of ffiye hundred thirty Eight pounds five Shillings and Six pence be Imployed (that Is to say) fSve hundred pounds thereof for and towards the building and finishing of the said fEort and the remaining thirty Eight pounds five Shillings and Six pence to such uses as the Genii : Assembly shall think fltt. And bee it further Enacted by the authority aforesaid, That the Sume of one thousand pounds Currant money of this province be laid Assessed levyed and raised upon all and every the ffreeholders Inhabitants residents and Sojourners of and in this province for the building finishing and Cwnpleating the said Sort and for no other use whatsoever, That is to say one thousand pounds over and above the said (ftve hundred pounds raised by the said act,

Entituled an act for the better Securing the fBve iN^ations erf Indians in their fffldelity to his Majeatie, which said Sume of one thousand pounds shall be raised, Assessed, Collected, leryed and payd unto his Majesties Collector and receiver Generall for the time being at the Citty of New York at or before the first day of May next which shall be in the year of our Lord one thousand Seaven hundred and one, in such manner and according to the Beverall and respective Quota's and proportions following. That is to say for the City and County of New York Two hundred Eight ffire pounds and tenn Shillings Currant money aforesaid for the Contny of West Chester the Sume of fBfty one pounds fourteen Shillings, for the County of Richmond Twenty Three pounds and ten Shillings, for Kings County one hundred fforty Seaven pounds for Queens County one hundred Sixty four pounds ten ShilIings,for the County of Suffolk one hundred Seaventy fourt pounds, four Shillings, for I'later and Dutchess County Eighty; (our poinds Twelve Shillings, for the County of Orange Nine

. '.".ooglc

pounds and for the City and County of Albany Sixty pounds all of Currant money aforesaid. And for the due and better Awes- sing levying and paying the aforesaid Same of one thousand poundfk Btie it further Enacted by the authority aforesaid That the Mayors and Aldermen of the City's of New York and Albany the Juatices of the peace for the time being for the Sererall respective County's aforesaid for which they shall be JuBtices of the peace do within fforty dayes after the publication here<rf Assemble and meet together in the Court house for the Beverall and respective Cityea and Countyes or Sucb other place or places aB they shall agree on and there order that the Assessors and Collectors for the Citys of New York and Albany, and the Severall and respective Towns mannors or Liberty's within their Several! Jurisdiccona for the Assessing Collecting and receiving of the publick rates for the defraying of the publick Charge of each respective City's and Countys aforesaid be the assessors and Collectors for the assessing Collecting and receiving the Bume or Sumes of money hereinbefore menconed according to the proporcons before Expressed as to the said Mayors Aldermen and Justices shall ^em meet and reasonable, and forasmuch as there are Severall Towns mannors and Juris-

diccons within the respective County's aforesaid who refuse neglect or do not Elect annually op once every year Assessors or Collectiws whereby the Intent of this act may be evaded and frustrated. Bee it further Enacted by the authority aforesaid. That if any of the respective Towns mannors or Jnrisdiceons within the Severall Countyes aforesaid shall refuse neglect delay or deny to Chuse or Elect Assessors and Collectors for the Assessing of the Severall and respective Towns mannors and Jnrisdiceons and for the Collecting the same according to the true intent meaning and direcoons of this act, then and in such Case it shall and may be lawfull for the Justices of the peace or any two of them in the Countyes where surt towns mannors and Jurisdiccona are who are hereby Impowered and authorized to nominate and appoint Assessors and Collectors for such towns manners and Jurisdiccona ns shall refuse neglect delay or deny as aforesaid which Assessors or Collectors so nominated and appointed in manner aforesaid shall to all Intents and purposes be I>eeraed and Esteemed the Assessors and Collectors of the said Towns mannors and Jurisdictions and observe and Execute the IHreotions of this act. And be it further Enacted by the authority aforesd That the said Mayora and Aldermen the Justices of the peace for the respective City's and County's have and Shall have by virtue of this act full power and authority each of them by himself to administer to such Assessor or Assesaora

that shall be Elected or nominated and appointed In manner aforeBaid an oath that they shall well and truely Execute the offjce of an Assessor and well tniely Equally Impartially and in due proportion assess and rate the Estates of the Inhabitants residents Sojourners and ffreeholdera of the respective places for which they shall be Chose Elected nominated and appointed assessors according to the best of their Skill and knowledge and therein they shall spare no person for faTour or affection or greive any person for hatred or ill will and the said assessOTB are hereby required to Deliver, one Copy of their Assessment fairly written and Subscribed by them unto the said Justices or to the office of the Clerk of the peace of the respective County to which they belong And the said Justices for each respective County or any two or more of them are hereby ordered and required to Cause the said Se\'era]l Assessments to them Delivered to be fairly written and to Sign and Seal Severall Duplicates or Copies of the said Assessment and one of them So

Signed and Sealed forthwith deliver or Cause to be Delivered unto the respective Collectors within the Severall and respective Cityes and County's aforesaid and shall likewise Deliver or Cause to be Delivert'd an other fair Copy so Signed and Sealed unto the Clerk of the peace of each respective City and County to which they shall belong there to be filed and remain upon record. And be it further Enacted by the authority aforesaid that if any perstm or persons Choeen Elected nominated or appointed in manner aforesaid assessors or Collectoi's shall deny neglect refuse or delay to Collect any Sume or Sumes of money in form before menconed then and in Such Case it shall and may be lawful! for any two of his Majties Justices of the peace of the City or County where such offendera shall happen to reside and who are hereby required and Impowered to do the snine by warrant under tbeirbands andSeals toOomitt SuchCollectorsorAsscssorB so denying refusing neglecting or delaying or une^iuaJly impartially essesedng or refusing to Collect as aforesaid to the Oomon Geonl there to remain without Baile ormainprizetill he or they shall make fine and ranstHu tohis Majtie for such his Contempt as afore-said, and upon such Comitment the Justices are Speedily required to nominate and appoint other Collectors and Assess-ors in their room and Stead. And Bee it further Enacted by the authority aforesaid, that if any person or persons, shall neglect or refuse to pay the Several! rates and Assesranenta wherewith they are Oiarged by this act of General! Assembly for or in respect of bis or their goods or Chattells Lands or Tenements upon demand of ye Collectors that shall be Chosen and appointed to receive the same or within ten d^es next

1 1., Google

after the said Demand it Hiiall and may be lawfutl tO' and for Such Collectors and they are hereby required and Impowered for non payment thereof by warrant under the hands of two Jus-tices of the peace to destrain the person or persons for refusing or neglecting to pay on his or their goods or Chattells or destrain in and upon the Messuages, Lands and Tenements so Charged and the Goods and Chattells then and their found and the distress so taken to carry away and the same to Expose to sale in the City Town or County where such distress is made for the payment of the said rate or Assessment and the over-

plus comeing by the said Sale if any be over and above the Charges of taking and canying away the said Distress to be Immediately returned to the owner thereof, which Charges to be allowed by two Justices of the peace of the respective City or County And moreover it shall and may be lawfull to hreake open in the day time any house, and upon warrant under the hands and Seals of any two or more Justices aforesaid any Chest Trunk or boi or other things where such goods are and Call to their Assistance the Constables and any other persons within their respective Oitj-es Counfyes Towns mannors or Jurisdictions where any refusall neglect or resistance shall be made which said Officers and persons are hereby required to be aiding and Assisting in the premissea And be It further Enacted by the authority aforesaid That if any Mayor Alderman or Justice of the peace within this province who are hereby required Impowered or Authorized to take effectuall care that this act and every article and Clause therein be duely Executed according, to the true Intent and meaning thereof, shall deny, neglect, refuse, or delay, to perform fullfiU and Exe- cute all and. every the duties powers and authority's by this act required and Impowered by him or them to be done per- formed fullfilled and Executed and shall thereof be Convicted before his Excellency the Governor and Councill or hy any of bis Majties Courts of Eecord within tJiis province he or they shall Buffer Such pain by ffine and Imprisonment as by the Discretion of the Governor and Councill or the Justices of the said Courts shall be adjudged. And bee it further Enacted by the authority aforesaid Tliat if any Bill plaint or Informacon shall be brought moved or prosecuted at any time hereafter against any person or persons for any matter Cause or thing Done or acted in pursuance or Execution of this acf Such per- son or persona so sued or prosecuted in any Court whatsoever, shall and may plead the Genii. Issue not Guilty and give this act and the Speciall matter in Evidence and if the plaintiff or prosecutor be non Suited or forlwar further prosecution or Suffer Discontinuance or verdicfto pass against him the Defend-

DrizcdbyGoOgiC

ant Bhall recover Speciall Costs for which they shall hare the like remedy as in Case where CkJBta by the Law are givea to

Defendaats. rrovided alway's that no Mayor Alderman or JuBtice of the peace sliall be Sued prosecuted or molested for any (Hoission offence or neglect by virtue of this act but within the Bpace of one year after such omission offence or neglect and not at any time hereafter any thing herein Conteined to the Ctmtrary hereof in any wise Notwithstanding. And bee it further Enacted by the authority aforesaid, that Hendrick Han- sen John Bleelief and Peter van Brugh Eeqrs: be and are hereby appointed managers of the building erecting and finishing the aaid ffort and providing materlalls and workmen for the same under the direction of his Excellency the GoveniOT aforesaid. And that in Case of the death or other disability of the Man- agers for the building the said ffort, that the GoveDmor orCtnn- ander In Cheif of this prorvince for the time itShg do nominate and appoint another or other fltt person or persons in the room or stead of him or them so dyeing or being otherwise disabled as af ooesaid.

THE EIGHTH ABSEMBLY.

/V*-rf Seation.

(Begun Aug. 19, 1701, 13 Wm HI, John Nanfan, Lieutenant

Governor.)

[CHAPTEH 92.]

[Chapter 92, of LlvlngstoD & Smith and Van Schaack, where the title only iB printed. Printed in full In Brtnley's Bradford, p. 173, 206. only iB printed in Baakett, p. &2. Part of this act expired In thr and the remainder relating to ferriage fees U provided for by chapter 593.]

An Act for Encouraging the City (A New Yo.k

(Paaaed, October 18, 1701.]
WHEREAS the Citty of New Y^«rk is the most Ancient Ci^ of this Province, and is now, and for Some time Since hath been at vei7 great Charges & Expences for the building and main- taining of publick buildings for the Hon'r & Reputation of this Province by reason whereof the Treasury of the said CStty Is Exhausted, and great Sums are yet wanting to CtHupleat the matters aforesaid. Now for the ease, benefit Comodity, encour-

agement and Assistance of the said Citty of New York and to the emd the Supreme Court of Judicature within this Citty and County and the Court of admiralty for this province may have Conveniences for their Sittings in the City hall of this City, without charge to the Orowne, May it please your Honours, That B7

.., Google

it may be declared and Enacted, And it is hereby Enacted by tlie Oov'r and Council, and Bopresentatives in Qeneral Assembly OotnTened, and by tlie autiiority of the Same, that the rates and Butiee hereinafter named, be raised. Imposed, Collected and paid for and during the time, and term ol three years, from and after the last day of this pr^ent Sessions of the GcTicrali Asaemblj, to be paid unto Such Officer as the Comon Council of the said City, shall from time to time appoint, for the use of the said City, which Comon Council are hereby Authorized and Impo^v- ered to appoint Such ofBcer accordingly, during the time and tetme aforesaid, That is to Say, the Sum of One Shilling Currant iiomieiy of this Provinoe for each half bairrel of fflower Imported Into the said City, from any other off his Ma'tys Plantations in 'America, and So proportionahly for a greatw or Less Quantity; The Sum of Six pence for each hundred weight of bread Imported as aforesaid, and So proportionahly for a greater or Less Quan- tity; the Sum of nine pence on each barrel of Syder Imported as aforesaid, and So for a greater or Less Quantity; BJid the Sum of three pence, for every Empty Cask Imported as aforesaid. And be it further Enacted by the authority aforesaid. That the Severall Babes and Duties hereinbefore menconed shall be teorfd Collected and paid in Such wayes and Manners, & under Such fintiB, penalties and forfeitures as is declared in and by one Act of Assembly of this Province, Entituled an Act for granting unto his Ma'ty Severall Duties for defraying the publick Charge of the Government after the time lymitted in an Act, Entituled an act for Confinning unto their Ma'tyes the Revenue EstabUsbed by an Act of GeDerall Assembly for defraying the publick and necessary Charge of the Government, is expired, any thing in the said Act Contained to the Craitrary hereof in any ways not- withstanding. Provided always, and be it further Enacted, That the Officer appointed by the said City for the Collecting and

receiving the Duties aforesaid, shall keep his hours of attend-
ance at Some Convenient place in the said City, at Such time
and times as Is usuall fcH* the Officers of his Ma'tys Customs,
and Shall not receive any Ife© or ffeea from any person or per-
sons entring or paying the Duties as aforesaid. And Bee it
further Enacted, That the fferry between the said City and the
Island of Xassau, belonging to the said City, do and shall for*
ever hereafter enjt^y all Such Bights, privileges, free Customs,
Emoluments, ffees & perquisites, as the Same at any time before
the making of this Act did enjoy, during the time that the addi-
tional! Duty granted In this present Assembly, or any other
additional Duty of Eqnall value shall Continue, And Be It fur-
ther Enacted by the authority aforesaid, That the Rates and

Digi-jzedbyGoOglC

prizes Be and are hereby allowed and Establisht as antiently
theff were for the fferrj aforesaid. That Is to Say, every Single
person for going over Eiglit Stivers in Wampum, or a Silver Two
pence, each person in Company four Stivers in Wampom or a
Silver penny, if after Sun Set double fferriage; each horse or
Beast Single, cne Shilling, in Company nine pence; each shoate
or Calf three pence; each hogg in Wampum Eight Stivers, or a
Silver two pence; each She«p four Stivers Wampum, or a Silver
penny; each Barrell of Rum, Sugar, Molasses, oyle, porke or
other thing three pence; each Empty Barrel four Stivers Wam-
pum or a Silver penoy; a Beasts hide the like, a ffirkin or Tnbb
of Batter, two Stivers Wampum; every three Scipples of Corn
a Silver penny, or four Stivers Wampum ; a paile of Butter two
Stivers; every Bushell of Salt two Stivers; every hogshead of
Tobacco Nine pence; and for all other things proportlonably
thereunto. And if any person or persons shall transport any
thing but his own produce over the said fferry without paying
Ferriage, he she or they Shall forfeit his her or their "Vessel in
which he she or th^ transport the Same, one third to the Govern
nour, one third to the said City, and one third to the Informer,
to be recovered in any Court of Record within the said City, by
Bill, plaint or Information, whereof no Essoign, protection or
Wager of Law, or more than one Imparlance shall be allowed,
which Said Court or Courts are hereby Impowered to hear, try
and determine the Same, auy Law Usage or Custom to the Con-

trary hereof in any ways notwithstanding. Provided, that the said City, or Such as shall be appointed by them, shall give dne attendance for the transporting of persons and goods, as afore-said, under the penalty of Six Shillings, to be recovered before any of his Ma'tys Justices of the peace in New York or Kings County on Nassau Island, to be applyed for ye benefit of the County where the default shall happen & Judgement be given.

[CHAPTER 93.]

[Cbapter 93. of LlvlnmCbn & Smltb and Van Reliaack, where the act t prhrted In full. Printed In tnU In Brinley'n Bradford, p 174. 207: p. 51. The act was oonflnned by the Qneen, May 20, 1708. {See Fowl Bradford, p. CXXXVIII.)]

A Bill for Regulating the ftences in ye County of Ulster,

[Passed, October 18, 1701.]

WHEREAS in the County of ULSTER the Inhabitants there are Accustomed to make Circular ffencea for the Surrounding of their Land which they Manure: by whirh means great quanti-ties of Lands are Surrounded with the said Circular ffence, and

. '.".oogle

those who are in the middle of the Said Lands hare their ffeilds Secured by the said fFence, yet have not ContrilHited Dor will Contribute their proportion of the Charge of the said ffence; That the Same may be Bemedyed for the future, be it Enacted by hia Honor the Lieu't Governour and Council, and Bepneaentatives Convened in Generall Assembly, and by the Authority of the Same, That as to all lands within the said County of Ulster, which now are, or here-after shall be Surrounded with a Circular ffence, the owners or possessors thereof shall in proportion to the quantitys of Land they have within the said ffence, pay (& Contribute to the make-ing of the said ifence;] and if any person or persons having any Land, as aforesaid, within tlie said ifence, will not Contribute and pay his proportion, as aforesaid, of the said Circular ffence; Then it shall be Lawful for any Justice of the Teace of the said

County, residing near where such default shall happen, upon View of Such Defect to assess and Levy the proportion of the aaid ffence, as aforesaid, by Warrant under his hand and Seal, directed to the Constable of the precinct where such Default shall happen, upon the gobds & Chatties of him or them who shall have I^and within the said Circular ffence, and shall not, or will not Contribute to the Same; and that the same be Imployed for the maJcing of t^e said ffence, returning the over-plus, if any be, to the owner or owners of such Land, the Sum Assessed and Charges of Distress &. Sale, being first Deducted, any Act to the Contrary hereof in any wayes notwithstanding.

[CHAPTER 94.]

[Chapter 94, of Livingston & Smith and Van Schaack, where the act) printed In full. Printed In full In Brinle^'a Bradford, p. 1S2, 195; p. m. The act was conQmied hj the Queen, May, 20, ITOS. (See Fowle Bradford, p. CXXXVIII.) The last clause of this act ivaa repealed by chapter 202.J

AN Act for the more regular proceedings In the Elections of Representatives for the Sev-eral! Cities and Counties within this province

[Passed. October 18, 1701,]

WHEBEAfi the Election and Return of Representatives for the Severall Cities and Counties of this Province, to come to the AsBembly of our Lord the King, in this Province, have been often heretofore managed with great fraud and deceit, to the greviouB damage of the Subjects;for the preventing of which for time to come, a good and wholsome Law was Enacted by the General Assembly of this province in the Eleventh year of his Ma'tys Rdgn, Entitled An Act for the Regulating Elections of

DgizedbyGoOgiC

■Bepreeentatives in Generall Assembly io each Bespecftive caty and County within this Prcnince, yet •nevertheless many and great abnees are Still Oontinued to be put upon the Subjects in their Election, as aforesaid; for the preventing whereof, be it Enacted by his Hon'r the Leiu't Gov'r and Council, and Eepre-sentatives now in General Assembly Convened, and it is hereby

Enacted by the Authority aforesaid, that from henceforth and for ever hereafter, no Papist or Popish Recusant, or Such person or persons as shall refuse upon the tender and demand of the Sheriff, or either of the Candidates, to take the Oaths appointed by Law to he taken instead of the Oaths of Allegiance and Supremacy, and to Sign the Teat and Association, aa Directed by Law in other cases shall he Suffered to give his or their Vote or Votes for any Representative or Representatives to Serve in this or any future Generall Assembly within this Province, or for any other OfBcer or Officers whatsoever. And whereas Doubts have Arisen whether a person ha^'einff an Estate of ffreehold in possession for his Life, or for the Life of his Wife, should be allowed to vote for the same. BE IT ENACTED BY THE AUTHORITY AFORESAID, That all and every person & per- sons not Excepted by this Act, haveing in his or their posses- sion an Estate of ffreehold, during his Life, or for and dureing the Life of his Wife, to the Value or quantity in the above recited Act Expressed, shall be and is hereby qualified to give his & their Vote and Votes for Representatives, as aforesaid, Provided he be further Quallified, as in the aforesaid Act, and this present Act is I^xpressed. And whereas a Question hath arrisen whether any person or persons haveing Mortgaged his or their lands, and being in possession thereof, and receiving the Income thereof, should not by reason of Such mortgage be debarred from giving his Vote, as aforesaid, BE IT THEREFORE ENACTED, That Such mortgage shall not debar the party above- said frtwn the giveing of bis Vote, provided he be in possession thereof, or receive tlie Incomes of the Same. AND BE IT FUR- THER ENACTED BY THE AUTHORITY AFORESAID that to prevent all Disputes relating to the ffreeholders in Dutchess County about the Election of Representatives, as aforesaid, the Said County be and is hereby declared to be annexed to the County of Ulster for the term of Seaven years next after the present Session, and that the ffreeholders of Dutchess County, qualified by Law, shall and are hereby Impowered to give their Votes for Repreeentative in tie County of Ulster, as if they , Actually Lived in Said County, anything to the Contrary hereof in anywise notwithstanding. And whereas Disputes have arisen between the Counties of Orange and Ulster relating to Wagache-

Digi-jzedbyGoOgiC

meek and great and little Miiii6siDck,Be it Enacted bj the aatlLW-ity aforesaid, that Wagacbemeck and great and little MiniBsinck be and are hereby Immediately annexed to the County of Ulster untill Such time that the bonnd» between the Counties of Orange and Ulster shall be Hettled, and thai: the Inhabitants of Wagacbe-meck and great an'd little Minissinck be and are hereby Impowered to give their A'otes for Bepresentativea in the County of Ulster, as if they actually lived in the Said CoTinty of Ulster, any thing to the Contrary hereof in any wise notwithstanding.

[CHAPTER 95.]

[Chapter 95, of Livingston & Smith and Van Schaack, where the title only la printed. Printed In fnll in Brlnley'a Bradford, p. 160, 193. only 18 printed In Baskett, p. 52. The act referred to Is chapter that act and thia act were repealed by chapter 114.]

Ah Act for supplying the Defects of
a late Act Intituled an Act for setling the
Militia

[Passed, October IS, 1701.]

.WHEREAS by an act of the General Assembly of this prov-ince, made in the Third year of his present Majties Keign, Enti-tuled, an act for Settling the Militia, It is Enacted, That no per-son whatsoever from fifteen to Sixty years of age remain unlisted by themselves or Masters, Mistresaes or Imployera, under the Captains in their respective places of abode, in ffoot or horse the Space of One Kalende^r Month after their arrival, or Coming to reside or Sojourn in any place within thia province, on pen-alty of Twenty Shillings, and so for every Moneth such person diall remain unlisted; 'WTiich Act is by Experience found to be very much Evaded, Esi>eeiaJly in Such parts of this province where there are more than one Company of Militia Soiildiers, tie B*d i>erflons pretending themselves to be listed Sometimes in one, and Sometimes in another Company, whereby they either wholly Evade the s'd Act. or if found out the penalty's therein Contained are so Small and Inconsiderable That Several persons absolutely refuse to appear in Anns, according, to the Temor of the s'd Act, not valuing tlie payment of the Penalties Imposed therein, BE IT therefore ENACTED by the hono'ble his Maj'ties Lieu't Govemour and Councill, and Ee]jre«entatives in

Generall Assembly Convened and it is hereby Enacted by the authority aforesaid. That all and every i»erson and persons above the age of Pifteen, and under the age of Sixty years, (Except as

Digi-jzedbyGoOgiC

therein Excepted) BlLall within tlie time and Space of one Kaleo- der month after his or tbedr arrlTall into this province, Repair to some Cap't; or other Ofbcer of the ffoot Oompauy, or Troop of ■ Militia horse near adjacent to his or their place or pla^ea of abod and List him or themselves in the s'd Companr or Troop, and receive from the Officer with whom he or they shall list him- or themselves, as aforesaid, a Certificate of bis or their bein^ so Listed, w'cik the s'd Officer on request, is hereby required to give unto him or them w'th penalty upon all and every person & persoDS who shall r^nain unlisted, or want a Certificate of bis or their being so Listed, as afores'd, after the Expiration of the s'd Month, for every Month he or tbey shall Remain unlisted, as aforesaid, the Sum of Forty Shillings.

AND it is further ENACTED by the authority aforesaid. That ail other ffinea, penaltys and fforfeitures in the s'd act men- coned, shall be and are hereby Doubled and made Double the Sums mentiiMied and expreeed in the s'd act, and shall be recovered and applyed as is therein set Cforth and mentioned. And whereas Severall of the Souldlers of the Militia Troops and Companys in this province on information that the s'd Troops or Coanpany's, or Such as they belong to or are Listeid In, are Ordered to meet and appear In Arms on any Certain day, have on that day purposely and with intent only not to appear In Arms, falsely pretended business out of tlie Clt7r Town or County where they reside and Inhabit or followed such basinesse which otherwise tiey would have delayed ffor, Bemedy; whereof. BE it further ENACTED by the authority afores'd. That if the Cap't or any other Comission Officer of any Company of foot or Militia horse as afores'd, Shall Suspect any person or persons to be guilty as afores'd the said Cap't or other Officer is hereby required and Lnpowered to administer the Oath fol- lowing, to such perscm so Suspected as afores'd, vizt. I A. B. do truly and sincerely Declare and swear, That I did not Depart out of on purpose to avoid serving In the Militia

the day of And if the s'd person

shall refuse to Swear, as afores'd he and they shall be subject and lyable to Double the penaltyes in the s'd Act Contained. Provided alwayes that no person or persons shall be detatched, pressed or obliged to march out of his or their County who ts or shail be under the age of Sixteen years.

Digi-jzedbyGoOglC

LAWS OF THE COLONY OF NEW YORK.

[CHATTER 96.]

[Cbapter 90. of LlviDgston & Smith and Vao Schaack, where the act t printed In full. Printed In fuU In Brlnlef's Bradford, pp. 163. 196; Baabett, p. 4G. The act was oouflrmed by the Qaeen. May 'JO, 1708. (See Fowler's Bradford, p. CXXXVIII.) The act repealed la chapter 6

An Act (or Repealing an Act of ye Geo-
eral Assembly of this Province Eotituled,
An Act for liefi-a.ying the publick & neceg-
sary Charge throu'out this Province, for
maintaining the poor, and preventing Vaga.-
bonds Except so much there<rf aa relates to
Vagabonds, and for the Apptrinting more
Effectual means for defraying the publick
and necessary Charge in ea<'b. City and
County, and for maintaining the poor.

[Passed October 18, 1701.]
WHEREAS there is an Act of the Generall Assembly of this Province, made in the year of our Lord Ifittl. Entituled and Act for defraying the publick and necessary Charge thro'outthis Province, and for maintaining the poor and preventing of Vaga- ' bonds, which said Act hath been by Exi)eri€nce found to be very Inconvenient and burtbensome to the Inhabitants of this Pro-
vince, and hath occasioned many heats, animoflities, fitrifes and Debates, and other differences, all which being Considered the Representatives now in Generall Assembly Convened, do most humbly pray that it may be declared and Enacted, and it is

hereby declared and Enacted by his Hon'r the Leiu't Gov'r and Council, and Representatives in this General Assembly Convened, and by the Authority of the Same, That the said before mentioned Act of Assembly and every Article and Clause therein Contained, Except so much thereof as relates to Vagabonds, be and is hereby repealed, reversed, made and declared null and void to all Intents, ConstmetioTis and purposes whatsoever, as if the said Act had never been made and Enacted, To the End nevertheless, that the pubiick and necessary Charge in each City and County may be duely defrayed, the poor maintained, and VagalKmds and people of ill behaviour Discountenanced, Be it declared and Enacted by his Hon'r the Leiu't Govr and Council, and Representatives now in Generall Assembly Conven'd. And it Is hereby Enacted by the Authority aforesaid, That the Justices of the peace of the respective Countyes of this Province, or any five or more of them. Two whereof to be of the Quorum, shall once in the year at a Court of Generall or Special! ScBsions, Sup-

D,g,;,zeclbyG00gIC

ervise, Examine and allow the publick and necessary Charge of their Respective County, and of every Town thereof, part of which the allowance made by Law to their BepresentatlTe op RepresentatiTes, shall be deemed and accounted to be, and upon ExaminacoQ and allowance of the said Acco'ts, they or the major part of them, as aforesaid, are hereby Impowered to Issue their warrant to the SeTerall To^na in said County, under their hands and Seals, or the hands and Reals of the Major part of them, for the Chusinp and Electing of two Assessors and one Collector In each of their Towns or County, for the Asseesiog and Collecting of the Sum and Sums of Money So allowed by the Justices aforesaid; and if any Justices ot the peace Shall neglect or refuse to put this Act in Execution, he shall forfeit fifty pounds; and if any Town or Towns Shall refuse, neglect or delay to Choose Assessors and Collectors, as aforesaid, at Such times as by the said Justices shall be appointed. Such Town shall forfeit the Sum of Twenty pounds to his Maty, all such Sums to be recovered in the Supreara Court of Judicature In this Province, where no Essoin, protection, Wager of Law, or any more than one Imparlance shall be allowed; and if the said Assessors shall refuse and neglect to assess and rate in twelve days after the

said Warrant, and the Collector to Collect and Levy within one and twenty days after assessment, the Sum or Sums of money ordered and allowed, as aforesaid, every person so neglecting or refusing, shall forfeit the Sum of ten pounds Currant mony of this Province, to the County or Town where the Same refus^ or neglect shall happen, to be recovered in the respective Court or Courts of Sessions in the County or Countyes aforesaid, and shall be also Imprisoned without Bail or maJnprize for three Months by the Court aforesaid; and in Such Case the Jastlcea aforesaid are hereby fully Impowered at Such time as they shall think fltt, to appoint others in the rooms of Such Assessors or Collectors, as aforesaid.

AND BE IT FITRTHER ENACTED BY THE AUTHOHmT AFORESAID That the Justices above said are hereby Impowered once in every year to appoint and Elect a Treasurer for their Respective County or Countyes, which Treasurer shall make Such payments, for the defraying the necessary Charges of each respective County as shall be appointed and allowed by tbe Justices aforesaid. ANT) BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID, That it shall and may be Lawfull for every Collector Chosen as aforesaid, by Warrant nnder the hand and Seal of any two or more Justioes of the Peace of each Respective County, to Collect and Levy, by dis- tress on the Goods and Chatties of all or any pecsone refusing

IbyCoOgIC

or Deglecting to pay the Bum or Suma of Mmiey Bo aasesBed on them, retumiDg the overpluH to the owii«', Ae CSiargeB <rf Dis- tress and Sale first deducted, which Cliarge is to be allowed before any two Justicies of the peace; one whereof to be of the Quoroui of Buch County or Coontyes as aforesaid. AND BE IT FUBTHER ENACTED BY THE AUTHORITY AFORESAID, That the Treasurer of eacfi respective County within this Prov- ince, shall keep a Distinct book of Acco'tB, Containing a par- ticular Acco't of all the Money, Rates and Assessments afore- said, and also of all DisburBements and payments by Warrant aforesaid, and once every year he shaJI bring in his Acco'ts to the Court of Bessi&ns aforesaid; to have the Same Audited,

which Said Court is hereby Impowered in each County to Audit iSie Same under the penalty of one hundred pounds, to- be for- feited by the said Treasurer to our Lord the King, In case (rf hia neglect to bring the saiS account bef<we the said Justicea, to be recovered in the Supream Court of J^udicature. AND BE IT FURTHER ENACTED, Whereas, it i» the CnsttMU & practice of his Ma'tys Realm of England, and all our adjacent Coltmies in AMERICA, that every respective Town and Parisli doth care and Provide for the poor who do inhabit in their respective Precincts, aa aforesaid, that for the time to come the Justices aforesaid at thrfr respective General Sessions do once in the year make provision for the maintenance and Support of their poor Respectively

And Whereas Severall of the Cittyes and Countyes of this Province have not taken care for the paym't of the Representa- tives before the first day of this Instant S^sions of the General Aaaembly, of this Province, BE IT THEREFORE ENACTED, that the respective OflBcera Concerned in this Act for the defray- ing the publick Charge of each reapective City and County, do and shall on or before the day of next.

According to the directions of this Act cause due payment to be made to the said Representatives, after such Bates and allow- ances as were made by an Act of Assembly of this Province in the year, of our Lord One thousand Sii hundred Ninety one, enti- tuled, AN ACT FOR ALIXtWANCE TO THE IffiPRESENTA- TEVES, any thing to the Contrary hereof in any ways notwith- standing. Provided that no money be Demanded for Service in General Assembly by any pwson before the year of our Lord One thousand Six hundred Ninety Eight. And wbereaa the City of New York and Albany, by their Several Charters differ in the wayes and means for the defraying their publick Charge, and maintaining their poor from the Severall Counties of this Province, BE IT THEREFORE DECLARED AKD ENACTED BY THE AUTHORITY APORESAID, That tie

Cmntm Councils of the said Cityea respectively, are hereby Authorized to follow their former metliod coocerDing the prem- ises, and that they be hereby Impowered upon want of money in their Treasury, to raise and Levy upon the InhabitantB of their said Cityes Bespectively, 8uch Sum. & Sums of money as

Shall unto them appear Sufficient to pay their respective Ilep-
resentatives, Bellmen or Watchmen, or Such other necessary and
puhlick Charge as shall be yearly and erery year requisite, and
necessary, anything in these presents Contained to the Contrary
thereof in any wayes notwithstanding.

PROVIDED, That no City or County shall raise above three
hundred pounds P ann for their publick Charge.

[CHAPTER 97.]
[Chapter 97, of Livingston & Smith and Van Schaack, where the Utle
only is printed. Printed In lull In Brlnley's Bradford, pp. 17D,
Title onlf Is printed In Baskett, p. 52.]

An Act for Conflimation of a Certain
Agreement made by Thomas Swart-
wout and Company of the one part
and Garret Aertsen & Company of the
other part

[Passed, October 18, 1701.]
WHEREAB Thomas Swartwout and Company did Obtain a
Gtrant from Col ffletcher, late Gov'r of this Province, to purchase
of the native Indians a certain Tract of Land, known by the
name of Waghakemeck in the County of Ulster and Orange.
And whereas Oerret Aertsen and Company did also obtain a
grant fivm the said Gov'r to purchase of the native Indians a
Certaine Tract of Lend called gi-eat and little MinisBinck; and
whereas the said Grauts did Interfere, and were likely to occa-
sion endless differences and Suits in Law and Equity between
the parties aforesaid. It was by the said Gov'r recommended
to both the said parties to join their Grants together, which
they Accordingly did, or attempted to do, by a certain agree-
ment made in Kings Town in the County of Ulster, dated the
third of June, One thousand Six hundred Kinety Six, in these
woi^s, Be it known by these presents, That before us the under-
written are Agreed, Viz't Thomas Swartwout and Company, who
have obtained a grant from his Excel and Council, to buy Wag-
^cheineck of the Indians, and Gerret Aertsen, Jacob Aertaen
and Conrad Elmedoys for them and Company, who have obtained
a grant to buy great and little Minissing of the Indians, from
his Excel, &c. That they both mis their grants together, and

iivGoogic

that the Land that is Specified in both grants, be jointly bought and paid for, Viz't for Miomaa Swartwout and Company Seaven Sharee, and for Gerret AertBen and Company, twenty Shares, and that what money ha£ been Expended in obtaining the said grants, or otherwise paid, shall in no wayea be brought into the Comon acoo'ts but all what has already been paid to the Indiana by any of the said parties, on Acco't of Said Land, when the Indians owned the Same, it must be allowed and paid for in Twenty Seaven shares; As also. That Thomas Swartwout and COTupany shall have and enjoy, as a prerogative, without ginng any particular Satisfacti<Hi for the Same, Seaventy Seaven mor- gand of Land out of the I^nd of Hanjoar the Indian, but thait Lota shall be cast for the Same, and what Lot falls to the said Thomas Swartwout, and Company, shall be the property of the said Thomas Swartwout and Company, as Soon as the Land shall be bought <rf the Indians, in Kingstown, the third day of June one thousand Sii hundred ninety Six Henry Beekman, IMrck Schqimoes, Johannis Wyncoop and William De Myer. In pur- suance of which Agreement, the said Severall Companys pur- chased of the Indians, and have' been in possession according thereunt(^ which notwithstanding the said Thomas Swartwojt and Company, haveing obtained a Surreptitious Patent of the said Govemour, Contrary to their said Agreement, seek to dis- turb the said Gerret Aertsen & Company, in the iiossession of thtjir share of and in ye premises. Ite it therefore Eraotinl by his Honour the Lieu't Govemour & Council, and Representatives now in (.lenerall Assembly Convened, and it is hereby Enacted by the Authority aforesaid. That the said Agreement and every Article and Clause therein Conteined, Is & is hereby declared to be of full force and virtue against the two Companys afore- said, the said Pattent or any thing therein Contained to the Contrary hereof notwithstanding. And as to so much of the Lands Conteined in the said Surreptitious Patent, as ought to be Injoyed by the said Gerret Aertsen and Company, by Virtue ofthe said Agreement, the said Thomas Swartwout and Com- pany, their heires and assignes, shall Stand & be & are hereby declared, to Stand and be intrusted for the said Gerret Aertaen & Company, their heires and asaignes. Saving to all and all manner of persons (Excepting the parties to the said agre«nent & their heirs and assigns all the right. Title, Interest, Claime & Demand w'cli they have or may have to the premises, or any

part there of, any thing in this Act Conteined to the Contrary hereof in any wise notwithstanding. Provided Nevertheless, That neither this ait nor the s'd patent Granted to the said Thomas Swartwout and C<anpany, shall be Construed to debar

.., Google

William Titeoort or liis Iieirs of an? part of the Land witMo ftie Said patent or agreement, wtiich the NatiTe ladiaiiB have giren and Coove^ed to him

[CHAPTER &a]

tChapter 98, of LirttigBton & Smltb aad Van Schaack, where tbe title «iilr Is printed. Printed In full In Brinlef'B Bradford, p. 167, 202 onlj U printed In Baakett, p. D2. Thia act was repealed by chapter Tbe sentence In brackets has oppoelte It, on the margin of the orig law the word " out"]

An Act to Oblige Robert Livingston Esq'r to aeco't according to the purport of an act intituled an Act for appointing and en- abling commiBsioners to take and state the publick acco'ts of this Province.

[Passed. October 18, 1701.1

WHEREAS by a late Act of General AsBembly, Entituled, an Act for appointing and enabling Commisaicwiers to Examine, take and State the pnblick aecots of this Province, it was among other things Enacted, that Leonard Lewis Esqr Abraham Ooq- verneur, Esqr. Rip Van Dam, merchant, Cornelius Sebering, Esqr. and David I'rovoosf Esqrs., shall be and are thereby Constituted Commissioners for examining- taking and stating the Accoits of this Province, and all the aecots of Taxes, Subsidies or Aids granted unto the late King James the Second, his present Maty, and the late Queen Mary of happy memory, and Since to his Maty, from and after the Arrival of Coll. Thomas Dongan, late Governor of this Province, untill the first day of October in the year of our Lord One thousand and Seaven hundred, end of all Imbezelments and Concealements of goods and monys Seized and forfeited to ye Kings maty by any penal Law or

Statnte And further, the said Oommissionera, or any three or moi^ of them, are thereby Impomerpd ajid Authorized at cer- taine dayes and times to cause to come before them, or any three or moi^ of them, all and every person or persons Con- cerned in having had any part of the publick Money, and lay befoi^ them the acootts for w'ch they had or pretend the cei'tain Sams of money, and also all persons Suspected to have been any waves Concerned in the Irabezeling or Concealing any goods OP money Seized or forfeited to the Kings Maty by any penal law or Statuts in this Province, and to Examine them upon Oath to the Same, or to all or any Articles thereof, and that if they or any of them do refuse trt give Such Accot on oath as aforesaid, that the said Com'r» or any three or more of them.

:yG00t^lc

do desire the Gover of this Prorince, by writing under their hands to Cknut Such person or persons to Goal without baile or Mainprlze, in the City or County where Such peraon or persons shall reside, untill he or they give such acoyts, and Swear, as aforesaid, or pay or refund the Sum of Uoney h^ ^e or thej refuse to swear to. And whereas Bobert livingston Esqr; being known to hare rece'd great Sums of the pnblich Money, has been Sundry times by the said Comrs required to give a true Accot upon oath, according to the Intent and meaning of the said Act, w'ch he for some time absolutely refused in Contempt of the said authority upon which Contempt the said Comrs according to the tenor of the said Act, applyed themselves to ye Honble John Kanfan, Eeqr. Lieut Govt of this Province, desiring him to Comltt the said Mr Livingston, bat the said act not having given Express Authority for Such CtHuitment, ha^ hitherto proved ineffectual!, Report whereof having been made by the said Comrs to this present Assembly, it was upon the twenty Seaventh day of Augt in this present year one thousand Searen hundred and one, Ordered, That the said Mr Bobert Levingston do accoit with the Comrs, as the Law directs, before Wednesday then next ffrflowing, w'ch if he should not perform, it was further ordered that a Bill be brought into the said House for Confiscating the Real and personal Estate of the said Robert Livingston, for So much Debt to the Crown as he can be Charged with by the Comrs of accots, and that

he should have Immediate notice of the said Vote, which was given Accordingly, to the end that he might be obliged to Accot, or offer Such reasons as he could against Sach a Bill, Since which time, that is to Say, on ye first day of September in this present year, the said Mr. Levingston appeared before the said Comrs, & tho' he has had nigh Eight months for Stating his Accots, was not ready with any Accots, hut offered frivolous pretences for further delays, which appearing to the said House, they ordered notice to be again given to him of their Intencon to proceed with Such Bill, notwithstanding which, he has forbom attending the said Comrs tho* duely thereunto required. Whereas also, upon Report of the said Comrs, and otherwise, it does appear that the said Robert Levingston hath revvir^d of publick money, and by reason of Specious and fraudulent pretences of his Dlaburaments for the publick, the Siun of Seaventeen thousand Sixty nine pounds Nineteen shillings & two pence farthing, and upwards, part whereof, that is to say. The Sum of Three thousand fonr hundred thirteen pounds Eleav-en shillings and nine pence farthine, was Exdse mony received at Albany from the year on© thousand

Six hondred Eighty three, till the first of Octoher, Searenteen hundred, as appears by accots under hlK own hand, and he had Warrants for and recced from the Sixth of May, one thousand Six hundred and ninety, antill the Seaventb of May, one thousand Six hundred Ninety one, the Sum of Eighteen houdred Searenty pounds, Eighteen shillings and Six pence half peuny, and the further Sume of Two thousand four hundred twenl^ four pounds, two shillings and Eleven pence half penny from the Seaventh of May, one thooaand Bix hundred ninety one, till the twenty Seaventh of may one thousand Six hundred ninety two and the further Sum of Two thousand Sixty five pounds two flhillings and three pence from the twenty Seventh of may, one thousand Six hundred ninety two, till the fourteenth of May, One thorusand Six hundred ninety three, and the further Sum of four Thousand two hundred ffifty five pound nine shillings and Eight pence from the fourteenth of may, One thousand Six hun- dred ninety three, till the fifth of Sept'r, one thousand Six hun- dred ninety five, and the further Sum of One hundred thirty pounds Seventeen shillings and ten pence half penny, from the fifth of Septnnber, one thousand Six hundred ninety five, till the first of July, one thousand Six hundred ninety Seven, and the

further Sum ol Two hundred fifty Eight pounds from the first of •July, one thousand Six hundred ninety Seven, till the nineth of June, one thousand Six hundred ninety Eight, [and the fur- ther Sum <rf Eleven hundred ninety five pound foure shillings and five pence half penny, from the nineth of June one thousand Six hundred Jiioety Eight,] till the fifteenth of may. One thous- and Six hundred Ninety nine^ and the further Sum of Nine hun- dred twenty Six pounds. Eleven Bhillings and Eight pence, from the fBfteenth of may, one thousand six hundred ninety nine, till the thirtieth of may, Beaventeen hundred, and the further Sum of ffive hundred and thirty pounds, from the thirtieth of may, Seventeen hundred, till this day togpther with other vast Sums of Money, for which no particular accot appears, That is to Say, all and every the Sum and Sums of money reced of Coll Dongan, late Gav'n of this Province; for the Expedition at Albany In ye Said Gov's time, and all and every the Sum & Sums of mone^ he the Said Levingston, or his Asslgnes hath or have reced by rertue or Colour of any Order or Orders, warrant or warranbi by his Maj'ty, or by any Gov*r of this province and all and every the Sum and Sums of money he the s'd Robert Livingston hath Beced by virtue or colour of his being Secretary of the Indian affaires, and also the goods, wares, merchandises. Sum and Sums of money hie had received and took from Peter BogarduB ajtd Ooll Joachim Staats at Albany, belonging tO' bis matT*

Lc;-,:uJbyC00gIC

Treaaury of this Province, in ye year one thouaand Six hundred and ninety, to colour the receipts of which, Several large Sums it appeareth that he has procured Auilits and allowances of divers Bums, which were Included* in other Sums paid to persoas, some of which are Since Dead, and others removed to parts beyond the Bea, and by means thereof he the said Robert Levingston has been allowed the Same Sum more than once. Some have been Debentures bought of Boulders for ve^y Small proportions of what was due to the Said Souldiers, and other Sums were for Excessive and Extortive pricee for goods and other necessaries to Souldiers, when he had Money in hia hands appointed for paying the Said Souldiers, and there is reason to believe that he has been guilty of Sundry frauds, which can never be Diacovened without the Oath of the said Robert

I^evingstrai, and his Direct answer to Such questions as shall be pat to him in relation to his wholl Accot, To the end therefore tiiat he the said Robert Levingston may be Effectually Obliged to accot and answer upon Oath, as aforesaid, or otherwise that his Estate may answer as a just forfeiture for hie Contempt, Be it Enacted by the Leiot Oovr. & Conncil, and Assembly, and It Is hereby Enacted by the authority trf the Same, That all the Estate Real and person^ of the said Robert Levingston, shall stand and be, and is hereby Declared to stand and be Charged and Chargeable with the said Sum of Seventeen Thousand Sixty nine pounds, nineteen shlllingB and two pence farthing, and all and every the Sam and Sums of money received of Ool! Dongan, late Qovr, of this Province for the Expedition at Albany in ye said Grovra time, and all and every the Sum and Sums of mony he the said Levingston or his asalguB, hath or have reced by vlrtne or coloar of any order or orders, warrant or warrants by his Majty, or by any Governor of this province, and all and every the Sam and Sums of mouy he the said Robert Livingston bath reced by virtue or colour of his being Secretary of the Indian affaires, and also the goods. Wares, merchandizes. Sum and Sums of mony he had reced and took from Peter Bogardos and Coll Joachim Staats at Albany belonging to his Matys Treasury of this Pro- vince, in the year One thousand Six hundred and ninety, as a Debt to our Sovereign Lord the King, his Heires and SuccessMS, and that the Same shall be levyed of all and singular .the Lands, Tenements and hereditaments, Goods and Chatties whatsoever of him the said Robert Levingston, either in his own name, or to his use, or any wayes in trust for hita, and that so much of Cfie said Real and personal Estate of the said Robert Levingt- ton as shall not Exceed the Sum of Seventeen thouand

...C^ooglc

B\x.tj oine poundB, uioeteeii sbillicga and two pence farthing, and all and every the Sum and Sums of mon; received of Ooll Dongan late Gorr of this FroTiace, for the Expedition at Albany in the Said Gorra. time, and all and ever? the 8ran and Sums of mom; he the said Levingston or his asaigns have or hath reced by Tirtoe op colour of any order or orders, warrant or warrants by his Majty, or by any Govemour of this province,

and all and every the sum and sums of money he the a'd Robert Levingston hath recpd by virtue or colour of his being Secretary of the Indian aftaira, and also the goods, Wares, Merchandizes, Sam and Sums of mony he had received and took from Peter Bogardus and Coll. Joachim Staats at Albany, belonging to his Matys Treasury of this Province, in the year One thousand Six hundred and Dinety, is and is hereby declared to be Confiscated and forfeited to oar Said Soveralgne Lord the King; Provided Keverthelesa. That in Case the saM Robert Levingston shall at any time or times before the five and twentietli day of March now next ensuing give in a full Accot in Writing nnto the Said Oomrs, or any three or more of them, o* all his Beceipts and Disbursements, and the grounds or Occaaions oif the mnts, together ^ith direct answers in Writiag to 8nch Qnestions in relation to his Accots, as tiiall be proposed to him in Writing by the said Comrs, or any three or more of them, who, are hereby Impowered to Administer to him, and to all and every person and persons who can give any Evidence Concerning the Same, one or more Oath or Oaths to that purpose, which Oath and Oaths, w'th the Answer and Answers thereunto, shall be given in evidence in the Supream Conrt or elsewh^^, as occa- sion shall require, In Such case, Lnmediately from and after the perfecting the said Accot, within the time above Lymitted and appointed for the Same, the said Robert Levingston and his real and personal Estate shall be and are hereby declared to be Exonerated, acquitted and Dischai^ed oif and from so much of the said Sum of Seventeen thousand Sixty nine pounds, nineteen shillings and two pence farthing, and of all and every the Sum and Sums of mony received of Col Dongan late Govr of this Province for the Expedition at Albany in ye said Govrs time, and all and every the sum and Sums of mon; he the said Levingston, or his assignes, have or hath reced by virtue or colour of any order or orders, warrant or warrants by his Majtie, or by an; Govemour of this province, and all and every the sum and sums of money he the said Robert Livingston hath reced by virtue or colour of his being Seer; of the Indian affairs, and also the goods, Wares, Merchandises, Sum and Sums of

Digi-jzedbyGoOgiC

moii7 be had rece'd and took trtHii Peter Bogardns and Cell

Joachim Staats at Albany, belonging to his MatjB Treasury of this Province, in the year One thooMutd Six hundred and ninety, as he the said Robert livlngstim shall make appear to have discharged 6y his accot, npon Oath, not disproved before the said Comrs and the Said Robert Levingston and his Estate shall remain and be Charged & Chargeable only with Such Ballance of the said Accot as shall be reported by the said Comrs, or any three or more of them before the Govr and Council, and shall appear to be due on Examinatioii in the Supream Court of this Province, any thing in this Act to the Contrary thereof in any wise notwithstaaiding.

[CHAPTEB. 99.3

[Chapter 99, of Livingston tt Smith and Tan Sctaaack, where the act printed In folL Printed In full In Brlnley's Bradford, pp. 166, 199; Baskett, p. 48. The act was conflrmed hj the Queen May 20, 1708. (Fowler's Bradford, p. CXXXVIII.)]

An Act for Allowance to the Hepreaentatfre^
[Faased, October 18, ITOL]

WHERELAS the Severall Eepresentativea of the people of this province cannot officiate and Discharge' that Honble and great Trust Reposed in them without being at Charge and Eipence Be it Enacted by his Hon'r the Leiut Gov'r and Concil, and Representatives Convened in Qenerall Assembly, and it is hereby Enacted by the Authority aforesaid, That the Wages or Allow- ance to each Bepreaentative of the people from the first day of this Sessions, and for ever hereafter, shall be Six shiilisgs Currant money of this Province P Diem, to Comence from their coming out till thrfr Return home, Always provided, it shall not Exceed Eight dayes after their adjourning, Prorogoeing or Dissolving the Same. And he it further Enacted by the Authority aforesaid. That eaeh Respective City and County through out this Province shall bear and defray the Charge of their own HepresentatiTes, which Charge or Allowance, as aioreBaid, shall be paid to , the Respective Representatives by the Treasurer of ea>ch respective City and County, by Warrant under the hand & Seal of the Mayor of the Respective Cities, for the time being, and by Warrant of any two Justices, of the peace to the Treasurer of the respective Conntyes after the Return of the Said Representatives from the Assembly, within tenn days after ye Collecting of the pnblick and necessary

Oharge. of each respective City and County, as is Dlreotod In

Lc;−,:uJbyC00gle

an act passed this preeeDt Bewions Eotitaled, Aa Act for Bepeeling an Act of Assembl; of thia Province, Entitaled an Act for defraying the puhlick and necessary Charge thro'out this ProTince, for maintaining the poor, & prerenting Vagabonds, and for the appointing more Effectual means for defraying the pnblick & necessary Charge in each City and County, and for maintaining the poor & preventing Vagabonds, in Such way and manner as the puhlick & necessary Charge of each City and County in this Province is defrayed and Raised. And Be it farther Enacted by the Authority aforesaid, that the Act of AsBt−mbly made in ye year erf our Lord One thousand Six hun− dred Ninety one Entltnied An Act for Allowance to the Bepre− sentativeB, be and is hereby Repealed, Vacated and made Null, as if Snch Act had never been made. Provided always and be it further Enacted, That all and every person and persons that have any Money due from any City or County in this Pro− vince for Service as a Representative, shell be paid Such Sum as in the above Recited Acts, hereby repealed, is Directed, and that the Same be paid in such way and manner as all other puhlick Charges of the respective Cities and Counties are defrayed, by Such Lawes as now are or hereafter shall be Established within this Province, any thing to the Contrary hereof in these Presents Contained in any wayes notwithstand− ing. Provided, that nothing be demanded for Such Service before the Year of our Lord One thousand Six hundred Ninety Eifht any Law, Usage or Custom to the Contrary hereof In any wise notwithstanding.

[CHAPTER 100.]

[Chapter 100, of Uvliigfiton t Smith and Van Schaaek, where the titl onlj Is prlntPd. Printed In full in Brinley'B Bradford, pp. 157, 190 cntr Is printed hi Baskett, p. S2. The act ezphred Octot>er 18, 170 Baakett aUtes that the act was repealed.]

An Act for granting an Additional Duty to his Maty.

[PaBsed, October 18, 1701.]
The RepresentativeB of this Province now in General Assembly Convened, taking into their Serious Consideration how mach the Treasury of this Province is Exhausted, and being willing that the Credit thereof should not Sink, hut be Supported, and Considering the many and great favours his most Sacred Ma'ty bath been Graciously pleased from time to time ito bestow upon this Province and the People thereof. Now that his Ma'tys Fatherly care over this Province might meet with a

LuizcdbyGoOglC

grat^uU Betarn of his Subjects here, the Bepreeeotatlves of this Provioce most humbly pray that it may be KNACT£D, And be it Enacted by his Hon'r the Leiu't Oov'r and Council, sad Bepresentatives now in General ABsembly Conveu'd, and b; tbe authority of the same, That there shall be raised. Collected and paid unto his ma'ty for and During the Space and Term of two years, frtmi and after the Publication of this Act, and do longer, the Several Bates and Ihildes her^na/ter mentioned, over and above all other Duties, Charges, Imposition, Rates and Custrans by any ft)rmer Act or Acts Set, Established and Imposed (for and toward the Support of this Qoverm't and Contingent Charges thereof, and Such other nses as are hereinafter Expressed) That is to Bay. the Kate, Duty and Castom of Sii per Cent upon all Goods, Wares and Merchandises of the growth, produce or Manuifacture of Europe, that shall from and after the publication hereof be Imported into this Province and Dependencies, from any other Port or place than his Ma'tys Kingdom of England, Dominion of Wales, Town of Berwick upon Tweed. And also, the Rate, Duty and Custom of Ten Shillings Currant mony aforesaid for each pip^ of Wine that shall be Imported into this Province, as aforesaid, and so in proportion for a greater or lesser quantity. And the Sum of Thirty Shillings Currant mouy aforesaid for each Pipe of Wine that shall be Imported, as aforesaid, from any other Port or place than the part and place where the said Wine was made, & so in proportion for a greater or lesser Quantity. And the Sum of one half penny Currant Money aforesaid for each Gallon of Bum Imported as aforesaid. And the Sum of Twe pence Currant

Money aforesaid for eaclifjallon of rum that shall be Imported 83 aforesaid from any otlicr part or place than the part and place where the said Rmn is made and distilled. And the Rum of three Shillings Currant nione;>- aforesaid for each barrel of Beer that shall be Imported as aforesaid, and so in proportion for a greater or lesser quantity. And be it further Enacted by the authority aforesaid, That the Several rates and Duties hereby Imposed on the Goods, Wares, Merchandises »nd Liquors afore- said shall be raised, Levyed and Collected, Recovered and paid unto his Ma'tys Collector and Beeeiver General for the time being, during the time before mentioned, in the same manner and form, and by such Rules, allowances wayes, and under such penalties, fines and forfeitures as are mentioned. Expressed and directed in and by an Act of General Assembly of this Province nmde in the Eleaventh year of his Ma'tys Hefgn, Entituled; an Act for Granting unto his Maty Several DutiM toe

Digi-jzedbyGoOgiC

the defn^ng the publick Charge of the Oorenuent after the thue Umitted in an Act ConflrmiDg and Continuing unto their Ma'tys the Bevenue Establi^ed by an Act of Oenerall Ass^nbly for defraying tlie paMick and necefraary Charges of ttie Oovernment, is Expired, in aa full and ample Man- ner as if the same were particularly recited in this Act, any thing to the Contrary hereof in any wayes notwitlistanding. And whereas the Bepresentatives now in General Assembly Conven'd having Considered the vast Charge and Expences his Hon'r the Leiut Gov'r ia and for some time Since hath been at, for his Ma'tys Service, and the good of this Province, they do therefore humbly pray that it may be Enacted, and it is hereby Enacted by the Authority afore^ said, That there be paid Yearly and Every year during the Continuance of this Act, in four equall quarterly payments, as an Additional Sallary out of the Rates and Ihities hereinbefore Exi)i'eseed, to hia Hon'r the Leiu't GoVr, the Sum of one hundred and forty pounds per Annum; and the aaid House of Kepre- scptatives also Conaidering the great Charge and Expence Wil- liiim Atwood, Esq'r Cheif Justice, hath I>eon at to transport him- self to this Province, and taking notice of his Abilities and readiness to Serve his Ma'ty in this Province, humbly pray it

may be Enacted, and it is hereby Enacted by the Authority aforesaid, Tliat the Sum of Seventy pounds Currant money of thia ProWnce, be added unto the Yearly Sallary of the said William Atwood, Es<}'r Cheif Justice, during the Continuance of this Act, to be paid unto him Yearly and every Year in four equal) Quarterly payments, out of the Bates and Duties afore-menconed. Provided alwayes, and be it further Enacted, Tliat this shall not be talien into Consequence or Example by the said William Atwood, Esq'r, Cheif Juetice, or any Cheif Justice of tliis Province, for the time belnp, for the future. And whereas it will be to the Hon'r of Almighty God, as well as the Good & Wellfare of this Province, that the five Nations ot Indians at Allwiny, should l>e Instructed in the holy Protestant Religion. And Tihereas Hemardus Freeman, Minister of the Gospel at Scher.ectady in the County of Albany hath for some time Since and does still malje it liis great Study to Instruct them therein, the Representatives humbly pray that it may be Enacted And it is hereby Enacted by the Authority aforesaid, That the Sum of Sixty pounds per Annum be paid out of the Ihities arising by this Act unto the said Pernardus ffreeman, as his Sallary, for instructing the said Indians and the Sum of fflfteen pounds P aniium for his Charge and Expence therein, to be paid in four

Digi-jzedbyGoOgiC

equall quarterly payments, to be accounted from the Twenty flftli day of August last, till the Twenty fifth day of Anpist in tie year One thousand Seaven hundred and three. And whereas it is very necessary that Lawrence Claeaaen the Sworn Indian Interpreter should be Encouraged to Continue hia Ser-vices to this Govei-ra't, The Bopresentatives most humbly pray that it may be Enacted, And it is hereby Enacted by the Authority aforesaid, That the Sum of Twenty five pounds per animn he paid unto the said Lawrence Claessen out of the Duties arising by this Act, During the Continuance thereof in four equall quarterly payments to Commence as aforesaid, for and in Consideration whereof, he is to Interpret all Con-ferences held at Albany, and Assist Bem-ardus Freeman afore-said in Ills Instructing the Indians; and if the said I<awrence be sent on other Expedition, as Interpreter, he is to be allowed for the same in Such way and manner as to the Q^vern'r and

Council shall Seem meet, any thing to the Contrary hereof in any ways notwithsttanding. And whereas by an Act of the General Assembly made in the Eleventh year of hia Ma'tya Reign, Entitnled, an Act for Granting unto his Ma'ty Several Duties for the defraying the publick Charge of the Govenn't after the time limitted in an Act Confirming and Continuing unto their Ma'tys the Hevenue, Established by an Act of Gen- eral! Assembly for defraying the publick and necessary Charges of the Govennen't, for the time therein menconed and Expressed, it is amongst other things Enacted, that there be given and Granted unto his Ma'ty the Duty of Excise upon all Liquors retailed throughout the Province and Dependencies aforesaid, under the quantity of five Gallons (the Sum of Twelve pence Currant Money aforesaid, for each gallon So retailed (Beer and Syder only Excepted) leaving it Doubtfull whether a person Selling five Gallons and upwards of the LiquorS' therein men- tioned and Expressed, and SuiTering the Same to be carryed or Conveyed from his House in lesser quantity than five Gallons, should Incurr the penalty of the said Act, Be it therefore Enacted, and it is hereby Enacted by the Authority aforesaid, Tliat if any person or persons within this Province and Depend- encies shall from and after the publicacon hereof, Suffer any quantity of the Liquors raenconed in siiid Act, and Sold by him, to be carryed or Conveyed out of his House under the quantity of five Gallons at one time, notwithstanding any Sale or pre- tended Sale for a greater quantity, shall be lyable to the for-' ffcitures menconed in the said Act, any thing to the Contrary hereof in any wayes notwithstanding.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF KEW YORK.

[CHAPTEa 101.]

[Chapter 101, ot UvlngMra A Smith and Tan Scbaack, whwe the title «nl7 la printed. Printed In foU In Brluley's Bradford, pp. 167, Baakett, p. sa The a«t was conllrmed br the Qaeen, Max ^ 1708. (also, chapter 7S3.)]

'An Act for the ^etliDg & 3jnending the highwayes and Boadsin the County ofUlBter.
IPaased, October 18, 1701.]

WHEREAS the highwnyes & Boads by ovemiiiaing of Creeks ■and Bemoreing of Sands, in the County of Ulster, are; often tunes Spoiled by the Floods of Water in the Spring of the year, whereby the Inhabitants are neoessi'tnted to mend or provide other Convenient highwayes and Booda And whereas great disputes do arise Concerning the Same amongst the said Inhab- itants, Be it Enacted by his Hon'r the Leiut Gov'r & Council and BepresentatiTes of the Province of Xew York in Oeneral Assem- bly Convened, And it hereby Enacted by the Authority of the Same, That the Respective JusticeB of the P^ce of the County of Ulster are hereby fully Impowered and Comanded, from time to time, to appoint Such and So many Surveyors of the high- wayes and Roads in the said County in each Town respectively, as they shall think fltt to Survey the highwayes and Roads tn the said County, each Sun-pyor or Surveyors respectively to be for the Town for which he or they shall be appointed Surveyor or Survey'rs, and where they find the said highways and roads or any of them Deficient, or that a new one or new ones ought to be made, to report the Same to the Justices aforesaid, who are hereby Directed with all Convenient Speed to Cause the anid highwayes and Roads to be amended or Altered, Accord- ingly, And if it should happen that any Such highwayes or Roads should be directed hy the Siirvey'r or Burvey'rs aforesaid, to be laid out for the good of the InhaJtiitants of said County, o of any Town in the Same, through the Lands or poseesslona of any particular person or persons, Be it Enacted by the Authority aforesaid, That the sayd Justices of the Peace, or any three or more, are hereby Impowered in such Case to laeue their War^ rant or warrants, under their hands and Seals to the high Sheriff, of ye said County, Comanding him to Cause to come before them the said Justices or any three or more of them, Twelve good and Lawful men of his Bailywict, whoaretoConsidert^ theDam.' ages any person or persons shall or may Sustain by Such high- wayes & Boads rtmning or being laid out through his, her or their Lands, which said Damages are to be made good to Mm

Coogic

her or them by Assesetaent to be raised, Levyed, Ot^lected and paid by Such Town, Vicinage or person or persons wha-tsoever, in equall proportions to the benefit he she or they shall Eeceive by the said highwayes or Roads, the Same to be paid to the Treasurer of the B^pective towns in the said County within Forty dayes after the Assessment made, to he disposed by war^ rant under the hands and Seals ot three or more Justices of the Peace of Said County, to Such person or persons respectively through whose Lands the said highwayes and Boads shall hap- pen to cooie, In due proportion according to the Quantity of the Land he or they loose thereby, to be adjudged by twelve , men as aforesaid And Be it further Enacted by the Authority aforesaid, tliat upon such Survey made, as aforesaid, and Such Estimate had, and the money paid, as aforesaid, the Justices of peace of the said County are hereby required and fully Impow- ered to enter Such highwayes or Roads upon Eectw^, and to Establish them publick wayes for the Comon good of the County aforesaid, any Law, Usage or CuBt«m to the Contrary notwith- standing.

Provided alwayes, and be it Enacted by the Authority afore- said, That the Twelve men Returned as af<H«said, and eveiy of them, shall before they proceed to the Estimate afores^d, take an Oath for the due and Impartiall Estimation of the damages aforesaid, and the due proportdons of the payments thereof, before the Justices of the Peace, or any three or more, who are hereby fully Authorized and Impowered to Administer the Same Accordingly, any Law, usage or Custom to the Con- trary notwithstanding.

[CHAPTER 102.]

[Chapter 102, of LlvlngBton & Smith and TaJi Bchaack, where the titl only i8 printed. Prlntea In full In Brinley'a Bradford, pp. 165, 198 Title only Is printed In Basbett, p. 52. The portion of the origina eontalning; tbe ■Ifinatare of the Oovemor and the date of paseage 1b from the original. Prom the Minutes of the Council. It appears that act was Binned hy the Governor, October 18, 1701. {See Journals of LegislatlTe Council, p. 171. This act was repealed "by chapter 113.

AS Act for the destroying oS Wdve* in the Countys of West Chester and Ulster.

[Pawed, October IS, 170L]

Be it Enacted by his Hon'r the Leiu't Gov'r & Council & Sep-
resentatives in this General! Assembly Conven'd, and it is here-
by Enacted by the authority of the Same, That for the defitr<^-
ing of Wolves, which have lately Increased very much, to the
great Discouragement of Pastorage, & of the Increase of 8he^

1 1., Google

and Cattle; tlLat whatsoever Christian shall kill a grown Wolf
in the County of Ulster, he shall have for each Wolf that shall
be Killed by him Nloe Shillings Currant money of this Province,
& for a Wolfs Whelp there shall be paid fflve shillings like
Mony; and whatsoever Christian shall kill a grown Wolf in the
County of Weet Chester, he shall have for each Wolf that shall
be killed by him fifteen shillings Currant money, as aforesaid,
and for a Wolfes whelp there shall be paid Eight shillings like
money, and the Justices of the peace of the respective Countyes
are hereby required out of their respective County Rates to
Cause the respective Sum aforemenconed, in their respective
Countyes, to be paid once every year at Buch time as they shall
think most Convenient; and if any Justice of the peace In the
Countys respectively shall refuse or neglect to cause the pay-
mentB Establisht by this Act to be duely paid once in every
year, he shall forfeit to ye party grieved five pounds, to be
recovered in the Court of Comon pleas of the respective Countys,
where no Essoin, protection, wager of Law or more than one
Imparlance shall be allowed.

[CHAPTHR 103.]

[Obapter 103, of Livingston & Smith and Van Scbaack, where the act
prtnted In full. Printed in full in Brlnleys Bradford, pp. lOT. 200;
Baskctt, p. 4S.]

An Act to oblige the owners & possess-
ore of unimproved Lands in the County ot
Albany, West CSiester,- Richmond and
Orange, to pay the proportion of their
Quit-Rents and Taxes raised for the Support
of the Goverment, and other County
Charges,

[Passed, October 18, 1701.]

WHEREAS Several! persons within the Countys ct Albany, Westchester, & Richmond have great quantitys of Vacant and unimproved Lands, for which they have not, for many years last past, paid & and even refused to pay their proportions of the Quit-Rents, Taxes raised for the Support of the Oovem-ment, and other Rateii and Charges, to the gre-vioua damage of the rest of the Inhnbitanta in the Countyes aforesaid, under a pretence that the said Lands lay Vacant and unimproved, and that they had no benefit by them, or Income from them. And whereas many of the Owners of the Said Lands do not Inhabit within the said Countyes, and have not goods and Chatties within the Same to levy and distrain upon their proportion of the said

Digi-jzedbyGoOgiC

Qait-Beuts, Taxes raised for the Hupport of ye Govena't and other Rates and Charges, Be it Enactied b; his Hon'r the I^eia't Gror'r and Council, and Representatives now in General Assem-bly Convened, and It Is hereby Enacted by the Author!^ of the Same, That all and every person owning Such Vacant and animprovad Lands within the Countys aforesaid who do not take care to pay their proportion of the Quit-Rents and of Taxes now or hereafter to be raised for the Support of the Govern-ment, and other Rates and Charges, within Such time as the Law shall and doth Direct, that then and iu Such Case it shall and may be lawful! for the Inhabitiints of Said Countys Respec-tively to enter upon the said Lands, not Iwing inclosed, and therein to Cut Wood and Timber for their own use and uses, without being therefore Sued, troubled or molested, in the same nuinner as if the s'd Lands were in Comon and unappro-priated, any Law, Usage or Custom to the Contrary hereof in any wayes not withstanding. Provided also. That if any person or persons having Lands as aforesaid in the County of Orange shall refuse to pay his her or tlieir proportion, aa aforesaid, the Justices of the peace of the said County or any of them, or Soch person or persons as shall be Tmployed by them is and are hereby Impowered to Sue the person or persons so refusing and neglecting, in the Oountys where they do live, as in an Action

of Debt, and the Several Judges, Justices & Courts are hereby Authorized and Coniandcd to hear and determine Such Suite, any Law, Usage or Custcmi to the Contrary notwithstanding.

[CHAPTER 104.]

[Chapter 104, of LiTlngeton & Smltb and Tan Scbaack, where tbe title only la printed. Printed In full In Brinley's Bradford, pp. 160, 193 only 1b printed In Boakett, p. &2.1

'An Act for ye Speedy repairing ye Sorts of Albany and Schenectady.

[Paaaed, October 18, 170L]
WHEREAS by Virtue ot an Act of the last General Assembly of this Province, Entituled, an Act for repealing an Act of Assembly, Enlituled, an Act, for ye better Securing ye five Nations of Indians in their fidelity to his Ua'ty, and for Granting unto his Mat'y the Sum of one Thousand pounds, for building a ffort for the Security of the ilve Xations of Indians, the Said Sum of one thousand pounds hath been raised over & above the Sum of fflve hundred pounds Raised for the same

Digi-jzedbyGoOgiC

aae, before ye flret menccmed Act wa» repealed; and whereas by reaaon of the absence of the Engineer out of this Province, and the farr advance of the Winter Season, and the Immediate necessity of putting the frontleero ot this Province into a State «f Defence, it is found requisite to defer the building the said Intended (Tort till there may be a more Convenient oppertuuity Be it therefore Enacted by his Hon'r ye Leiu't Gov'r and Ctouncil, and Bepresentatives in Ueueral ABsembly Convened, and it is hereby Enacted by the Authority aforesaid, That the t^um of Two huni^red pounds be and is hereby Declared to be borrowed oat of ye said Sum of one Thousand pounds for the euds and parposea hereinafter mencoued, ttuut is to say, the Sum of One hundred and fflfty pounds, part thereof ^all be and is hereby Declared to be for and towards the Immediate Repairing the Sort of Albany, and the sum of fBfty pounds shall be, and is hereby Declared to be for and towards the Immediate repairing

the ffort of Schenectady. And be it further Enacted by tie Authority aforesaid that John Sleeker, Sen'r Heudrick Hansen «nd Peter Van Brugh, Esq'rs be and are hereby appointed man- nagers of and for the repairing the said ffort of Albany, under the IHrection of his Hon'r the Leiu't Gov'r and that Ryer Schemierhorn, Esq'r and Isaac Swltz be and are hereby Ap- pointed nianagcra of and for the repairing the said ffort of Schenectady under Directions as aforesaid; and in case of the Death or other Disability, of any or either of the said Mannagers, the Gov'r or Comander in Cheif of this Province for the time Mug, may and shall nominate and appoint another or other fit person or persons in the room or stead of him or them so dying or being otherwise IMsabled, as aforesaid. B« it like- wise Enacted by the Authority aforesaid. That the said Sum of Two hundred pounds so borrowed as aforesaid shall be and is hereby Declared to be a publick Debt, and that the same shall be payable and be paid and Satisfied ont of ye next aids or Supplies to be granted unto his Ma'ty in any following Session of the General Assembly of this province, & shall be transferred and transferrable thereunto as soon as Such aid or Sapiriy shall be Granted

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF NEW YOKE.

THE EIGHTH ASSEMBLY.

Second Session.

(Begun Apr. 20, 1702, I Anne, John Nanfan, Eaq., Lie Governor.)

[CHAPTER 105.]

tCb^t^ lOS, of LlTlngstoo & SmlUi and .Van Scha&ck, irhere Om title ODlf la priuted. Thla act Is not pilated In any edition of B or in Baskett Llvlngsbm & Smith and Van Echaack, gtate tliat the ac was repealed by the Qaeen, December 31, 1702. See letter of Governor Corubury to Lords of Trade, recommeniTing' tbe repeal of chapters 106 111, except chapter 111. Doc. R^ to CoL HlsL, IV, p. 999.) Ch^tten

105 to IIU, iut'luBlve arter their disapproval, were taken from the tary's office, pursuant to Oovemor Corubury'a order. (See Letter of Lords of Tr^de, to OoTetnor Corubnry, censuring him for doing so, tn Do& EeL to CoL HisL, IV, p. 1066.) They were cvldentlj returned, as originals ara cow tber& LlTlngston & Smith and Van Schaack give tbe date of its passage as April 12, 1702, but from the Minutes of the It appears that the act was sljtned by the GovemOT, April 30, 1702. Journals of Legistatlvc Council, p. 1T3.)]

An Act for Oatlawing Phillip French and Thomas Wenham Merchants and etitone- ing ppoceHS ot Outlawry.

[Passed, April 30, 1702.}

WHEBEAS Phillip Fremch and Thomaa Weoham of New yarit Merchants were at the last Supream Court of Jadicatnre of this Province by a Grand Jury ot the Neighbourhood 8evM^ ally Indicted of an high misdemeanor and offence against his Ma'ty, and tbe Administracon of the Oorerment here, and being Conscious of their Crimes and hopeing to avoid all pnnisli- ment for the Bame, b^ore Snch a'd Indictments were found withdrew, & have Continued out of this Province, so that Pro- cesse could nort be Ser^-ed upon them to Oblige them to plead to the Severall Indictments. And whereas the want of ProtwM of outlawry in C^-iminal and Civil Causes is a Manifest Drfect in the Execucon of the Law within this Province, and tbe rather becanse of frequent departures into Neighbouring Pror- inces and other places In America where no process from hence can reach. BE it therefore Enacted and it la hereby Enacted by the Leiu't Gov'r and Council and representatives in Generall Assembly Conven'd and by the authority of the Same that the said Phillip French and Thomas Wenham be and are hereby declftred & adjudged to be outlawed to all Intents and pur- poses according to the Effect of Outlawries within the EinK- dome of England, Provided alwayes that if the said Phillip ffreuch and Thomas Wenham or either ot them shall Surrender

him or thasBelTes before the Cheif Justice of this I'roviQce on OP before the teatb day at May in the pp'senb year one thoua- and aeaven hundred and two and Bespectively enter intoKecogniz- ance with Bufficlent Becnrity to our Lord the King in Such Sum as to the said Cheif Jufltice Shall Seem meet^ to answer plead

and be tryed upon the eaid Indictment within Such reasonable time as the said Chief Justice ahail direct by Spedall CommiBsion or otherwise and also to be of good behavour tot twelve months then next ensueing that then and in such Case he or they So BDrrendering him or themseWes and entering into Beoognizance as aforesaid shal be acquitted and discharged of the penaltys of this Act. And that from henceforth in Case any person or persons resideing within this Province at the time of Issueing any process to answer any matter Civil or Criminal shall after personal notice of Such process or left in writeing at the place of his or hep usuall Residence wilfully Depart out of this Province into any Neighbouring Troiince or other place in America and shall not within Six months after Such notice appear to the Action in the proper County and put in Special! Bayl if the matter So require or Surrender him or herself to Prison in Such Case from and after Froclamacon made thereto by the Sheriff in the Town or Parish where the party did at the time of the first notice reside in the presence of three or more <rf the Same Town or Parish and within twenty dayes after such Proclamacon returned into the Supream Court at New yoA and there Recorded the person and persons against whom such Proclamacon as aforesaid shall be published returned and Recorded shal be deemed and adjudged Outlawed to all Intents and purposes according to the Effect of Outlawries within the Kingdome of England any law Statute or usage to the Con- trary thereof in any wise notwithstanding. And whereas divers persons against whom Just Cause of Suit hath arisen or may arise within this Province have Estates here but usually reside in Some neighbouring Province or other place in America as to all and everv Such person & persons notice left with ye Tenn't OP Tenn'tsof such Estate or at his or her place of reei- •dence shall have ye Same Effect as if left w'th the party a^inst whom any Suits shall be Oomenced or at the place of his or hep residence, And in Case there be no tenn't or tenn'ts of any part of such Estate in that Case, notice as aforesaid shall be left with the next Neighbour OP at the Inhabited House next adjoineing thereunto and in Case such Tenem't or Neighbour shall neglect to give notice to the party against whom Such Suits shal be Comenced (of which such notice he or she shall pay the reasonable Charge) be <»■

Coogic

ahc shall recover his or her damage occasioned by want of doe notice against the paHy who neglected to give the Same and in Case the person Concerned shall refuse or negleet to pay the Charge of Buch notice it shaJ be Lawfull for the next Justice of the Peace and he is hereby reqaired forthwith up<Hi appljca- con to grant one or more Warrant or Warr'is for raising the reasonable Charge of Bach notice b; distresse and Bale of Stock & goods upon the premisses & returning the overplus to the party I'rovided uevertheless That if the party against whom Procliimacon as aforesaid shall be made shall within twenty days after 8uch publicacon thereof appear to the action and put in Speciall Bayl if the matter So require or Surrender him or herself to prison such person or persons shall not be accounted or adjudged outlawed and that all and every outlawry and out- lawries So as above said Incurred shall and may be reversed aud Annulled in like manner as outlawries within the King- dome of England are and may be revived and Annulled.

[CHAPTER 106.]

[Chapter 106, of LlvlnmtoD & Smltb and Van Sohaack. where the title only \b printed. This act Is not printed In any edition of Bradford Baskett Livingston & Smith and Van Schoack, state that the act was repealed bj the Queen, December 31, 1T02. (See note to ch. 10^.)

An Act for Augmenting the number of Representatives of this Proi-ince to Serve in the Generall Assembly.

[Passed, May 1, 1702-1

The House of Representatives dow in Generall Assembly Con- ven'd talieing into their Serious Consideracons tlie great advan- tu$;es that Accrue to this Province by the frequent meeting of the (jeneral Assembly tliereof. Xow to the end that the Sev- eral Cityes and Countyes of this Province may in a better pro- porcon Send Representatives to the Generall Assembly. Bee it Enacted by the Leiu't Gov'r and Council and Representatives now in Generall ABsemlily Conven'd and it is hereby Enacted by the Authority aforesaid that the proporcon of Members tri con»e to any future Assembly of our Lord the King in this ■ Province shal be according to the number hereafter Expressed, & not otherwise. That is to Say, for the City and County of New york Six for the City and County of Albany five, that is

to say for the Town of Schenectady, Nistigionne & half moon in the Said County one, for the Town of Kindeibook & all that part of the County that lyes to the Southward of Benslaerwidc In the Said County, one; for the Manner of Benslaerwick in

.., Google

the Raid County one, and two for the CStj of Albany aforesaid for the County of Sofflolk two, for Queens County, two, for Kinga County two, for the County of West Chester two, for the County of Ulster two, for the County of Richmond, two & for the County of Orange two any Law, usage, or Custom to the Contrary hereof in any wayes notwithstanding. Provided alwaies and Be it further Enacted that this Act nor any Article or Clause therein Conteined shal be Construed to be of any force before the DisBolucon of this present Assembly. And be it further Enacted by the authority aforesaid that the Members aforesaid be Elected Chosen & returned According to the Laws of this Province, in that Case provided, And be it further Enacted by the authority aforesaid that the Town of Schenectady Nistigionne and half Moon, and the Town of Kinderhook and all that part of tlie Colony of Henslaerwyck shall and may Elect any Suf- ficient ifreeholder of the City and County of Albany to Repre- aent either of the said Towns if they so think fit any Law usage or CuBtiHtt to the Contrary hereof iu any wayes notwithstanding

[CHAPTER 107.]

(Chapter 107, of LlvIngatOD ft Smith and Van Scbaack, where the dtle ool^ Is printed. This act la Dot printed in any edition of Bradford BasfcetL LlTlntrstOD & Smltli and Van Schaaclc,- state that the act w repeaied by the Queen, December 31, 1702. (See note to ch. 106.)]

An Act for paying the Debts of this Gover- ment made in the time of the Inte happy Rerolucon

[Pasiied, Uay 1. 1702.]

WHEREAS Jacob Leialer Esq'r Deceaaed late Comander in Oheif of this Province together with divers other good & Leige

Subjects of our Lord the King in this I'rovince did in the time of the late happy Bevolucon that is to say in the year One Thousand Six hundred Eighty Nine and one Thousand Six hundred imd Ninety Expend lay out and pay divers great and Considerable Sums 0* mony for the defence of this Province in the last Warr and other good Subjects havetng Exposed their persons as officers and Bouldiers on ye frontieers of this Goverment for which they nor either of them have hitherto had any Satisfacon or payment to ye great Grrivance and ruine of the said Jacob Leisler his Heiree and others theirein Concerned as aforesaid to the great discredit of this Province and the discouragemt of others to advance their Estates for the Defence of this Gover- ment and whereas the last House of Retjreeentatlves did by their Addresse to bis Exoel Richard Earl of Bellomont late Gov'r of this Province desire the said Earl to lay before bis Ma'ty their

. '.\.>ogle

huiuble pequeat for the paym't of Twentj Seaveii hundred iiouods to the Heir ot the said Jacob Ceisler and that care ought to be taken for the paj-nient of all other the debta due in tlie time aforesaid. And whereas his' Most Sacred 3Ia't,v has been gracionsl; pleased upon the Peticon ot Jacob Leisler Son and heir of the said Jacob Leisler fisq'r Deced by the Bight Hon'ble the Earl of Jarsey then his Ma'tys principle Secretary of State his Letter to the trov'r of this Province in these words. My Lord the King being moved upon the Peticon of Mr. Jacob Leisler and haveing a Gracious Sence of his ffathers SeveraH SuffcriDf;* and the ill Circumstances the Pet'r and his Family are thereby reduced to his Ma'ty is pleas'd to direct that tht- ttaine be trans mitted to yoV Lordship and that you recomend his Case to the Oenerall Assembly of New York being the only place where he can be Reliev'd & the prayer of his Peticon C(wnply'd with. To direct that the same should be recomendtvl to the Oenerall Assembly of this Province and the House of Representative'* now in Qenerall Assembly Conven'd belnj: willin;; to Comply with his Ma'tys Ctanands and also Considering the great Services of the said J.icob Leisler pec'd Bee it therefor Enacted by the Oov'r Council & RepreBentatives in Gtenerall Assembly Con- ven'd and it is hereby Enacted by the authority of the same That the Sum of One thousand pounds Currant monj of this

Prorince be laid Assessed Levy'd and raised upon all and every the ffreeholders Inhabitants Reeidenters and Sojourners of and in this Province for paying jiart of the said Twenty Seaven hundred pounds due to Jacob Leister according to his Ma'tya Said Dn'octions and for no other use whatsoever which said Sum of Mie thousand pounds Currant mony aforesaid shall be raised Assessed Colected Levy'd and paid unto his Ma'tys Collect'r and Receiver Oenerall of this Province for ye time being at the City of New York at or before the first day of November in the present year of our Lord One thousand Seaven hundred and two in Such manner and according to the respective Quota's and proporcons following That is to say for the City and County of New York Two hundred Eighty and five pounds and ten shillings, for ye Oounty of West Chester fftfty one pounds ffourteen shillings, for the County of Richmond Twenty three . pounds and tenn shillings, for Kings County one hundred twenty three pounds, for Queens County one hundred Seaventy Six pounds tenn shillings for ye County of Suffolk one hundred Eighty Six pounds four shillings for Ulster and DutchesSe County Eighty four pounds twelve shillings for Orange County nine pounds for the City and County of Albany Sixty pounds all of the Currant mony aforesaid and for the due and better

Digi-jzedbyGoOgiC

Assessing Lerying and paying the aforesaid Sum of One thousand pounds Currant mony aforesaid Bee it further Enacted by the Authority aforesaid That the May'r or Recorder & Aldermen of the Cities of New york & Albany or the maj'r part of thnu the Justicea of the Peace for the time being or the major part of them for the Keverall re6i)ective Counties aforesaid for which they shall be Justicesof the Peace, do within twenty dayes after ye publicacou hereof, Assemble and meet together in the Court House for the severall and respective C^ityes and Countyes, or Such other place or pieces as they Shall agree upon among themselves and shall there order tliait the Assessors and Collectors for the Cities of Now york & Albany and the Seierall and respective Townes Man'rs or Liberties within their Several! Jnrisdiccons for the assessing Collecting and receiving of the publick rates for the Defraying of the publick Charge of each respectre City and County aforesjiid shall be ye Assessors &

Collect'r for ye Assessing Collecting & Receiving ye Sum or Sums of mony hereinbefore menponed according to the pro- porcons beforeExpresed as to ye said May'rs Recorders Alder- men & Justices shall seem meet & reasonable And for as much as there are Sei-erall Towns Sfan'rs & Jurisdiccons w'thin ye respective Coimties aforesaid who refuse or do not Elect Annually or«oinee every year Assessors or Oolleet'rs whereby ye Intent of this Act may be Evaded & frustrated Be it therefore Enacted by the Authority aforesaid That If any of the respec- tive Towns 5Ian'rs & Jurisdiccons within ye Severall Counties aforesaid shall refuse neglect I>elay or deny to Choose or Elect Assessors & Collect'ps for the Assessing of their Severall & respective Towns Mann'rs & Jurisdiccons & for ye CoIIeciting of ye Same Accordinp to the true Intent & Meaning & Directions of this Act then iind in Such Case it shall & may be Lawfull for the Justices of ye Peace or any two of them in the Countiea where such Towns Mann'rs & Jurisdiccons are & they are hereby Impowered & authorized to nominate & appoint assessors & Collect'rs for Such Towns Mann'rs and Jurisdiccons as shall refuse neglect Delay or deny as aforesaid which Assessors & Oolect'rs so nominated and appointed in mnnner aforesaid shall to all Intents & purposes lye deemed & Eatfrnned ye Asaeas'ra & Colectt'rs of ye said Man'rs Towns & Jurisdiccous and observe & Execute ye Direccons of this Act And Tio it further Enacted by the Authority aforesaid That the said Mny'rs or Recorders and Aldermen the Justices of the Peace for the respective Cities and Counties as aforesaid have and shall have by Virtue of this Act full power and Authority each of them by himself to administer to Such Assessor or Assessors that shalbe Elected
61

Coogic

and appointed in mannei' aforesaid an Oath that they ahall well and truly equally Impartially and Lu due propwcon Asa^^e & rate the Estates reatl and personal! of the Inhabitajite, Besidents Bojoumers and ffreeholders of the pesp<«:tive places for which they shalbe Chosen Elected nominated & appointed Assessors according to the best of their Hkill and knowledge and that therein they will Spare no person for favour or affection or grelve any person tor. hatred or ill will and the said Assessors

are hereby required to dfliver one Coppy of their Aaseasment fairely written & Subscribed by them unto the Said Justices or to the office of the Clerk of the Peace of the respective Counly to which they belong & the said Justices for each respective County or any two or more of them are hereby ordered and required to Cause the said Severall & respective Assess-ments to them Delivered to be fairely written and to Sign and Seal Severall Duplicates or Copies of tlie said Assessment, & one of them So Signed & Sealed forthwith Deliver or Cause to be Delivered unto the re8i)ective Collectors within the Severall & respective Cities and Counties aforesaid and shall likewise deliver or Cause to be delivered another (aire Oopiy So Signed and Sealed, unto tlie Clerk of the Peace of the respective County lo which they shall belong there to be filed and remaine upon Record and the Clerk of the Peace of each County is hereby required to transmit the Sum of the Assessment of each Town nnto the Receiver Generall at New yorii for the time being within ten dayes next and after his receipt thereof under the pen-alty of fflve pounds for Such his Default, AND Be it further Enacted by the authority aforesaid That if any person or^ersons who shall be Chosen Elected nominated and appointed in man-ner aforesaid assessors or Coleefrs shall deny neglect refuse or delay to assess as by this Act is required or Miall deny neglect refuse or delay to Collect any Rum or Sums of mony in forme before menconed Assessed that then in such Case it shall and may be Lawful! for any two Justices of ye Peace of the Cities and Counties where Such ofFendors shall happen to dwell or reside who by iirtue of this Act are required & Tmpowered to do the Same by Warrant under their hands and Seales to C<Hnitt Snch Assessors or Collect'rs so denying refuseing neglecting or Delay-ing to Collect as aforesaid to the Comon Goale, there to remaine without Bail or mainprise till he or they shall make fine and Itanaome to his Ma'ty for Snch his Contempt as aforesaid and npon such his Comitment ye Justices or the JiajV part of them are required Speedily to nominate and appoint other Collectors and AssessOTS in their Stead and room. And if any person or

1 1., Google

persons Shall Shut their Doors or refuse to pay the Rates

Assesed by Virtue of this Act made and ppo\ided where by thw Act may Seem to be frustrated Bee it further Enacted by the authority aforesaid. That if any person or persons ahall neglect or refuse to pay tbe Severall Hates and Assessments wherewith they are Charged by this Act of Generall Assembly for or In respect of bis & their goods & Chatties Lands and Tenem'ts upon Demand of the CoUect'rs that sbalbe Chosen and appointed to receive the same or within tenn days next after the said Demand it shall and may be Lawfull to and for such Collectors & they are hereby required for nonpayment thereof by Warrant under the hand of two Justices of the Peace to destrain the person or persons bo lefuseing or neglecting to pay by his or their goods or Chatties or destrain in and upon the messages Lands and Tenements so Charged, & the goods and Chatties then and there found, and the IMstrese so taken to carry away, & the Same to Expose to Sale in the Town or County where Such Distress is made and for want of Buyers to carry the said Dis- trease to any other place in the I'rorince for the Sale of the said Distress accordingly for the payment of the said Rate or aasessment and the overplus coming by the Said Sale, if any be over & above the Charges of takeing '& cairying away the said Distress to be Immediately returned to the owner thereof which said Chargea to be Adjusted by two Justices of tbe Peace, and moreover it shall and may be Lawful] to breake open in the day time any House, and upon Warrant under the hands and Seals of any two or more Ju8tic<?B aforesaid any Chest Trunk or Box or other things where Such goods are, and call to their Assistance the Constables or any other persons within the respective Cities Counties, Towns, Mannr's & Jurisdfccons where any refusall neglect or resistance shalbe made, which officers and persons are hereby required to be aiding and assisting in ye premisses. And Bee it further Enacted by the Authority aforesaid. That if any May'r EecordtT Alderman or Justice of the Peace within this Province who are hereby Required ImiKiwered or Authorized to take Effectual Care, that this Act and ever^' Article & Clause therein be duely Executed according to the true Intent & meaning thereof, shall neglect refuse or Delay to perforrae fulfill and Execute all & every the Duties powers and Authorities by this Apt required and Impowered by him or them to be done performed fulfilled and Executed & shall thereof be Convicted before the Gov'r & Council or before any of bis Sla'tys Courts of Record within this Province, be or they shall Suffer Such pain by flino & Imprisonment, as by the Discretion of the Go\''r & Council or the Justices of the said

Digi-jzedbyGoOgiC

Courts Bbalbe adjudged, ,iXD Bee it furtlier Enacted by the Authority aforesaid Tliat if any Accon BUI I'laiut or Infor- macon shalbe brought moved or prosecuted at any time liwe- after against any person or i^TSons for any matter Clause or thing done or Acted in pursuance or Execucon of this Act Such person or persons iki Sued or pi-osecuted in any Court w'tso- evei' shall and may plead tlie (jenerall Issue not guilty & give this Act & the Speciall matter in Evidence, And If the Plaintiff or prosecutor shalbe nonsuited or forbear furtlier pi-osecucon or Suffer Discontinuance or Verdict to pass against bim the Defend't or Defend'ts shall recover treble Costs, for which they shall have the like remedy, as in Case where Costs by the Law are given to Defendants. Prorided alwayes that no May'r Recorder Aldermen Justice of the I'eace shalbe Sued prosecuted or molested for any oauiesion offence or neglwt by Virtue of this Act but within the Space of one year after Such Omission Offenwe or neglect & not at any time thiTeaf ter any thing therein Contained to the Contrary hereof in any wise notwithstanding.

And Bee it further Enacted by the Authority aforesaid that the Collector of this Province shall within tenn days next & after the Receipt of the mony aforesaid pay the Sjiine unto the Said Jacob Leisler or his order he or they giveing a Receipt for the Same. And Be it furtlier Enacted That for tlT& paym't of the Sum of one thousand and Seaven hundred pounds part of the Twenty Seaven hundred pounds due to Mr, Leisler and also for the payment of all other the Debts aforesaid. Be it Enacted by the Authority aforesaid, that there shalbe niised Levyed, Collected paid and Sattisfied to his Ma'ty for the use aforesaid from and after tlie puhlicacon hereof untitl the Eighteenth day of May which shalbe in the year of our Lord one thousand Seaven hundred and Six Inclusive the rates IMities and Impositions ui>on the goods Wares and Merchandizes here- inafter menconed in manner & fonu following (That is to Say) L'pon every Xegro or Indian Slave Imiwrted in this Province from their own Countries flflfteen shitlmgs upon every Negro or Indian Slave not directly Imported as af or emen coned Thirty shillings, upon every Barrel! of Mackerel! OP fflsh Imported into this Produce Eighteen pence upon every

hundred weight of hops three sliillings Imported as aforesaid, upon every Bushel! of Salt IniiHirted aa afoii'said, one penny half penny upon every half barrel! of Flower Exported out of this Province three pence upon every thouwind of pipe Staves Imported into this Province two shillings upon every thousand of hogsiiead Staves Imported as aforesaid one shilling, upon every hundred weight of Cocoa nuts Imported as aforesaid four

Digi-jzedbyGoOgiC

shillings, npon erwy hundred weight of Bice Imported as afore-said one shtlliag, upon every Bari'ell of I'itch Imported as afore-said two shillings, upon every Barrell of Tarr Imported aa afore-said one ahilling. upon every fii^fiji of Blacit Soape Imported as aforesaid Six pence, Upon every Gallon of Liquors Distilled in (he neighbouring Colonys (Except Kum) from the West Indies Imported as aforesaid four pence half i>enny over and above all other Dutys already Imposed. AND Be it further Enacted by the Authority aforesaid That the Sen-erall, Riatee and Duties hereby Imposed on the goods Wares Merctmndizes & Liquors Bhalbe raised Levyed Collected received and paid unto his Ma'tys Collector & Receiver Oenerall for the time being dnneing the terme before menconed in the Same manner & forme and by Such rules allowances waves and meanes & under Such penalties fines & forfeitures as are menconed £spi<essed and Directed in and by an Act of Oenerall Assembly made in tiie Eleaventh year^f his Ma"tya Reign Entltuled an Act for granting unto his Ua'fy Severall Duties for the defraying the Debts of the Govei^ment after ye time Lymitted in an Act ('onfirming & Continuing onto their Ma'ties yeRevenueEstablishedby anact of General! Assembly for defraying ye publick & necessary Charge of the Goverment is Expired in as full & ample manner as if the Hame were particularly recited in this act any thing to the Contrary hereof in any wise notwithstanding, and for the better and more orderly Knowledge and Examinations of the Debts of this Goverm't made in the time aforesaid Be it Enacted by the Authority aforesaid that there be in each Countyi appointed Com'rs to take State & Examin Such Acco't brought or to be brought before them with power to Examine ye person or persons So delivering his acco't upon Oaith to the truth thereof & that th^ have not been in any waves Sattisfled for the

Bame which, Com'rs are & are hereby api>ointed & Impowered to bee Ilendricli Hansen, Johannes Bleeker, Thomas Williams, ft Ryer Schermerhorn for the City and County of Albany, Maj'r Jacob Artsen, Boudewyn De Witt & Ruth Bleecker for the Counly of I'lster, Col. Gerrardus Beekman Maj'r Cor-nelius VaD Brunt & IleDdrick Veighte for Kings County, John Morgan Jaques rouillon and Jacob Corsen for the County of Richmond, Cornelius Hearing and John Cuyper for the County of Orange, John C-oe, John Lawppnce.ond JoJin Berian, for Queens County, Captain Evert Eyrank, James Mott, & Thomas Baxter for the Oounty of West Chester, Samuel Mulford John Weekes & Theophilus Howell for the County of Suffolk which accot's the said Com'rs are to Send to New york on or before the first day of NoTjesnber next unto the Com'rs appointed to

Digi-jzedbyGoOJ^Ic

take State and Examine the publlck Acco'tB of thia GoTeim't who are hei-ebj nominated "Com'rs for tbe City & County of Xew York" and also Com'PB appointed to Settle tbe Generall Acco'tE thereof on or before the flret day of Decem-ber tben next enaueing which being So made up ebaltte Delivered to be allowed by Col, Abraham De Peyater, Samuel Staats, Robert Walter & William Atwood Esq're or any three of them & Signed by tlipm or by any three of thenu ehal be a Suf-ficient Warrant to the Cflllwtor for payment thereof And Be it further Enacted That no Accw'ls shalbe received by the said Com'rs after the first day of September next but Such person or persons So neglecting or BtfuseiuR to have his or their Acco't and-Acco'ts Stated & Examined Shalbe & is hereby for ever debarred to recover his or their pretensions and to the end that the Duties Arriseing by this Act may be duely applyed to Sattisfy the Debts aforesaid Be it Enacted by the Authority aforesaid, That his Ma'tys Collector & Receiver Generall do not Diepooe or pay out any of the Sums ariseing by this Act Except the Thousand pounds aforesaid untill Such time That the said Abraham Del'eyster Bamuel Staates, Robert Walters & William Atwood Esq'rs, or any three of thrau shall have allowed the Aceo'ta of the Debts aforesaid at which time ye money So rece'd is to be paid in due & equall jn-oporcons to tlie Severail persons haveing his or their Acco'ts So allowt^d proportionable to their

Debt which said pa^inent the said Collector is hereby required & Impowered to make accordingly upon Warrant as aforesaid being Lef^ally Discharged for the Same. And Be it further Enacted by the authority aforesaid, Tliat after ye first paympnt made as aforesaid the said CoUect'r is hereby Required and Impowered once in every Six months durving the terme afore-said out of the Duties iiriseing by this Act to pay unto the person or i)er8ons whose jVccfVt or Acco'ts shalbe allowed as aforesaid tlie SumbyhimReceivedby Virtueof thisActinthe Six months afore-said in due and equall propoicons Accordingly proportionable to his or their Debt, & so to Continue from Six months to Six months untill they be all paid or this Act Expired upon ordw- Signed as aforesaid any thing to the Contrary hereof in any wise notw'thshinding and that the CoIlectV do every Six months give Arco't of his Receipt of the Customes arising by this Act to the said Col Abraham DePjpyster Samuel Stiiates Robert Waiters & William Atwood Esq'rs or any two of them any Law usage or Custome to the Contrary hereof in any wiae notwithstanding. And Be it further Enacted that upon the Death or Absence of any of the Said persons out of this Province it shall & may be lawful] for Such as Survive or remaine in the Province to Join

Digi-jzedbyGoOgiC

unto theta one or more perBons as tlie; shall think fltt to make up the number of four which persons So Chosen by them shall to all Intents & purposes be Invosted w'th ye powers in this Act Given to the said persons now Nominated.

[CHAPTER 108.]

[Chapter lOS, of Llvlugston &. f^mith nnfi Van Schaack,' wlipre tie t only la printed. This act is not printed la any edition of Bradford Baskett. Livingston & Smith and Van SchaJck, eta.te that the act was repealed by tbe Queen, Deceiuber 31, 1702. (See note to ch. 1U5.)]

An Act for Contintiing the Eevenue Estab-lished by Law unto hia Ma'ty for two yeares Longer.

IPassed. May 1, 1702.]

The Representatives now in General Assembly Convene'd Considering the many & great favours this Province does dayly receive from his most Sacred Ma'ty which ought to meet with a grateful! return from his Subjects in this Province do therefore humbly pray that it may be Enacted, and it is liereby Enacted by the Leiu't Gov'r & Council and Eepreaentatives now in Generall Assembly Ooovened, and by the Authority of the Same that the Revenue EstabUht by an Act of General Assembly of this Proviuce Entituled an Act for granting unto liis Ma'ty Several Duties for the defraying the publick Charg of the Goverm't after ye time Limitted in an Act Entituled an Act Confirming & Continuing unto their Ma'tya the Revenue Establisht by an Act of General Assembly for defraj-ing the publick & necessary Charge of the Goverment is Expioed is and is hereby Continued for two yearea Longer than in the said Last menconed Act is Expressed in as full and Ample manner as if the said last menconed Act had been herein particularly Recited & Expressed the said Act or any other Law usage or Custome to the Contrary hereof in any wise notwithstanding And the Representatives now in GeneraJl Assembly Convened do most humbly pray his most Excellent Ma'ty that it may be Enacted And it is hereby Enacted by the Authority aforesaid that the Rum of two hundred pounds be on or hiefore the first day of July now next ensueing paid unto his Hon'r John Nanfan Leiu't Gov'r his Heirs or assignes out of his Ma'tys Treasury of this Province as a Testimony of the benfits We have received under his Goverm't and that the Sallary of Seaventy pounds p Ann granted unto William Atwood Esq'r Cheif Justice in Consideracon of his great & manifold Services & endeavors for ye good & welfare of ye Province he Continued for two yeares Ix)nger than is menconed and Expressed in an Act of the Generall Assembly made the

. '.iooglv

last Seesiona Entitiiled an Act for granting an Additiosnl Antj to Mb ila'ty, provided also and be it Enacted bj the authority aforesaid that the Same shall lue paid and payable for the said two yoares oat of the Revenue already before this Act Establisht. And be it further Enacts by the authority aforesaid. That if the said William Atwood should before that time be

removed that then & In Buch Tase the f»um of One hundred and forty pounds be paid unto him his heirs or assigns within forty dayes after Sucli removal] out of the Trcasui^' of this Province. And Be it furthiT Enacted that the Salhirys of Bemardus Free-man Minister of Kchenectade, And his perquisits Establisht by the said Act and the Sallary of Lawrence Claesson Indian Interpreter be also Confirmed for two jeares Longer tlian in said Act is Expressed and the House of Repr'sentatives Con-sidering tlie great Senice of John Pharapanty EsqV the present Agent of this Province humbly pray that it may be Enacted and be it enacted by the Authority afoi-esaid that tlie Sum of fftfty pounds p ann be and is hereby addedto his Rallary for two yeares next ensueing and he the said John Champanty is hereby declared and appointed Agent for this Province for two yeares longer Commencing from the tenth day of this Instant month of May in the present year One thousand Seaven hundred and two any Law usage or Custom to the Contrary hereof in any wayes notwithstanding.

[CHAPTER 109.]

[Cbspter 100, ot Livingston & Smith and Van Schoock, where tbe title only iH printed. This net ts not |irlute<l lu any edition of Bradfo Baskett. UvlngBton & Smith and Van St/liaack, state that the act was repealed by the Queeo, December 31, 1702. fSee note to eh. 105.)]

An Act for the better RegtiJateing the Elections of Trustees & JIagistrB.ts for ye Town of Kings Town in the County of Ulster.
IPassed. May 1, 1702.]

"WHEREAS by a Certain Pattent under the great Seal of this Province dated the Nincie^'nth day of May in the year of our Lord One thoustrnd Six hundred Eighty Eight it is amongst other things ordained that there be yearly and eveiy year on Ihe first Tuesday of tiie month of Mar<'h Elected and Chosen twelve Trus-tees for the said Town by the Maj'r Vote of the Inhabitants and ffreemen of the S«id Town and that the Trustees So Elected as aforesaid shall out of their Xiiml>er Chose & Elect five to be Magiatmts of the said Town for the hearing and determining of ell Civill Causes to the A'alue or Damage of ffiTe pounds. And

Digi-jzedbyGoOgiC

WHEREAS Severall persons disaffected to the Peace and Well-
fare of the said Town have of late taken upon themselves to
Execute the offices of Trustees and Magistrates, of the said
Town without being thereunto Elected and Sworn to the grea;t
Greivance and oppression of the LLhabitants and freemen of the
said Town for the preventing whei'eof for the future BE it
Enacted by the Leiu't Gov"r & Council and R4»presen.tative8 now
in Generall Assembly Oonresned, and it is hereby Enacted by the
Autliority aforesaid that there be yearly and e^ery year pursuant
to the said Pattent Elected twelve Tnisteea for the said Town
of Kings town and that five thereof be the magistrates aforesaid
and that they be Chosen & Elected on the firsit Tuesday of
March in the Town House of the said Town by the Majority of
the Votes of the Freeholders & ffreemen of the said Town, &
for the more regular & better proceeding in the Elecwn aforesaid
Be it Enactx.'d by the Authoritytaforesaid that the Justices of the
Peaceof theConntyof L'lsterreaideingandlnhabiting within the
Town aforesaid or one or more of them are hereby Required and
Comanded to Issue forth his or their Warrant or Warrants
directed to the Constable or Constables of the said Town three
days before the Election Cranmanding him or them to give notice
to all the ffreemen and ffreeholders of the Day and place of
Election and that Such as have the Majority of Voices in the
said Election shalbe returned Trustees of the said Town for the
year ensueing unto the Justices aforesaid and be Sworn before!
the Said Justices or one of them at least, ffaithfully to Execute:
th^r said Office and that no person or persons not Sworn as
aforesaid shall be Suffered by the said Jusitices to enter upon the
said Office And ^Yhereas Severall persons within the said Town
did in ye year of our Lord Seaventeen hundred and one illegally
take upon theraselvee the offices of Trustees & Magistrates as
aforesaid to the great Damage & manifeBt Disturbance of the
Peace of the said Corporacon without being Elected or Sworn
nntothesaidOfBcesoranyofthem BE it therefore Enacted by the
Authority aforesaid that all the Acts proceedings & Judgements
had made given or Executed in ye Town of Kingstown in the year
1701, 1701 1-2 in the name and by the -Authority of the Trustees
or Magistrates of the Porpwracon of Kings Town or either of
them he for the reasons aforesaid held illegal and Void & the
same are hereby declared Illegal and void accordingly any Law
usage or Custom to the Contrary hereof notwithstanding.
63

Digi-jzedbyGoOgiC

LAWS OP THE COLONY OF KEW YOHK.

[CHATTEB. 110.]

[Cb^ter 110, of Livingston & Smttb and Van Schaacfe. where the title only Is printed. This act 1b not priuteit In any edition of Bradfor Baskett. Livingston & Smith and Van Schaaik, state that tbe act was repetiled by the gueen, Det.-euiber 31, 1702. (See note to cU. 10o

Aji Act for deelareing Confirming & Explaining the Libert™ of the City of Kew yoA relateiflg to ye Election of their Magia-trats.

[Passed. May 1. 1702.]

WHEHEAS nothing can more Conduce to the pea«,-e Welfare and quiet of the InbiibitaiitB Fref^holders & ffreemen of the Cily of Kew joi'k than that they ahtmld enjoy all and every the LihertjB, Franchises pritileges & ImniunitieB granted unto them by their Charter of Oorporacon daiied the Seeven and twentieth day of Aprill in the Year of our Lord One Thousand Six hundred Eighty & Six and that the said tSty being the most Ancitent Corporaron of this Province should be Incouraged . & the Inhabitants thereof made happy in every Eespect and Secured in the full enjoj-ment of their ancient Rights and IMrtleges given & Confirmed unto them by their said Charter aa aloreaald and that all heats Animosities Quarrels Strifes & Debates may for the future be laid asTde & those already hap-pened for ever hereafter buried in Oblivion & tha-t such maltera which are or may Seem to be Doubtfwll in ye said Charter relateing to the Electing of their magistrate may be Explained Declared & Settled. Be It Enacted by the Leiu't Gov'r & Council & Eopresentatives now in General Aashnbly Con'ren'd and it is hereby Enacted by the Authonity aforesaid that the Election of Magistrats and other officers for ye said City shal he yearly & every year for ever hereafteT on the Day or Days as by the said Charier is Directed & Such & So many aa is therein meno(ra«d & Expi-essed to Serve the said Corpoj-aoon In Such manner & wayes as is therein and thereby Declared. And Be

it further Enacted by the authority aforesaid that the said C3ty is, & is hereby Declared to be Divided in Six Wards According & in Such form as the same was Dirided in the year of our Lord One tbouflfflnd & Seaven hundred, and that there be Annually & oTory year in each of the said Respective Wards Elected & Choosen for every ward Such & ao many Officers as In & by the said Charter is directed, And Such & so maoy officers for ye Town of Harlem within the Corporaeoa of the said City as was by ye Oomon Oouncil of ye Said City Ordered in ye year of our Jjord

H;–,:.tll:yG00gIC

One thousaDd Six hundred Ninety Kine which Said Order is hereby declared to be to all Intwats & purpoees Confirmed but whei–eas gi'eat Strifes Debates & Huites have happened of late In ye Eleetiom of llie Officers aforesaid, that ia to say of one ^Vlde nian one ^Vsaistant two AsBvssors one Oollect'r one petty Con–stable for each ^ard & two petty Conaitables for the out ward to the great Disquiet Disturbance ti–ouble & Vexawom of the ffreeholders & ffreemen of the aaidl Oi^ by iiea»oa of the miscotiBtruccon of the saiii Charter for the preve^ing whereof for the future Be it Enacted by the Authority aforesaid that from henceforth & forever hereafter all & every the Freeholders Dwelling & resideing within the aaid City having freehold w'thin the Baid City either in his own Bight, or in the Bight of his Wife, & all & every the fTreemen of the said City thait. now are being born w'thin the said City or otherwise made free by Enrolling oe haveing purcliased their freedom and resideing within the said City shall have their Votes in the Electing of the oificers aforesaid in the Severall Wards where they live and in jHO other Ward whatsoever within the aaid City, Provided they have Actually lived resided or had their habitacon in the said Ward three months before the day of Election & that all persons borne within this KingdtHU of Euglflnd or this City & hereafter Enrolled & made free shall have ye lilce privilege of Election but all & every person or persons not bom in ye Kingdom), of England or this province that shall after the fourteenth day of May now neit ensueing become a freeliolder or freeman of thiB City shall not be Buffered to give his or their Vote in jie Elec–tion aforesaid unless they have lived Twelve months within the

said City & three months within ye Ward where such Choice or Election is to be had before the time of Such Election the said Charter or any Law usage or Custom to the Contrary notwith-standing & for ye better Begulateing the Elections aforesaid Be it Enacted by the authority aforesaid that the May'r of the said City for the time being or on his Death or Absence the Recorder or Eldest Alderman for the time being shall according to the former usage at ye accustomed day issue forth his Warrant to the representative Alderman or Assistant or either of them of the respective Wards to Cause ye said Election to be made in ye forme aforesaid Assisted by two of the principle ffreeholders of ye Said Wards {that is to say) for the Southward Johannes Van Giesen & Gysburg Van Jurburg for the Northward Gerret Viele & Jacob Van Noordstrant for ye Dockward Lawrence Van Hoolt & Abram Metzeler for ye Eastward Johannes Hardenbrock & Barent Royndern for ye Westward, Evert Van Hook & Johannes

. '.'.oogle

Van Odder & for ye outward Egbert HeeremanB & Johannt's Waldron or one of theni in each ward at least & in Case of their or any of their Death or absence by 8uch as the Comon Council of said Citj shall appoint in the room of ye a'd deceased or abseuttee which is & who are to he appointed on ye day the Warrant Issue, & are to be Sworn in Comon t'ouncil truely & faithfully to take ye Poll of the Election of their respective SVards & not to Suffer any to Vote but Such as are qualified as aforesaid & toprether with the said Aldermen or assistant return ye names of Such as have ye maj'r Vote for any of the said OfRcers unto the Clerks oflBce of ye Said City before twelve o(f the Clock the Same day of the Election which persons so returned shall be doemed ft Esteemed to be Duely Elected oflflcera for their respective Wards & be accordingly Sworn in ttieir respective OfBces as the said Charter directs for ye year ensueing on ye usuall day in ComoD Council after ye publishing of ye new May'r Comon & if any Dispute shall happen Relateing to ye Elections aforesaid the Same shalbe Decided by ye Comon Council for ye time being within Eight days after the Election & if any person or persons shall think him or y'mselves agreived by such their Determinacon he or they shall have Liberty to make his or their

appeal to the Gov'r & Council for the time being & no where else who are hereby Impowered finally to decide ye same. Provided nevertheless that such appeal shall not be any pretence for the May'p & Becorder for ye time being to Suspend to Swear or Sweare others but such as are returned in Comon Council aforesaid which to all Intents & purposes shalbe deemed & Esteemed to be ye respective officers of the said City untill any return shall falsified by the Gov'r & Council & by their Warrant others are Oomanded to be Sworn in ye room of Such not duely Elected & returned & to ye end that all Controversies Strifes and Debates relateing to the last Election of officers and magistrates for ye said City may be for ever Obliterated BE it Enacted by the Authority aforesaid that all Records or Minuts Eutred in the Comon Council Book from the Eleaventh day of November Lost past untill the twenty third day of December last past he on or before the fourteenth day of May now next ensucdng in Comon Council to be held for that purpose raised defaced and forever Obliterated and held for null & Void any Law usage or Custom to ye Contrary hereof notwithstanding. Provided that this Act nor any Clause herein Contained shal be Oonstmed to Debart- any of the Countys of this Province of thdr Ancient Bights and Libertys.

DgizedbyGoOgiC

LAWS OP THE COLOKY OF NEW YORK.

[CHAPTER 111.]

[Chapter 111, of Llviugston & Smith and Van Sclioack, where the titl only la printed; This act ta not printed in Brliiley'a Bradford or Baskett. The act contiuued la chapter S5. Defects in this act are s plied by chapter- 133.]

An act for Continuing the Com'rs. of acco'ts for one year longer

[Passed, Ma; 1, 1702.]

WHEREAS tlie Act of the Generall Assembly Entituled an Act for appointing and Enabling Com'rs to Examine taiie & State the publiq Acpo'ts of this Province is Expir'd by its own Limitta-

con on the first day of this present Sessions of the General! Assembly. And whereas it is of absolute necessity that the acco'ts of this Province should be finished and Settled in Such way & manner as they are now happily begun Be it Enacted by the Leiu't Gov'r and Council and Rejiresentatives now in General] Assembly Convened and it is hereby, Enacted by the Authority aioresaid that the said Act and evvry Article and Clause therein Contained is hereby Continued and declared to be of full force & Virtue until! the first day of May in the year of our Lord one thousand Seaven hundred and three and from thence untill the first day of the next Sessions of the General! Assembly any Law usage and Custom to the Contrary notwithstanding.

THE NINTH ASSEMBLY.

J^irst Session.

{Begun Oct 20, 1702, 1 Anne, Edward Ix)rd Cornbury, Governor.)

[CHAPTER. 112.]

[Chapter 112, of LivlngBton & Smith and Van Schaack, where the tlUe only is printed. Printed In full In Brinleys Bradford, pp. 177, Title only Is printed In Baskett. p. 01. Opposite the words in brac the margls of the original law, Is the word " out."]

An Act for the Levying and Collecting the Sum of Eighteen hundred pounds for the raising jmying and maineteining one hun- dred and fifty ffuzileera with their proper Officers for five Months and Thirty Men with their proper Officers to be Imploy'd as Scouta Sixty two days for the Defence of the ffrontieei-s.

[Passed, November 7, 1702.]

WHEREAS by the great Neg!e<*t of those who have lately Exercls'd the Powers of Govenmieirt in this CoHony, the florti-

flcacons on tlie ffpontieers thereof have Kub' to Buin and Decay; aod tor as much as the yafetj, good and Welfare of this CoIoej,

as well aa her Majesties other Provinces in these parts of America dot's greatly Depend on the making good and preserv- ing the Said ffortificauons and out I'osts of the said ffronteers. And Altho' this Province of it ^elf is very unable to raise and maintain Such a Number of Men a& will be alwayes necessary to be there Posted and Mainteiued, for the better Security thereof; Yet that they may be found doing their Duty to the utmost of their power and ability, with all Due Regard to her Sacred Ma'tys serrice, and the presenacon of this Pro\ince, Be it therefore Enacted by his Excellency, the Gov'r and Council and H€T>resentatives Conven'd in Generall Assembly, and by the Authority of the same, That the Sum of Eighteen hundred pounds Currant money of New York be laid, Assessed, raised and ILeried upon all and e^ery the Inhabitants, Besidents, Sojourners and ffreeholdera of and la this Province, for the raisinf^, paying and mainteiniag one hundred and ffifty ffuzileera, with their proper Officers, (for five Months and Thirty 5Ien with their proper Officers,) to be Dnploy'd as Scouts Sixty two Dayes, the fFuzileers to be I'OBted on the ffronteers at or neer Albany from the fflfteenth Day of November Instant, nntill the fflfteenth Day ot Aprill next following, and no longer: And the Scouta to be Raised and Posted att Such place or plaicea as his Excel the Captain General Shall Seem meet; which said Sum of Eighteen hnndred pound-s, as aforesaid, shall be raised and paid according to the Sei'eral refipcctive Quota's and Proporcons hereafter men- coned, unto her Ma'tya Receiver TSeneral of this I'rovince, or to the Oom'rs for Manna^ng the Office of Beceaver General, for the time being, at the City of Newyoit, at or before the 25th Day of March next ensueing, which will be in the year of our Lord 1703 according to the Bates and pn^Nvrcans following (that is to Say,) For the City and County of Newyork foure hundred and five pounds. For Kings County, Two hundred ffifty two pounds, ffor Queens County, Two hnndred and Seaventy pounds. ff<w the OoTinty of Suffolk Two hundred and Seaventy pounds, ftor the County of Bichmond Ninety pounds, ffor the County of West Chester One hundwd flkirty foun pounds, ffor the CSty and County of Albany One hundred florty four pounds, ffor the County of Ulster One hundred Sixty two poand& For the County of Orange fforty five pounds, ffor Dutchess Connty Eighteen pomidsi And be it further Enacted by the Authority aforesaid. That for the better Assessing raising Collecting and paying the Sum of Eighteen hundred pounds aforesaid, The May'r and Aldermen of the City of NewyoA, the May'r and Alder-

DgizedbyGoOgiC

meu ■within the City of Albany with the Justices of the Peace lor the time being for the Sei'erall and Hespettive Cities Countya Towns, MannorB, Liberties and Jurisdiccons within this Coltmy Ut the which they ahalbe Justices of the I'eace do within fforty diyes after the publicaoon hereof Assemble and mett together in the Court Houses for the Beverall Respective Cities and Coun- ties or Such other place or places as they shall a^ee among themselves and shall there order thai; the Assessors and Collectors for the severall and Respective Cities Towns, Mannors or Liberties, within thrfr Severall Jurisdic- C0D8 for the Assessing, Collecting and Receiving of the publick Rates for the defraying of the publick & necessary Charge of each respective City and County aforesaid be the Assessors and Collectors, for the Assessing, Collecting or receiving the Sum or Sums of mony hereinbefore menconed according to the proporcons before Expressed as to the said May'r Aldermen and Justices shall fleem meet and reasonable And forasmuch as there are Severall Mannors and Jurisdiccons within the respective Counties aforesaid, who neglect or do not Elect Annually or once every yeare Assessors or Collectors, whereby the Intent of this Act may be frustrated. Be it also Enacted, That if the respective Towns Mannors or Jurisdiccona within the Severall Counties aforesaid shall refuse or neglect to Choose Assessors and Collectors for Assessing of their respective Towns Mannors or Jurisdiccons or for Collecting the Same, according to the Intent and Direccon of this Act then and in Such Case lie Justices of the Peace in the Counties where such Towns Mannors or Jurisdiccons are, are hereby Impowered and Authorized to Xominate and appointe Assessors and Collectors for such Towns Manaors and Jurisdiccons as shall neglect or refuse as aforesaid, which Assessors and Collectors, shall to all Intents and purposes Observe the Direccons of this Act, as any other Assessors or Collectors are by this Act Obliged and Enjoined to do. And be it further Enacted by the Authority aforesaid. That the said MayV Aldermen and Justices of the Peaoe for the respective, Gtties, Counties, Mannors and Jurisdic- cons have and shall have power and Authority, by Virtue of this Act, each of them by himself to Administer an Oath to the said Assessors, well and truly, equally Impartially and in Due proporcon as it shall appearto them, according to their beat under-

standing, to Assesse and rate the Inhabitant*, Residents and ffreeholdera of the respective places for which they shalbe Chosen Assessors. And be it further Enacted by the Authority aforesaid That if any person or persons WTio shalbe Chosen Assessors or Collectors in mannor aforesaid shall deny neglect,

Digi-jzedbyGoOgiC

or i]Qe<iuatly and Impartially Assess or refuse to make Such Assessment as by this Act is required or aliall deny, neglect, or refuse, to Collect any Sum or Simis of mony in form before meo-coned Assessed, that then and in Such Case it shall and may be Lawful! for any two of her Ma'ties Justices of the Peace of the Cities and Counties where such offendtws shall happen to dwell or reside, and who by Virtue of this Act are required and Im-powered to do the Hiuiie by Warrant under their bands and Seals to Coiuit Such Assessors or C'ollectors so denying neglect-ing or unequally and partially Assessing or refuaeing to Collect as aforesaid, to the Cooion Goal there to nemaine without Bajle 01' mainprize till he or they shall make fine or Bansoni to her Ma'ty for Such Contempt as aforesaid.

[And be it further Enacted by the Authority aloi'esaid, 'Hiat if any person or persons of what Degree or quality Soever he <^ they shalbe within this Province, who shall be Assessed or rated any Sum or Sums of money, by ^'irtue of this Act to be raised and Levied shall Deny, refuse or Delay to pay and Satisfy the same, that then it shall and may be Lawfull for any Such Collector, by Virtue of a Warrant under the band and Seal of any of the Justices for the City and County where Such offendwis shall reside or Inhabit, who by Virtue of this Act are required and Author-ized to grant and Issue forth Such Warrant, to levy the Same by Distresse and Sale of Such person or persons Goods and Chatties, Returning the Overplus, (if any be) to the owners, the Sum Assessed, and Charges of Distress and Sale being first Deducted.] And also, be it further Enacted by the Authority aforesaid. That if any May'r Alderman or Justice of the l*ea«?e within this Province, who are hereby required, Impowered & Authorized to take Effectual care that this Act & every Clause therein be duely Executed, according to the true and Genuine Sence and Intent thereof, shall Deny, refuse, neglect or Delay to do, perfonn,

fulfill and Execute all and eivry or any of the Powers, Duties and Authorities by this Act re<]uired and Impowered, by him or them to be Done, performed, fulfilled and Executed, and shall thereof be Lawfully Convicted before any of hw Majesties CourtB of Record within this Province, he or they shall Suffer Such pain, by fine and Imprisonment, as by the Direction of the Justices of the said Courts shall be adjudged. ^Vnd be it further EnacBcd by the Authority aforeaaid, That if any Action, Bill, Plaint or Informacon shall be brought, moved or prosecuted at any time hereafter against any person or persons, for any mattJOT, Cause or thing done or Acted in pursuance or Esecucon of this Act, such person or persons so Sued or prosecuted in any Court whatso-ever, shall and may plead the General Issue, Not Guilty, and give this Act and the Speciall matter in Evideoce; and if the

1 1., Google

plaintiff or prosecutor shall be DOD-snited, or forbear further proaecucwi, or Suffer Diacontinuauoe, or "^'erdict to pass against him, the DefeDdaDt or Defendants shall have Treble Costa, for which they shall have like Remedy as in Case where Costs by Law are given to Defendants. [Provided alwayes, That no Mayor Alderman or Justices of the Peace shall be troubled Sued, prosecuted or Molested for any Omission, Offence, or Neglect, [by Virtue of this Act, but within the Space of One Year after Such Omi^ion, offence or Neglect] and not at any time thereafter, any thing herein Contained to the Contrary hereof in any wise notwithstanding.

[And be it further Enacted by the Authority aforesaid, That what person or persons soever shall advance any Sum or Sums of Money not Exceeding the Sum of one Thousand pounds upon the Credit of this Act, for the ends and purposes therein menconed, & shall pay the aameunto the Receiver General of thisCoIony,orto the Com'rs for Maunaging the office of Receiver General for the time being shall have and Receive back the Sum & Sums of Money so by them advanced, so soon as the Same can be Collected, with allowance after the Rate of Ten per Cent P Ann until they shall be reimbursed the Same.

[CHAPTER 113.]

[Cbapter 113, of Llvingstoa & Smitb and Tan Scbaack, wbere the act Is printed In full. Printed In full In Brlnley's Bi-adford, p. 109, Baskett, p. 00. Confirmed br the Queen, May 20, 170S. The premium w altered by chapter 172.1

An Act tor Destroying of Wolves with-
in this Colony.

[PasBed, November 27, 1702.1
Forasmuch as by the neglect of Killing Wolves within this Colony (Occasioned as well by the inequallity of the Distribu-con & Smallness of the Reward, as the Difficulty in attaining what formerly by the Laws has been allow'd) Divers of the Inhabitants of the Same Colony, have Suffered many grievous Loses in their Stocks, both of Sheep and Neat Cattle. For the prevention of which, and Encouragement of those who shall destroy Wolves in the said Colony, and that the breed of Wolves within this Colony may be whooly rooted out and Extinguisht, Be it Enacted by his Excellency the Governr with the Consent ot her Ma'ties Council and Assembly for this Colony of New York, That from and after the Piiblieacon hereof, whartsoever person or persooiB, Christian or Indian, ffreeman or Slave, shall destroy and kill any Wolfe or Wolves, or their Whelp or Whelps, in the Countys of Suffolk, Queens County & Kings County, shall have

1 1., Google

and Receive a& a. Reward, for each Wolf so destroyed and killed, the Hum of Three pound Currant money of this Colony; and for every Such Whelp under a year old, bo destroyed and killed, the Sum of Tliirty t^hilliugs Currant money aforesaid In the County <rf West Chester, Twenty shillings for a groHH Wolfe, killed by a Christian, and Ten shillings for Such a Wolf killed by an Indian, aad half that Sum Rt'speetively for a Whelp. In the County ot AJbany, Ten shillings for a grown Wolfe, killed either by Chris-tians or Indians, and half that Sum for a Whelp. In the County of I'leter, Twelve shillings for a grown Wolf, killed either by Christi-ans or Indians, and half tltat Hum for a Whelp. And in

the County of Richmond, Thirty shillings of like mcwiey for a Grown Wolf, killed by a. Christian, and fifteen shillings for Such a Woif killed by an Indian, and haJf that Sum respectively for a Whelp To be paid by the Treasurer, of each respective County where Such Wolve or Wolves, Whelp or ^Tielps shall happen to be deartroyed and killed. And for the more Effeotuall payment of the said Rewards, Be it Enacted by the Authority aforesaid, That whosoever shall kill any Wolf or Wolves, their Wlielp w ^NTielps in the said Countys, shall with all, Convenient Speed bring tlie head or heads of Such Wolvee, so by them destroy'd, to some one of her Ma'ties, Justices of the Peace for liiat County, Wherein the Same shall be killed, who (upon view thereof, and Examinactm of the Party, and Circumstances finding the same tw agree with probability and Truth) Is hereby required to Issue forth his Warrant under his hand and Seal, directed to the Treasurer of the peq)ective County where such Wolf or Wolves, Whelp or Whelps shall be killed, for the payment trf Such Sum or Sums of money to such person or persons who shall kill and destroy them, as by the same Justices shall be awarded, according to the respective Rewards herein before Specified; and Such Treasurer is hereby Required and Com- manded, to make Due and Immediate payment of the Same, according to the Contents of such Warrant, & the true Intent & meaning of this Act And be it further Enacted by the Authority aforesaid. That the Assessors and Collectors, for the Assessing and Collecting the Sum and Sums of money for the defraying the publick and necessary Charge in the Several Counties aforesaid. Respectively, shall yearly and every Tear, Assess the Inhabitants of their respective Coimties for the pay- ment of the Rewards aforesaid, and that Such their Assessments be Collected and paid into the Respective Treasurers of the said Countye, and that the Supenisors, or Such others as now are, or at any time hereafter shall be appointed and Authorized- to Supervise , Audit or al 1 ow of the Accot's and

mtQts of the respective TreaeurerH, Bhall allow and Discharge Such Treasupers, upon their Acco'tB for all their pajnienta made pursuant lo such Warrant or Warrants, as is aboi'e Kiet forth, any Law, Uustom or ordinance to the Contrary hereof in any wise notwithstanding. And In regard the respec- tive Treasurers of the said Countys have not, or at present may not have money in their hands for Defraying and Satisfying the

rewards by this Act allowed and Intended to he given, We it Enacted by the Authority aforesaid; That Immediately after the publicacon hereof, in each of the said Countys, the several and respective persoDS, for the time being, who are appointed for the Assessing, Levying, Collecting and Iteceiving the publick and necesaary Charge within the respective Countys aforeeaid, shall in such manner as the publick moneys have usually been heretofore Levyed, raise in each of the said Countys, over and above what is before menconed, the Sum of Thirty pounds Law-full money of this Colony, to be paid forthwith into the hands of the respective Treasurers of the »aid Countys, there to r^nain. and be disposed of for the use aforesaid, and no other; And Also, That yearly thereafter, in each of the said Countys, a Certain Sum. of money, not Exoeeding Thirty pounds, shall be in manner aforesaid, Assessed, raised Levyed and paid into there Respective Treasurers, there to remain and be ready for the paying. Satisfying and discharging the rewards herein before Eipreet, and not otherwise. And for the further Encouragement of such persons who shall, destrt^ and Kill Wolves in the said Countya, and Securing the payment of the rewards hereinbefore menccmed to be given unto them, Be it Enacted by the Authority aforesaid, That if any Justice of the Peace, Treasurer, Assessor, Collector, Supervisor, or Such other persons as now are, or at any time hereafter shall be appointed and Authorized to Super-vise, Audit or allow of the Acoo'ts and payments of the respec-tive Treasurers in the Countys aforesaid, shall neglect deny or refuse to do, perform and Execute the Several and respective Acts and Duties hereinbefore Directed, Comanded or required to be done, perfonned or Executed, so that thereby any person or persona, who shall kill and destroy any Wolf or Wolves their Whelp or Whelps in the said Counties, shall remain for the Space of one year unpaid, or not Rewarded, as is before mem-coned, or whereby Such Treasurer upon his Acco'ts shall remain undischai^ed, every Such persons so neglecting deny-ing or rrfosing shall forfeit and pay to the party thereby being greived, the Sum of five pounds Currant money of New york to be Recovered by an Accon of Debt in any of her Ma'tys ConrtB within this Colony. Provided alwayea, That such Accon

LiOOgic

be brought and Sued witbin one year and a day after such offence Comitted, and not otherwiBfe And be it further Enacted by the Authority aforesaid, That from and after the publicacon of this Act, all former Acta and Laws for giving any Reward for Destroying of Wolves and "Wbelpe, shall from thenceforth stand Repealed, and be void. Prorided That whatsoever person or perscojs is by the said Acts or Laws Entituled to any Reward or Rewards for destroying of Wolves or their Whelps, shall not be barred or precluded from their Lawful demands, any thing herein Conlained notwitlistanding.

[CHAPTER 114.]

[Chapter 114 ,ot LlvlaRston & Smitb aad Van Scbaack. wbere tbe title only la prlated. Printed In full in Brinley's Bradford, pp. 185, 218 Baakett, p. 63. Continued by chapter 157.]

An Act for the better 8etling the Militia

of this Province and makeing it more nsefull

for the Seeuritj' and Defence thereof and for

the Repealing of all former Acts heretofore

made in this Province Relating to tbe Same.

[Passed, November 27, 1702.]

WHEREAS tbe Security and preservation of this Province

greatly depends upon the Militia being put into Such Methods

and under Such Rules that it may make the Same most nsefull

for the Support and defence thereof and that the Inhabitants

should be well Aiined and Train'd up in the Art Military as

well for the honour and Service of her most Sacred Ma'ty, as the

preservacon of their own Lives and Fortnnes. Be it Enacted and

Ordained by the GovV Council and Representatives, and it is

Eereby Enacted and ordained by the Authority of the Same.

That no person whatsoever from Sixteen to Sixty yeares of Age remain unlisted by themselves their Parents Masters Miatressea or Imployers under the Ca.i)tain of their Respective places of Abode in foote or horse the Space of one Calender month after their attaining the said Age of Sixteen Yeares, or after their Arrivall or coming to reside or Sojourn in any place within this I*rovince on penalty of Twent.v shillings and So for every mouth Such person after notice thereof given shall remain unlisted.

And that *-\-ery foot Souldier be provided with a well fixed Musquet or ffusee, or if the ofBcer So appoint with a good Pike an Sword or Lance and Pistoll, each 5Iusqueteer Six Charges of Powder and one Cartouch Box and so shall appear when and where required upon penalty of five shillings for his default In not appearing and three shillings for want of each Charge of

Powder, Gun, Pike, Sword, Piston, or Cartoueh Box, So as the whoU penalty for any person at any time exceed not Twenty shillings. And that every Souldier belonging to the Horse shall when and where Commanded, appear and be provided with a good Serviceable Horse of his own, Covered with a good Saddle with Holsters Breastplate and Crupper, & a Oaae of good l*iatolls, Hanger Sword or Bapier and half a pound of Powder with Twelve Serviceable Bullets on penalty of Ten shillings for each times absence and ten shillings for default of the pai-ticulars above menconed So as the whoU penalty for one time exceed not fifteen shillings, And that every foot Souldier shall have at his Habitacon or abode one pound of good Powder and three pounds

of Sizable Bullets, and e^ery Ti"ooper shall have at his nsuall place of abode a well fixed Carbine, with Bdt and Swivell, and two pounds 0* fine powder with Six pounds of Sizeable Bullets on penalty of ten shillings for every Default, and that each of them shall bring the Same into the ffeild when Commanded upon penalty of answering the Same at a Court Marshall.

And for the Supply of the Troojis of Horse in the Citys of New york and Albany and County of T'later It shall be in the power of the Colonell or other Cheif Officer of the City of Xew yorE, County of Albany and County of Ulster for the time being whenever any of the said Troops shall not C<«npleat the number of fflfty, to present Double the number instead of Such as are dead removed or wanting out of the principall Inhabitants and Gentlemen of the respective Cities and Counties aforesaid unto the Gov'r for the time being, who from time to time may list and Order So many of them,to bee of the said respective Troops, as may Compieat the number of fflfty for her Sfa'tys Service and the Security of this Pi^prince, And any person & persons so presented to the Gov'r for the time being & by him Listed and ordered to be of the said respective Troops shal be and are hereby Obliged to Sen-e in the said respective Troops upon the penalty of five pounds

And it is further Enacted by the authority aforesaid, That no person So Listed as aforesaid, shall dejwrt thence, without a Dis-charge from the Commander of the Company or Troop where Listed on penalty of fforty shillings, and that no Commander of any Company or Troop shall refuse iihen Desired to give a Dis-charge in Writing to any that has removed his abode cut of the precincts or Province under the penalty of five pounds.

And whereas at the Cilys of New york and Albany and at the' Town of Kings Town in the County of T'lsfer Guardes and Watches are every night Set and appointed, Be it therefor* Enacted and Ordained by the Authority aforesaid That it shall

Digi-jzedbyGoOJ^Ic

and may be Lawfull for any persOD or pei-aons lasted in the Militia Kegtments of the Citys of »wyork and Aibany or in any

the Militia Compauys in the Town of Kingston in the County of Ulster t,Excvi»t on Exterordinary Occasions) to put a well armed man in theii- Koum who if approved of by the Captain of the Guard shall excuse his or their absence Provided alwayes that the (-'onimiasioiu officers and Serjeants of the respective Com- panies in the Citys of Newyork and jVlbany and in the Town of Kingston in the County of VIsttT he Obliged in their Bespective Turns to mount the Guard In their proper persons and that no I»ei-aon shall refuse to be a Serjeant Corporall or Drummer in the Company wherein he ia liated under the penalty of fEorty shillingsL

And be it furtlier Enacted and Ordained by the Authority aforesaid That all Captains of Companies of ffoot or Troths erf Horse shall within Twelve months from and after the publicacon of this Act provide for their Companies and Troope Drums and Colours, Trumpets and Trumpetiers and Banners at the proper Charge of the respective, officers Troops and Companies under the penalty of Tenn pounds and So for every four mouths such Commanders shall i-emoine unprovided, And that all the Colonells of the respective Regiments or next Cheif OfBcers in their absence shall once every year at least issue out their war- rant to their Inferior OfBcers Commanding them to make ddigent Searcli and Inquiry in their Severall precincts, that all be duely listed Armed and Equipped And to return to them such Defects as shall be found to the end the same may be Reformed on penalty of Twenty pounds and that once every three Months or oftener as Occasion shall require and Comand be given by the Captain Generall or Comander in Cheif for flie time being the severall Companies and Troops in each Regiment shall meet at the next and most Convenient places to be appointed by the respective Officers to be then and there by them Mustered and Exercised.

And it is further Enacted and Ordained by the authority aforesaid, That during the t^me the said Officers and Souldiers are in Arms they shall Ohser\'e and keep all and every of the Laws and Articles of Warr and give all due Obedience to their Superior Officers which Laws and Arlflcles the Captain Generall or Comander in Cheif with advice of a Generall Council of Warr, is to make and Establish, and the Comandera of the Severall Raiments to give out Copies of the said Articles unto the respective Officers, that the same may he publickely read once every three months unto the Souldiers whilst they are in Arms that all persona may the better know and Observe their Duties.

And if it shall happen that any of the Officers or Souldiers Bhall when they are out of Amis endeavour to take Keienge by force, for any thing his or their Superior Officers lawfully did in pursuance of his or their Duty and this Act, The Said Officers and Souldiers shal-be brought to a Court Martiall and there pun-ished as if the Offence had heen done in time of Senice or Exer-cise; provided that the said punishment do not Extend to Life or Limb.

And T)e it further Enacted by the Authority aforesaid, That once every year or oftener if thereunto Oomanded, each particular Captain shall give to his ffeild officer and the feild Officer to t Captain Generall or Comander in Cheif for the time bdng, fair written Bolls of thefr Respective Companies and Regiments, And if any ffeild Officer Captain or other Inferior Officer shall neglect or Contemn performing the Lawfall Comands of the respective Superior officers he or they shall be punished by fine Casheering or other punishment according to the discretion of a Court Martiall which the Captaine Generall or Comander in Cheif Is to appoint and Establish, And the orders of the said Court Martiall are hereby Declared to be binding in all military

And if any person uponany luMisJon or o^her publich Military Service be wounded or disabled he shall be cured and Maintained out of the publick Revenue.

And if any person whatsoever shall be Sued molested or Lnpleaded for anything Lan-fnlly Oomanded in the Execucou and pursuance of this present Act he shall plead the Oenerall Issue, and give this Act in Evidence and shall thereupon if found for him Recover treble Coats of Suite.

Provided alwayes and it is hereby Enacted and declared by the Authority aforesaid That the Several! flues and forfeitures men-coned in this Act shall be recovered and disposed of as followetb Vizt That all Such as do relate to any person under the Degree of a Captain shall be adjudged by, and be to the respective Captains to defray the Charges of their Companies or Troops and to be Levied before the next exercising day by distresse and Sale of the offendors goods by the Captains Warrant to the

Serjeant or Corporall and if no Distress l>e found the punishm't to be by riding the wooden horse or being Tyed Neck & Heels not Exceeding one hour at the Discretion of thrfr Officers, But if the offender be a Servant the owners goods shal-be Lyable to the Distresses and Sales as aforesaid, So that Sattisfacon may be made, And if any Such Serjeant or Corporall so as aforesaid appointed by his Captain shall refuse to Execute such Warrant to him granted, Such Serjeant or Corporall shall forfeit for every

Digi-jzedbyGoOgiC

Such Offence for the uses afortmentioned the Snme of ttortj Bhilliu^ii to be levied by LHBtivsse as is aforesaid by such other Serjeiiiit or Corpomll by the like Warrant under the hand and Seale of the Captain as is before in this Act Expressed And for all other penalties mentioned in this Act the Hame to be levied by Distresse and Sale of the Offenders goods and Chatties by the Provoost Marshall by Warrant frmu ye Captain Generall or Comander in Cheif or the Chelf ffeild Officer where«8ucb Offendors are, one half thei-eof shall be to the Captain (ienerall and the other half to the Said ffeild Oftifers of that Regiment where the Offence is Coiuitted. And if the fines that do relate to any person under the Degree of a Captain shall not amount to a Sum Suf- ficient to defray the (.'baige of the Captains Companies or Troops that then the over plus wanting to be Levied upon the Several! Souldiers wiually by Warrant or order of the Colonell or Cheif OflQcer of the Begiment Troops or Companies.

And be it further Enacted by the Authority aforesaid That it shall & may be Lawfull for any Comisaion'officer belonging to the Regiment of the Citya of Newyork and Albany op to any the Com- panies in the Town of Kingston in the County of Ulster under the Degi-ee of a Captain in the absence of the said Captain to grant Warrants of Distresse against any person whatsoever that shall absent themselves from their Dufy on the Night Guards, without Sending a Sufficient person to Serve and watch in their Stead which said Warrants So granted shall be as Effectuall to all Intents and purposes whatsoever as if they or any of them had been Granted by the Captains themselves.

And be it further Enacted by the authority aforesaid TTiat all

persons so listed as aforesaid shall readily attend their Duty, and Serve on the Watches when thereunto appointed by their OfBcer or Officers under the penalty of Six Shillings for each default to be levied by IHstresse as is aforesaid.

And it is aiso further Enacted by the Authority aforesaid That no person whatsoever presume to flre any Small Arms after eight of the Clock at night Hnlesse in Case of an Alarm InsorrectiOD or any other Lawfull occasion And in either of the said Cases four Musquets or Small Arms distinctly flred, or where Great Guns are the flring of one gi-eat Gunn and two Musquets or Small Arms Distinctly and beating of a Drum shall be taken for an Alarm, And every person that shall neglect his Duty in taking and giving forv\'ard an Alarm by flring as aforesaid or shall be guilty of firing any Small Arms after Eight of the Clock at night unless as aforesaid shall be fined or otherwise punished at the discretion of a Court Martiall not Extending to Life oe Limb. And in Case of Such Alarm every Sonldier is Immediotelj;

D,g,;,zeclbyG00gIC

fb Bepair Armed to his Colours or Court of Onard upon the penalty of five pounds.

And for the better prevention of false Alarms no Captain Matter or Cconander of anj Ship or Vessel riding at Anchor in any the Harbours Ports or Bayes within this Province or any other person flre any Gun or beat any Drum after Eight of the Clock at night under the penalty of four pounds for erery Gun 80 fired or Drum beaten to be levied by Warrant from the CheU Officer not under the Decree of a Captain (who is hereby Impowered to administer an Oath & gve Judgment thereupon) bv Distresse and Sale of the Offenders goods, and for want ot sncli Distresse the said Cbeif Officer is Impowered to Comit such Offendors to the Goale there to remaine untill payment to l)e made of the same, jVnd that in Case the said Cheif Officer shall not perform his Duty therein he shall forfeit Ten pounds to bc levied by Warrant from the Oaptain Genprall or Comander in Cheif for the time being provided alwayes That this CSause shall in no ways Concern or Extend to any Captain or other officer of any of her Ma'ties Ships of Warr, for their firing at Betting

the Watch.

PRO\'TDED alwayes and it is hereby further Enacted and declared by the Authority aforesaid That all Trumpeters and Dnmmiers lately in Service that shall by the Several! Captaini be put into that Service Dureing the Captains pleasure shall serve upon the Sallary of fforty shillings P Ann for a Trumpeter and Twenty shillings P Ann for a Drummer finding their Trumpet and Drum andTwenty shillings for a, Tmmpeterandtenn shillings for a Dramer if the Captain find them upon penalty of fforty shillinga

And be it further Enacted by the Authority aforesaid that all f'aptalns of the Companies in the Several! Towns within this Province do take due care to List all youth as they shall cmne to the Age of Sixteen Years, A'nd if any debnt∗' shall arrise Oon-opmlng the Age of any such Youth the same shall be determined by the Oath of their Parents or any other Credible person taken before Some Justice of the Peace who are hereby Required and Impowered to Administer the Same in the words following Viat I A. B, do Swear upon the Holy Evangelists of Almighty. God that

C: D: the Son of E. F. Listed in Coinpanys

is years old, and no older So help me God. which

Oath being C-ertified by the said Justice to the Captain of the Raid Militia Troop or Company where the said pe-.son is Listed, and it appearing upon Oath that Such person is not of the Age of Sixteen Years he shall be dismissed until! such time aa be attain to that Age.

Digi-jzedbyGoOgiC

rBO\'lI>ED alwayes and it. is hereby further Enacted and Declared That all the membere of her ila'tjB CoimcU, Justices of the Peaoe high Sherriffs tioronera and all other OfBt-era of Courts Ministers Hchool Masters rhisitiaBS and Chyurgeont shalbo fwe froui being Listed in any Troop or Company within

this I'l-orincL- any thing (Jontiiined herein toi the Oontrary in any wise nutuithstajiding.

PRO\'IDED alwayes and be it further Enacted and declai«d by the Authority tLforeaaid. That nothing in this Act Conteined be Expounded Construed or understood to diminiBh alter or abridge the power of the C^iptain Generall or C<Hnaiider in Cheif for the time being, but that in all things and upon all occaskms he may Act as fully & freely as CUptain Generall or C<Mnaiider in Cheif to all intents and purjHwes tis if this Ac* had never be«i made any thing in this Act to the Contraiy notwithstanding.

And be it furthei' Enacted by the Authority aforesaid that all and every Act and Acts heretofore made for setling the Militia of this C<rfany or any ways relating thereunto be and ai* hereby for ever Repealed Reversed varated and become null void and of none Effect jVnd the Said Ac*s and aJl Articles and Clauses therein mentioned are hereby declared to be for ever Repealed Reversed vacated and became Null Void and of none Effect to all Intents Construetions and purposes whatsoever as if the same had never been made and Enacted any thing to the Contrary notwithstanding.

PRO^'Ii>ED also and be it further Enacted by the Authority afoi-esaid That this Act nor any Aiticle or Clause therein Con- teined shall be Constrned or taken to allow or give Liberty unto a.ny Negro, or to any Indian Hlave or Servant to be Listed or to do any Duty in the Militia of this Ppovince PROVIDED alwayes That no person or i>eP8ons whatBoever shall be Sued prosecuted or his goods & Cha.ttles lyable to any Levy or Seizure by Virtue of any Clause in tliis Act before meiic(Hied but within the Space of three Calendar months after the Comit- ting the neepectlve facts hereby made OfTences & not at any time after the said three months. And be it further Enacted by the Authority aforesaid. That when ever it shall so happen. That mony shall be raised by Act of Generall Assembly of this Colony for the raising and paying of men for the defence of the ffron- tieei"s, the Severall and respective Captains or other Officers Comanding the CcMnpmnies respectively for the time being shaJl and may by Virtue of this Act appoint or detach Such and So many of the respective Companys as shall be required for that Service by the C^pt fieneraJl or other Superior Officers by leav- ing a Note in writing at their respective Houses or last place

of abode Signifying wlien & where they shall appeair ten dajes Inclusive, before the day of Such appearance, & if any person or persons for whome Such natie shall be left as aforesaid, ehall not appear at the time and place appointed and perfonn the serviee reqoired of him he or they shall forfeit the Sum of Six pounds to be recorered by the Respective Captains or other Officers in the res]>ective Courts of Comon Plees of Such County or Place whwe Such offence shall be Comitted or offender shall be found By Accwn of Debt Bill plaint or Infcrmaoon in w'ch no protection Essoin Emparilance or Wager of Law diall be allowed, which forfeiture of Six pounds ahaJl be applyed and given to the use of Such person or persons who shall be Summoned to appear & Serve in the Room at such offender makeing default of appear-ance as aforesaid.

Provided also, That this. Act shall Continue and be of force for and during the time and Space of two yeares from the pub-lication hereof and not longer.

[CHAPTER 115.]

[Chapter 115, of LlvlugBtoD & Smith aod Vbd Scbaack, wbere tlie tftl only iB printed. Printed In Full in Brtnley's Bradford, pp. 194. 227 on^ Is printed In Baskett, p. 62. Expired, Novemljer 12, 17W.]

An Act for the better Support and Maintenance of the Poor in the City of Uew York for the future.

[Passed, November 27, 1702.]

WHEREAS the Mayor. ^Udwmen and Comon Council of the City of Xew York, have Repreflented unto the General Assembly of this Province, that in the lat^e Calamitous IMstemper, which It please Almighty Cod to aflflict the Inhabitants of the said City, the number and necessitys of the Poor were much increased; And the Sum of Money raised for the mjiinteinanre of the Poor in the said City, was farr short of giving them a necessary Support in this Emergenccy, for Remedy whereof and for the better Support and mainteinance, for the future. Re it Enacted by his Kxcellency the Govemour and Council and Representa-tives Conven'd in General Assembly, and by Authority of the Same, That hence forth it shall and may he Ijawfull for Such persons aa ai-e Impowered to Raise and provide for the Sfain-

telnanoe of the Minister and the poor of tfie Said City, Annually in the Month of January, upon any Such Emergency, or whenso-ever a necpBsary Support or SupjJy for mainteinance of the Poor of the said City, shall be wanted, at any other time, thn/ out the wholl year to Assemble and meet together, and make

Lc;-,:uJbyC00gIC

Such fui-ther ntctsBaiy i-equisite supply by a Tax upon the IntabitaDta of the said City, for the use of the I'oor, as they shall Judge Sufllltieut not Exceeding thi-ee hundivd pounds mony of this Colony for one ywir to be Levyed, Assessed, Col-lected and paid by tSucb persons, & in iSuch manoer, and under like i>enaltyes respectively, as ai-e provided is the Act of Assem-bly of this Trovince, Entituled, An Act for Settling a Ministry and raiiang'a uiainteinance for tliem in the city of New york &c made in tlie fourth Year of King Wilihim and Queen Mary, any thing in the said Act, or any other to the Contrai-y thereof in any ways notwithstanding.

Provided, That this Act, nor anything therffln Contained, shall be of force any Longer than for the Space and time of two years from the publisbing hereof,

[0HA1»TEB 110.)

[Cbapter 116. of LIvlngstoD & Smith and Von Scbaack, wbere the title only Is prluted. I'rintca lu full iu Brlulf.va Bradford, pp. 180, 21 only is printed In Bastett, p. 61. Baekett states that this act was firmed bj tbe Queen, MStch 20, 1702-1

An Act for granting unto her Ma'ty the Sum of Two Thousand pounds to be apply'd (with her Ma'tiis good pleasure) to tlie uses in this Act meuooned

[Passed, November 27, 1702.]

May it please your most Excellent Ma'ty, we the Representa-tlves of your Ma'tys Colony of New York in America, Convi'n'd In Generall Assembly out of a Quick and lively Kence of our late r><'livprance, by tlie happy and most Seasonable Arrivall

of his Excelleny my Lord Viscount Combury your Ma'tys present Govemour of this Colony, amongst us, And of the Sattisfaction peace and Security which all your Ma'ties Loyall and good Sub- jects thro' out the Same Coloaiy, have and enjoy by his Excel- lencys most equall. Just, and wise Aduiinisti^tion towards us, cannot Conceale our Orateftill resentments thereof; without Some Small Expressions of the Siime Such as we are able to make, both to your ila'ty and to him for So- great and good a benefit. And because words alone are not Suflficiemt for that Duty, as a farther ti-stimony of our Sincerety and heartiness therein and of .that Constant and Steady Loyalty and Dutifnll affections which we do. & shall ever beare unto your Sfa'tys Royall persoi and Goremient here, at home, & thro'out your Eegatl Dominions We most humbly beseech your HucrFHi Sfa'fy that yon would be Gi^ciously pleased to accept of the Sum of Two Thousand

Digi-jzedbyGoOgiC

pounds Currant monja of this Colony. And we do hereby Give and. Grant unto Your Ma'ty tke Sum of Two thousand poimds Corrent nionys of this Colony to be Assessed Levjed and Collected, aa hereinafter ia dii-eeted & stppointed the which monys when Ccdlected and Received, Wefurther most humbly beseech your ma'ty may by your Ma'tiee peiiuisalooi, be given and diiipoaed of to his Said Excel Edward Lord Yin- cent Combury your Ma'lys C^aptain General! and Gover- nonr and Oomauder in Cheif of this your ila'tys Colony of Xe'W York and Territorys and Trax^ts of Land Depend- ing thereon in America, and Vice Admirall of the Same and for want of your Ma'ties permission therein that the said Sum of Two thoasand pounds may be applyed to the Defence of the Country. And that it may be herein and hereby Enacted Accordingly Be it therefore Enacted by his Excel the Governor, Councill and Kepresentatives Conven'd in Generall Assembly, and by the Authority of the Same. That the Sum of Two thousand pounds Current monys of this Colony by her Sla'tys permission to he given and disposed of to his said Excel Edward Lord Vlscoont Combnry his Executors or Assignes and for want of her Ma'tys pennission therein the said Sum of Two thousand pounds to be apply'd to the I>efeuce of the County be laid Assessed Levyed and raised upon the ffreeholdera Inhabitants and Residents

within the Severall respective Counties thro' out this Colony as well Sojourners as others, according to the Severall Rates, Proportions, and Quotas following to be charged on each County, That ia to say on the City and County of Newyork ffour hundred twenty three pounds for Kings County two hundred Ninety Six pounds, for Queens County Three hundred and Seaventy pounds, for the County of Suffolk Three hundred and SeaTenty pounds for the Coimty of Richmond Ninety pounds, for the County of West Chester, One hundred twenty four pounds for the City and County of Albany One hundred and Twenty pounds for the Connty of Ulster One hundred forty four pounds for the County of Orange forty fl\-e pounds and for Dutchesse County Eighteen pounds The which Sum of Two thousand pounds Current mony , aforesaid shall be raised. Assessed, Collected, lievyed and paid nnto her Ma'tys Collector or Receiver Generall of this Colony or to her Ma'tys Commissioners for Executing that OfBce, for the the tune being, at the Custome house at New york on or before the last day of May next and the last day of No^'ember which shall be in the year of our Lord One thousand Seaven hundred Mid three, And for the better more due, and Orderly, Assessing Bateing Levying and Collecting the said Sum of Two thousand pounds. Be it further Enacted by the Authority aforesaid, That

Digi-jzedbyGoOglC

the May'r and Aldenn«D of the City of New yort:, In that City, the Maj'r and Aldermen of the City of Albany In that City, and tlie Justicea of the Peace in the Beverall and respective Counties aforesaid, whereof they are respectivply Justices of the peace Do within forty dayes aftpr the publicacon of this Act, Assemble and meet together at the Several! and respective Town halls or Houses, for the said Cities, and at the BeveraJl and respective Courtj Houses for the said Counties, or at Such other place or places, within the Cities and Counties aforesaid, as they the said May'rs and Aldermen and Justices of the Peace shall respectively amongst themselves agree upon, limit, and appoint and then and there shall Direct and order the Assessors and Collectors of the Severall Cities of New york and Albany and "tlie Assessors and Collectore of the Severall Towns Mannors and liberties within the Severall and respective Counties aforesaid reflectively to Assess Collect and Ifeceive the Severall Snm or Sums of Mony

herein before before menconed to be the respective Quota's and proporcons of each respective City and County aforesaid, as to the said respective Mayors Aldermen and Justices of the peace respectively shall seem meet and reasonable.

And whereas there are Severall Towns Mannors Liberties and Jurisdiccons within the respective Counties aforesaid which do no Annually Elect Assessors and Colleetors for the said Towns, Mannors, Liberties, and Jurisdiccons for want whereof the Intent of this Act may be much frustrate and disappointed. Be it therefore further Enacted that if any Town Mannor Liberty or Jurisdiccon aforesaid shall want and be without Assessors at the time when this Act comes to be put in Execucon that then and in Such Case it shall and may be I.awfull to and for the Justices at the Peace of the respective County or Counties in w'ch the said Towns, Mannors, Liberties or Jurisdiccons So waDtlngAssessoMi and Collet-tors as aforesaid shall be, or any two of them (when the said Justices meet and Assembly together for that purpose) to Nominate and appoint Assessors and Collectors for the Same Townea, Siannora, Liberties and Jurisdiccons, respectively to Observe and Execute the Direccons of this Act therein.

And be it further Enacted that the said May'r and Aldermen of the said City of New York, the May'r and Aldermen of the City of Albany, and tiie Said Justices of the Peace for the respective Counties aforesaid have and shall have by force and Virtue of this Act, full power and Authority Severally and lespectively to Adniinister an Oath to all and every the Assessor and Assessors aforesaid in manner following Vizt that he or they Shall well and tmely Execute and performe the said Office of Assessor and truely, equally. Impartially, and In Due proporcon

Digi-jzedbyGoOgiC

Assess and rate tlie Estates of the ffreeholders, luliabitants, Besideuta and Sojourners of the KeveraJl & respective places for which they shall be, AssesBOraAccordingto the best of their ykill, and that therein they shall Spare no person for favour or affec-tion or greive any one for hati'ed or ill will And the said Asfless and evei7 of tbeni respectively are hereby required within the time and Space of forty days to make their Severall and respective

Assessments aforesaid and also within the time and Space o(tenn dayes after that to make out true and perfect Oopys of the Assessments So to be made by them as aforesaid and to deliver the Same in writeing subscribed with their respective names to the said respective May'rs and Aldermen of the Said Cities and to the respective Justices of the Peace of the Said Counties or to the respective Town Clerks of the Said Cities, and respective Clerks of the Peace of the said Severall Oonintles afore-said. And the said respective Mayors, Aldermen, and Justices of the Peace of the respective Cities and Counties aforesaid, or any two or more of them respectively within the time and Space of Tenn days next after the said Coppys of the Assessments afore-said shalbe Delivered to them, are hereby ordered and required to Cause the said Severall and respective Coppys of the Assess-ments aforesaid to be fairely transcribed and written over and to Signe and Seal Duplicates thereof, and Deliver the Same or Cause them to be delivered within the time aforesaid unto the respective Collectors within the said Severall Cities, Counties, Towns, Mannors, Liberties, & Jurisdiccona aforesaid. And to the respective Towne Clerk of the said Cities and the respective Clerks of the peace of each respctive County aforesaid there to be respectively filed by each respective Town Clerk and Clerk of the peace aforesaid, and remaine upon Record the which Town Clerk and Clerks of the peace, and every of them are hereby ordered and Directed to transmit the Severall & reajiective Sum and Sums of mony which Shall be so Assessed as aforesaid upon Bach respective Ward and place within the said Cities and upon each respective Towne, Manner, Liberty place and Jurisdiction within the respective Counties aforesaid unto her Ma'tj's Collector and Receiver Generall at the City of New york aforesaid or to her Ma'tys Commissioners thereforeExecutiiiRthesaid Office for the time being within tenn dayes next after their respective receipts of the Duplicates aforesaid under the pain and penalty of five pounds Current mony of New york, to he lost and forfeited by every Town Clerk, and Clerk of the pence aforesaid makeinp default therein and not transmitting the said Sum and Sums of mony Assessed as aforesaid in manner aforesaid.

And be it further Enacted by the Anthority aforesaid that If any the Assessor or Assessors to be appointed as aforesaid

. '.'oogle

shall deny neglect or delay to make Aaeeasment as aforesaid, or Bkall do tlie Same partially and unequally, or if any tlie Col-Jector or Collectors aforesaid Khali deny neglect or Delay to Collect, receive and gather in any Sum and Snmi^ of mouy Bo to be Assessed, Taxed, and Kated as aforesaid Oootrary to the Intent and true mfauing of this Act, that then and in Such Cuse it shall and may be LawfuU to and for the •aaAd Mayors and Aldermen of the said Citiea and to and for the Baid Justices of the I'eace of the said ("oonties, wheiv such offender or Offen-ders shail dwell or reside, or any two of them jespectively by Warrant under their hands and Seales to C«mit Such Assessor or Asseaaors Collector or Collectors, so offending as aforesaid to the Comon Ooale of the f*iid resi>ective (Jities or Counties thereto reniaine without liail or mainprize till he or they shall respec-tively make fine and Ransome to her Ma'ty for Such their Con-tempt and Offenw aforesaid. And upoo every Such Comitment the said Majors and Aldenuen of the said Cittea, And the said Justioes of the peace of the said (Vmnties respectively are hereby required Speedily to nominate and appoint other Assessors or Collectors as the Case i-eqnires in the place and Stead of those which shall be m fJomitted as aforesaid. And be it further Enacted by the Authority aforesaid that if any person or persona shall refuse or neglect to pay the Several] and respective Bates or Humes of mony Taxed and Assessed upon them by Vertue of this Act for or in respect, of his, her, or their floods, Chatties Lands Tene-ments or other matter Cause or thing whataoerer, by the Space of Tenn dayes after demand thereof mnde< by the proper Officer or Collector of the Same It shall and may be I>awfull to and for every Such projiep Officer and Colleetor by Warrant under the hands&Seales of twoJiisticesof thepeaceof therespectlve City, County, T^wne or place where Ruch neglect or refusal! of pay-ment shall be, to, Iicvy the said Rates and Sums of mouy afore-said by dislross and Sale of the person or persons goods and Chatties, so n-fnseing or neglecting to pay the Same as aforesaid And for want of buyers of the said goods and Chattlee so dis-trained in the City, County, Towne, or place where the said Dis-tress shall be made to take drive, or Carry away the Same into any other City, County, Towne or place within the Colony afore-said for the Sale thereof. And If an werpliis happen to be coming by the said Sale over and above the said Eatos and Sums of Mony for which Such Distress shall be made, the Same to be Immediatply paid and returned totheownerthereof theCbarges

of such Distress driveing or Carrying away the Same, onely being out of Such overplus first had and deducted.

Lc;−,:.tll:yG00gIC

And be it further Enacted by the Authority af<H'e8aid, That if any May'r Aidermao or Justice of ^Che Peace witiiin tliis Colony, who is or are hereby Authorized Impower'd and required to take Effectual care that this Act and all and every Clause, Article, and thing therein Conteined be duely put in Execucon acceding to the true Intent and meaning thereof shall make Deafult therein, & not dnely and truely perfonne and Execute the same In erery respect as by the said Act is required of them, and shall thereof be Convicted before her Ma'tys Justices in any her Ma'tys Courts of Becords within this Colony he or they bo makeing Default as aforesaid shall Suffer Such pain by fine (and hnprieom't till the Same be paid) aa by the Discretion of the said Justices of her Ma'ties said Courts of Record respectively where such Conriction shall be. And be it further Enacted by the Authority aforesaid. That if any Action, Bill plaint or Informatian shall be brought moved or prosecuted at any time hereafter against any person or persons whatsoever, for any Matter Clanse, or thing whatsoever, done or Acted in pursuance or Eiecucon of this Act Such person or persons so Sued or prosecuted in what Court Soever Such Suit or proseeucon shall be Oommenoed or followed shall axid may plead tbe Generall iBflue not Guilty, and give this Act, and the Special! matter in evidence. And if the plantiff or prosecutor shall be nonsuited, or forbear further prosecu'tion or Suffer discontinuance or Virdict to passe against him, the Defendant or Defendts shall recover treble Costs for w'ch they shall have the like Remedy as in Cases where Costs by the Law are gii'en to Defendants Provided aJvayes that no Mayor Alderman or Justice of the peace aforesaid shall be Sued, prosecuted, or molested for any Omis− sion Offence or neglect by him or them Comitted Contrary to and against the tenonr of this Act, but within the Space and Compasse of one year next after SucTi Omission Offence or ne^ect C<«nitted, and not otherwise any thing herein Conteined to the Contrary thereof notwithstanding.

[CHAPTER 117.]

[N"o law 1b printed under tlila ehapter number. Livingston & Smith, print the Htle of the same act twice ns chapter 117, and chapter 1 a» harlnii been passed on November 25. nnd November 27th. The Ulaates of the Council, for November 2-5th. show that the act here printed, ns chapter 127, was advanced to third reading on that date, (fee .Toumals of Leptslatlve Council, p. 18C.) The same act was sign bj the Governor, November 27. 1702. The chapter number Is Inserted Iwre in order to preserve the continuity of numbering.]

Digi-jzedbyGoOgle

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 118.]

[GMpter 118, ot LlTlngBtoQ & Siuitli and Van Scbaack, where the tiUe only ta printed. Printed In full In Brinley'a Bradford, p. 193, 226. Expired November % 1701.]

An Act to Enable the Mayor, Aldermen and CMnonali^ ot the City of New York, for the time being, to raise Money upon the ffree-holders and Inhabitants thereof, for drfraying their publick and necessary Charges Aunoally.

[Passed, November 27, 1702,1

WHEREAS the publick Rents, Revenues and yearly Incomes of the City of Newyork, are at present So Small, that they are not Suflacient for defraying of the publick necessary Charges thereof: To the end therefore that the said City may be Enabled, for the future, to pay their Just Debts, the Sallaryes of their Representatives in General Assembly, the Sallary or allowances for raising of publick Taies, the Charftes of Watching and Warding, and of Military Guards (when the Same are required by the Captain General) the Charges of making Goales Sufficient, Cage, Whipping-Post and Pillory, the Charges of Maintainance of and Execucon of poor ffellons, of Coroners Inquests, and burying of the poor coming by Caaual Deaths, and other publick and necessary Charges. Be it Enacted by hia Excel the Gov'r

and Council, and Representatives Convened in General Assembly, and by the Authority of the Bame, That it shall and may be Lawful for the Mayor Aldermen and Comonalty of the said City, for the time being, in Comon Council met and assembled, or Such numbt'r of them as do make up a Comon Council, once in every year, or oftener if there be occasion, at Such time aa they shall think to order the raising Such Stim and Sums of money by a Tax tipon the ffreeholders and Inhabitants of the said City, as they or the MaJV part of them shall agree to be necessary, for defraying the said publick Charges happening in that Year pursuant to which order, the Mayor of the said City, for the time being, shall forth-with thereupon Issue forth his Warrants to the Assessors and Collectors of each Ward respectively, for the time being, requiring them to make Such Assessment and Collection, and to pay the Same into the Treasurer of the said City, for the time being, in Such Convenient times respectively for the Assessment and pay-ment thereof, as shalbe agreed upon by the said Mayor, Aldermen and C-omon Council, or the Major part of them: which Sum or Sums of money, shall by the said Treasurer be paid to the uses aforesaid, and Accounted for in such Method and forme as

otber publick moneys, in the handB of former Treasurers of tlie said City.

Provided alwayes, That the Sum or Sums Levyed by thi» Act shall not Exceed the Sum of Three hundred pounds for one year; and that this Act shall Continue in force for the Space of two years, and no Longer, any thing before in this Act to the Con-trary hereof in any wayes notwithstanding.

[CHAPTER 119.]

[Gbapter 119, of Livingston & Smith and Van Schaaclc, where the titl only iB printed. Printed In full lu Brinley'e Bradford, p. .195, 228 only la printed In Baakett, p. 62. Expired November 27, 170S.1

An Act to Enable the Citty of New-York to Supply the Vacancy of such publiq'e Elective Magistrates & Officers as may Dye, Remove, or otherwise be incapacitated to serve, before the time of the Annual Election.! IT&ssed, November 27, 1702.] ,

Whereas it hath been often foond very hurtful and pr'judicial to the City of New York and obstructive to the affaires and goverment thereof, that upon the death, removal or other dis-ability of any Elective Slagistrate or officer of the said City, ther is not sufficient power and authority in the said City or any the Members thereof, to fill up the room or place of the Magistrate or officer so dying, or bring Disabled, with some other fltt and honest person, until the annuall day of Election of Magistrates & officers for the City aforesaid, comes about by reason the Charter of the s'd City appointing the same is short and Defective therein: ffor Supply and amendment whereof.

Be it Enacted by his Excell: the Gouvemour & Councill, and Representatives, Conven'd in Gen'l: Assembly, and by authority of the same. That hereafter upon the Death, Bcmovall out of the said City or other Disability happening to any Magistrates or other publiq'e Elective Officers of the Citty of New York, it shall and may be Lawful! for the Mayor, Aldermen, and Assist-ants, or such number of them as doth make a Comon Council, to Order and appoint such Convenient time as they shall think proper thro'out the whole year for the ffreeraen and Inhabitants of the said Citty in such respective ward or wards where such vacancy shall happen, as aforesaid, to meet together and make Election of others to supply his or their room, untill the usual time of the Annual, Election appointed by their Charter, which ffreemen and Inhabitants are hereby Impowered to make such Election in Manner and form as is used in the Anniversary Elec-

Lc;-,:.tll:yG00gIC

tion, and w'ch, UagUtrates and Offlcere, So Chosen and Elected shall be sworn, and have power to Execute their respective offices, as fully and in like manner as if they had been Elected and sworn att the Said Anniversary Election, any thing in the Said Charter, or any Law or Usage to the Contrary hereof in tiie said Citty, in any way notwithstanding. Provided alwayes. That this Act Shall only be of fforce for the time of three yeares From the publication thereof and no longer.

[CHAPTER 120.]

[Chapter 120, of LlvingBton & Smltb and Van Schaack, where the title only iB primed, Priuted Id full In Brlnlef's Bradford, pp. 193, 226. Title only is printed In Baskett. p. (12. Baskett states tbat ttae i:ou'Drmed,.but does not give date. Expired November 27. 1T09.]

An Act for Encouragement of A Grammer Free School in the City of New- York.

IPassed, November 27. 17<e.)

/The Mayor, Aldermen and Comonalty of the City of Newyort having Represented unto the General Assembly of this Province the great Necessity there is of having a Free-School In the said City, for the Educacon and Instruction of Youth and Male Children; That Snch Pious & necessary work may receive due encouragement. Be it Enacted by his Excellency the Govemonr and Council, and Hepresentatives Conven'd in General Assembly, and by Authority of the Same, that there shall be hereafter Elected, Chosen, Lycensed, Authorized and appointed one able Skilful] and Orthodox person to be School-Master, f(>r the Educa- tion and Instruction of Youth and Male Children of Such Parents as are of ffrench and Dutch Extraction, as well as of the English, may come and be Instructed in the Languages, or other Learning usually taught in Grammer Schools. And for the Encourage- ment of Such School-Master, Be it further Enacted by the Authority aforesaid, That henceforward Annually there shall be in the said City Assessed, Levyed, CollecttHi and paid for the Space or term of Seven yeares, the Sum of fflfty x>ound8 Current money of New York, for the mainteinance of the said Schooi- Master, which Said Sum of fifty pounds shall be Assessed, Levyed, Collected and paid by Such persons, at Such times, in Such Manner, and proportions, and under Such penaltyes Bespectively as is provided for the Assessing, Levying, Collecting and paying of the Sum of one hundred pounds P Ann for the minister of New York, by an Act of Assembly, Intituled, an Act for Settling a Ministry, and Raising a Mainteinance for thera in the City, of, New York, County of Richmond, West Chester and Queens

County, made in the fourth Year of King William and Queen Mary. I'rorided alwayes, that such SchoDl-Mu^er shall, from time to time, as a Vacancy happens, be Chosen and Recomended by the Comon Council of the Said City for the time being, in order

to be Lycensed and approved by the Bight Hon'ble the Bishop of Londcffi or the Governour or Comander in Cheif of this province, for the time being, any thing herein Conteined to the Contrary thereof in any ways uotnithstanding.

[CHAITER 121.]

[Cbapter 121, of Livlngaton & Smith and Van Scbaack, wbere tlie titl only Is printed. Printed Id full In Brinley's Bradford, pp. 191, 224 only la printed in Baskett, p. 62. Expired on May 1, 1700. (See cbapter 81.)]

An Act for Continuing th*^ KevMine.
[Passed, November 27, 1702.J

As a demonstracon of our Loyalty and Cordiall aflection to her most Sacred Ma'tj, and for better Support of .^her Goverm"t in this her Colony of Newjork, We, the Representatives of the People, in Generall Assembly, Desire; that it may be Enacted, and be it Enacted by his Excel the Govem'r, by and with the Couaent of her Ma'ties Council, and the Generall Assranbly of this Colony, That the Rates, Duties & Excises made payable upon Merchandizes, Goods, furra, and Liquors, shall be Levy"d, Col- lected and paid unto her most Excel Ma'ty for and during the Term of three Years next after the Expiracon of the Term Limitted in a Certain Act of General Assembly, made in the Eleventh Year of the late King William the third, Entituled, an Act for granting unto his Ma'ty iSereral Duties for the defraying the publick Charge of the Goverment, after the time Limitted in an Act, Entituled, an Act Confirming and Continuing unto their Ma'tys the Ke^-enue Established by an Act of Generall Assembly for Defraying the publick and neceasary Charge of the Goverment, is Expired, According to such Rules and Direc- cons, and under Such pains, penalties and fforfeitures, as is Expressed, Contained and Enjoyned in the said Act, or any of the Acts of Assembly for Establishing or Comtinuing a Revenue upon her Ma'tys Predecessors, for the Defaying the publick and necessary Charge of the Government; and the aforesaid Act; and every Article, Rule and Clause therein mcnconed, shalbe abide and remain in full force and Effect to all Intents and pur- poses, during the said Term of three years, that is to say, from th Eighteenth day of May, which wllbe in the year of our Lord One thousand Reavpn hundred and Six untill the Eighteenth Day of May, which will be in the year o>f our Lord One thousand Seaven

Digi-jzedbyGoOgiC

liundred and Nine, as fully, and in like Maimer as if the Same were particularly and at large Recited and Set Downe in the body of this Act, any thing to the Contrary hereof in any wayea notwithstanding.

[CHAPTCB 122.]

(Chapter 122, of UTlngBbHL & Smith and Van Scbaack, wbere tbe title only U printed. Printed In full In Brinley'B Bradford, pp. 191. 224. Title onlT Is prints In Baskett. p. <S2. Defects In this act aappll ch. 136.J

An Act for appointing and Enabling Commissioners to take, State and Examine the Acctfts of the Revenne of this Colony, and the necessary Contingent Charge of the Qovemment

[PaBsed. November 27, 1702,1

For the better knowledge, Examinacon and* Stating the Acco'ta of the HeceiptB, Issues and Distribucons ofthe publick Eevenne of this Colony, and Such Taxes a» hare been from time to time Levyed upon the Inhabitants thereof by Acts of General! Assembly, Be it Enacted ,by his Excel, by and with the Ad\ice and Consent of the Council, and Representatives Convened in General Assembly, and it is hereby Enacted by the Authority aforesaid. That Rip Van Dam, Stephen De Lancey, John Bar- berie, Thomas* Wen ham and David Jamison, Gcntl shall be, and are hereby Constituted and appointed Ccmimissioners for taking, Stating and Examining the Acco'ts of the Revenue of this Colony, and the necessary and Contingent Charge of the Government, and the Stating the Acco'ts of all money of the said publick Revenue of this Colony, and the Scco'ta of Taxes, Subsidies or Aids granted unto tbe late King William tbe third, from and after the Arrival of the late Earl of Bollomont, late Govern'r of this Colony, until the first day of the Sessions of this present Assembly.

And be it further Enacted by the Authority aforesaid. That the

said Cora'rs, or any three of them, are hereby Impowered from time to time, to Issue forth their Warrants, under their hands and Seals, to order the Collector or Receiver General, or the Com'ra for Executing the Office of Collector and Receiver General of this Colony, for the time being, and Ordering him or them to lay before thran the Accots of the publick Revenue, and all the Acco'ts of Taxes, Subsidies or Aids granted unto the late King William the third, from and affer the Arrival of the late Earl of Belleraoot. late Governr of this Colony, until! the first day of the Sessions of this present Assembly, tc^ether with all the Acco'ts of the Issues and Distribucona of the same, and every part thereof,

Digi-jzedbyGoOgiC

to any persiHi or pereous whatsoever, or for what tiBe or ases Soever.

And be it further Enacted by the Authority aforesaid, That the Com'rB or any three or more of them are hereby Ordered to make Return of their proceeding herein, the first day of the next meeting of the General A3s«nbly, unto the House of Representa-tives, to the end Such further Consideracou may be had in the Assembly of the matters aforesaid, as for the Peace and Welfare of this Colony shall be thought Convenient.

And be it further Enacted by the Authority aforesaid, That all and every the Oom'ra aforesaid, shall take the Oath hereafter menconed, before any one of the Justices of the Supream Court of Judicature of this Colony, for the time being, who are hereby Authorized and Impowered to Administer the Same, Vizt I. A, B. do Swear, tliat according to the t>e8t of my knowledge and Skill, I shall faithfully. Impartially and truly, without favour or Affec-tion to any, demean myaelf in taking, Stating, and Examining alt the publick Acco'ts of this Colony, that shall i>e brought and Exhibited before me, So help me God.

And be it further Enacted by the Authority aforesaid. That the said Com'rs shall have Such Reward for and Concerning their Trouble in the mattw aforesaid, as the General Assembly of this Colony at their Sessions shall Seem meet.

And further, be it Enacted by the authority aforesaid. That the said Com're shall and may Choose and appoint a Clerk for to Serve th«n in the mattera by this Act Comitted to their Charge, who shall have and receive for his Sallary or Reward such Sum or Snms of money as the said Com'rs shall Judge and Award be reasonably shall Deserve.

(CHAPTER 123.1

[Cbapter 123, of LlvlnKSton & Smith end Van Scbaack, wbere the title only Is printed. Printed Id full In Brlnley's BrBdford, pp. 197, 230 Baskett, p. 58. Eevlved by chapter 155. Repealed by chapter 660.1

An Act for Regulateing of Slaves.

[Passed, November 27, 1702.]
Be it ihiacted by his Exeell'cy the Govemour aad Councill and RepresentatiTeB conven'd in Generall Assembly, and by authority of the same. That no P'eon or P'sons hereaPter through-out this Province, do presume to Trade with any slave either in buying or selling, w'th'out leave and Consent of the Master or Mistress, on penalty of forfeiting TreMe the value of the thing traded for, and the some of fflve po^mds Current money of New York, to the Master or Mistress of erach slave, to be recovered

.., C A.>(.>gle

of sucli p'son or p'aom so trading contrary to the true mtetOi of thk Act, by Action of Debt, in any Court of Becord w'th in this ProriQoe, where such aum or soma i» Cognlzabtej and all bar-gains and Contracta made wth any slave, contPttry to the intent of tliiB Act, sliall be utterly void.

And be it further Enacted by the authority ' aforesaid, That hereafter it shall and may be lawful for any Master or Mistress of slaves to punish their slaves for their Crimes and offences att Discpetion, not extending to life or Member. .\iid for as mnch as the Number of slaves in the Citty of New York and Albany, and also in othed Towns withim itMs Fro^-inc-e, dolth dally increase, and that they have been found oftentimee guilty of Confederating together in running away, or other ill practices.

Be it therefore Enacted by the authority aforesaid, That it shall not hereafter be lawful for above three Slaves to meet together aCt auy other time, nor att any other place, than when it shall happen they meet in some seirile Imploymt for their Master's or Mistress's proffltt, and by their Maalx^r or Mistress consent, npon penalty of being whipt upon the naked back, at discretion of any Justice of the peace, not exceeding (forty Lashes. And that it shall and may be lawful hereafter for any City or Town w'thin this Province; to have and appoint a Comon Whipper for their slaves. And for this sallary, Itt shall and may be lawful for auy City or Town within this Province, att their Coraon Council or Town meeting, to agree upon sucli sum to be paid him by the Master or Mistress of slaves per head, as they shall think fit, not exceeding three ehillings V head, for all such slaves as shall be wlupt, as aforesaid.

And in Case any slave presume to assault or strike any ffree-man or Woman professing Christianity, it shall be in the power of ^any two Justices of the peace, who by this Act are thereunto authorized, to Comitt such slave to Prison, not. exceeding four-teen days for one fact, and to Inflict such other Corporal punish-m't (not extending to life or limb) upon him, her, or them so offending, as to the said Justices shall seem meet and reason-able.

And be it further Enacted by the authority aforesaid, That no person or persons whatsoever do hereafter Imploy, harbour. Conceal, or entertain other mens slaves at their house, out-house or Plantation, w'thout the Consent of their Master or Mistress either signifyed to them verbally or by Cet-tificate in writing, under tlie Said Master or Mistress hand, upon fforfeiture of five pounds for every night or day, to the ifat'ter or Mistress of such slave or ^aves, So ifiat the penalty do not excuse the value of Said slave; and if any person or persons whatsoever shall be

1 1., Google

focnd guilty of harbouring, entertaining or Concealing of any slave, or aaaisting to the Conveying of th«m away, U such siuve shall thereupon be lost, dead, or otherwise destroyed, such per-son or persons So harbouring, entertaining cojicealing, aaaistiug

or Conveying of them away, shall be also lyable to poy the value of Such slave to the Master or Mistress, to be recovered by action of debt, in manner aforesaid. And Whereae slaves are the property of Christians, and cannot without great loss or detriment to their Masters or Mistresses, he subjected in all Cases criminal, to the strict Rules of the Laws of England, Bee it Enacted by the Authority aforesaid, That hereaiter it any slave by Theft or other Trepass shall damnifie amy p'aon or p'sons to the vaJue of five pounds, or under, the Master or Mistress of such slave shall be lyable to make sati^a-etiom for such damage to the party injured, to be recovered by action of Debt in any Omirt haveing Jurisdiction and Cognieance of Pleas to that value, and the slave shall receive Corporal Punishment, at IMs-cretion of a Justice of the peace, and immediately thereafter be pennitted to attend his or her Master or Mistress service, with-out further punishment And it is further Enacted by the authority aforesaid. That hereafter no slai-e shall be allowed good evidence in any mattter. Cause or thing whatsoever, except-bg in Cases of Plotting or Confederacy amongst themselves, either to nm away, kill or destroy their Master or Mistress, or burning of houses, or bames or barracks of Com, or the killing of their Master's or Mistress's Cattle and that against, one another, in w'ch Case the E^'idence of one slave shall, be allowed good against another slave.

Provided that this Act shall be and continue In force only fbr one year from the publication thereof and no longer.

[CHAPTER 124.]

[Chapter 134. of Llvlniraton & Smith and Van Scbaack. wb«re the titl only Is printed. Printed In full In Brlnley'a Bradford, pp. 105, 228 Basfcett, p. 58. The a<-t revived by chapter 174, and partly repeale chapter 217. The fd^ature of the Governor and date of alffnin^ seem to have been torn from the original law. but from the minutes of t ttmnell tt appears that the art wns Blfnied bv the Governor. Novembe 27, 1702. (See Journals of LegUiotlve Council, p. 189.)]

An ACT against Forging, Counterfeiting and Clip-ping of Foreign Coyn, which is Current Money in the OoUony of New-York.

[Passed, November 27. 1702.]

p'OE as much as by the Laws of this Collony no Condigne *- Ponishmeut ia at this time provided for such evil diiq[>OBed

u,Coogk ^ I

Persons hb shall Counterfeit, Forge, Clip, File or otherwise leoeen aad debase such kind of Gold or Bilrer at other Realms', as current Money in payment within this Oollooj of New- York, where by divers evil disposed Persona as well without this Collony as within, are encouraged and imboldened Dayly to Counterfeit, Forge, Clip, File and otherwise lessen and debase snch kind of Gold and Silver, and utter the same in this Collony, to the great detriment of her Majestys SuhjertB, Be it therefore Enacted by the Governour and Council, and Representatives conven'd in General Assembly, and by the Authority of the same, That If any Person or Persons hereafter shall falsely Forge, Counterfeit Clip, nie or otherwise lessen or debase any such kind of Gold or Stiver, as is the current Money of this Collony, and is permitted to be current within the same the Offenders therein, their promoters, aiders and abettors, being conricted thereof, according to the Laws of her Majestiee Ifingdam of England, of such Offences, shall be Imprisoned for the space of one whole Year and a Day, and forfeit all their Goods and Chattels, any Law, Usage or Custom to the contrary hereof in any wise not withstanding. Provided, That this Act shall be of force (or the space of one Year, and no longer.

[CHAPTER 125.]

[Cbnpter 125, of Llvinfrstoti & Smith and Vaa Elcbaack, where the ti only la printed. Printed In full In Brinley's Bradford, pp. 202, 235 only printed In Baekett, p. 62.]

An Act for pp'venting doubts and Mis-
Ijakes, and for Oontinueing process and
Judicial 1 proceedings.

'Paseed. November 27, 1702.1

THE Greivous and mortoll Distemper which has the last Summer Boe fatally afflicted the City of Kew York having been the occasion that the Kup'me Court of Judicature which used to be beld and kept in that City on the first Tuesday in October yearely

was adjourned to Jamaica in Queens County and thai and there adjourned without day by reason that the same Court neither at the said C5ty of New York nor at Jamaica, aforesaid could Cooi- veniently be holden and kept, ffor the pr'venting all doubts Ques- tions and Scruples which can or may arise oonceming the keeping or holding the said Court and for avoiding all manner of discon- tinuances whatsoever which by occasion thereof should or might or can or may happen or be in any matter or cause soever in thi E»ame Supreme Court Be it Enacted by hie Excellency the Gov- ernor by and with the ad^-lce and Consent of her Majesties Coun-

dll and Assembly and bj the authority of the same That do pleas writts bills actions suites plaints processes or other thing or things whatsoever pleaded returned or depending or having day or dayes in the saidH^ourt, shall be in any wise discontinued or«putt without day for or by reason of the not keeping or hold- log of the'said Court either at Sew York or Jamaica aforesaid in October last, but that all and Singular the said pleas writts Bills actions suites plaints processes precepts and other the premisses aforesaid shall stand Continue and be good and effect- ual] in the Law to all intents and purposes as if the said Court had been actually kept and holden at New York in October as aforesaid any I^w Statute Custome or usage to the Contrary hereof in any wise notwithstanding. And be It further Enacted by the authority aforesaid That all pleas writts Bills acitions suites plaints processes pr'cepts and other thing or things whatsoever afwesaid pleadable or to be pleaded Returnable or to be petnmed, or having day in any manner whatsoever at the same Supreme Court which should have been holden and kept at New York in October last be and are hereby Continued and adjourned onto the next Supreme Court of Judicature to be holden and kept the first Tuesday in April! next at New York, .And that all parties in any pleas writta Bills actions, suites plaintsiprocesses or other thing or things whatsoever having day given them to appeare at the said Court in October last areby virtue of this act to oppe at the said next Supreme Court in Aprill, And that ail Sherriffs officers or other Jliniaters whatsoever«and every of them Respect- ively keep in their hands all writts Bills processes -and precepts and all other things whatsoever to them directed reepectively Retarnable or to have been returned at the said Court in October last, nntill the said Court to be held at New "York in Aprill next and then return the same into the said Court that such proceed-

ings may be had thereupon as should have been had in*Ca8e the said Court had been kept at New York In October last.

[CHAPTER 126.]

tCbapter 126, of LlvlngBtoa & Smith and Vaa Schoack, where the tttle only Is printed. Printed Id full in BrlDley's Bradford, pp. 1D(I. 22 only la printed In Baskett p. 62. LIviuKSton & Smith and Van Sehaac and Baskett, all state that this act waa repealed by the Queen, Jun 26, 1708.]

An Act for the Repealing Several Acts of Assembly, and Declaring other Ordi- nances, publisbt as Acts of Asaembly, to he Toid,

(Passed, November 27, 1702.]

FOB as mnch as Several Acts and Laws have lately been past Id this Colony, with plausible and Colourable Titles and preten-

ces, some of thum lucongnious, and unjust ia themaelres, others to abtain private and Sinister ends, under the Cloak of pnblick good; many pretended Acts, as Laws, by persons unqoallifled by KiglXt or Law to ait or Act in the Legislative power, and by Several as were not the Choice of the People, and all of them inBtt>iid of being for the profit and advantiigeof the Subject, as they ought to be, have been, and prov'd to the IMstrucoon of property, the confining and Enervating of Liberty, Butnoua to Trade, to the Impoverishing of the People, a I>iscouragenient to Industry, and hurtfuU to the Settlement and prosperity of the Ccrfony.

Be it therefore Enacted by hie Excel the Gorenr by and with the advice and Consent of her Ma'tys Council and jVaeembly, and by the Authority of the Same, That one Act of (Jeiieral Assem- bly, Entituled an Act for Regulateing Elections of Representa- tives in Generall jVssembly In each Respective City and County within this Provinct. One other Act, Entituled, an Act to pre- vent Vexatious JSuits and Settling and quieting the Minds of his Ma'ties peaceable Subjects within this Province. Also, one other Act, Entituled, an Act for Vacating, Breaking and Annul-

ling several Extravagant Grants made by Col Fletcher, late Cover of this Province under his Ma.ty, and all and every the Branches, Clauses and Articles in all ajid any of them Contained, shall from and after the public a con hereof, be Abropited, Repealed, Annulled, and from thenoeforth be utterly Void anti of none Effect.

And be further Declared and Enncjed by the Authority afore-said, Th^t all and every pretended Act and Acta of General Assembli', and cvei'v Sentence, Jitdgment, Decree, Order, Ordin-ance and Edict, Entituled, made pronounced, publish'd or Pro-miilgaitcd as an Act or Acts of Oeneral Assembly, or Law or Laws of this Colony, since the first day of August, in the Year of our Lord One thousand Seaven hundred and one, are, and hereby are Declared and Ena^-ted to be utterly and wholly frus-trate, null and void to all Intents, Constructions & purposes whatsoever, any Law, Statute or Custom to the Contrary hereof in any wise not with standing. And tliat the Memory (rf those pretended Act and Acta of General Assembly may be wholly Obliterated, Deleted and buried in perpi'tiiaJ Oblivion,

Be it further Enacted by the Authority aforesaid, Tliat all Minutes, Noites, Memorials, Registry, Enrolments, Filing and Entries of all or any the said pretended Act or Acts, shall be defaced, taken off the File, Tom, Cancelled, or otherwise Totally Destpoy'd, as if the Same had never been had, made, Declared Set forth, Publish'd or Promulgated.

Digi-jzedbyGoOglC

Provided always, That this Act, or any thing theseic Con-teined, shall not Extend to Charge or burthen the Collector and Beceiver Generall of this Colony, or the Commiseion'rs for Exe-cuting the Office of Collector and Beceiver General for the time being, or any other person or persons whaeoever, for Collecting or Receiving any publick moneys by Colour (w pretext of any of the said pretended Acta of Assembly, bnt that the »aid Collector and Receiver GeneraJ, and the said Oommission'rs for Executing the Office of Colleetor and Receiver General, and other Person or Persons, a^ aforesaid, are hereby thereof & therefrom wholly Exonerated and Discharged, and therefore hereby Indempnifled,

any thing herein to the Ccmtrary hereof notwithstanding.

[CHAPTETR 127.]

[Chapter 127, of LlvlDKston & Smith and Van Schaack. where the title only Is printed. Printed In fnli In Brlnley's Bradford, pp. 193. 232 Baskett (See chapter 77.) Continued by chapter 148.1

An Act for Enforcing and Continuing the Act for Encouraging a Post-Offlce in tiiis Province of New York for four years and One half year, from the Moneth of April, which was in the year Seaventeen hundred

[Paesed, November 27, 1702.]

WHEREAS the Act of General Assembly of this Province, made in the Year Sixteen hundred Ninety two Entituled, an Act for the Encouraging a Post-Offlce, And also an Act made in the year Sixteen hundred Ninety five. Entituled, an Act for Continuing the Act for Encouraging the PostOffice three Years Longer, after the Explracon of the said Act; And also, another Act made in the Year Sixteen hundred Ninety Nine Entituled, an Act for Continuing the Act for Encouraging of the Post-Offlce two years Longer, after the Expiration of the last Act made for Continuance of the Same, are all Expired by their own Umitacon, the last of which ended in the month of April Seaventeen hundred And it being found very Advantagous to the Inhabitants of this Province, by the Preserving of Trade, and maintaining a mutuall Correspondence, amongst our Neighbouring Colonys and Plantacona, that the same should be Enforced and Continued, Be it therefore Enacted by the Govern'r and Council and Representatives Conven'd in Generall Assembly, and by the Authority of the Same, That the act, Entituled, an Act for the Encouraging a Post-Office, be Enforced and Continued for the term of four Y'ears and One half year, from and after the moneth of April, which was In the year Seaventeen hundred, and all the Rates and Stuoa

1 1., Google

of Money Establlsht by Virtue ol the said Act, upon Lettera and

Pacquets that shalbe received and diepatch'd by the OfiQce and Offices, Contained in the said Act, shall be paid by the Space of ffour Years and one half year from and after the Moneth of April, which was in the Year Seaventeen hundred According to Such Bules and Directions, and under Sueh Penalties and forfeitures, as is Contained and Enjoyned by the said Act; and the aforesaid Act, Entituled, an Act for the Encouraging a Post-Office, and every Article, Rule and Clause therein menconed & Contained, shall be, abide. Remain and Continue in full force and Effect, to all Intents and purposes, during the said term of ffour years and one half year, from & after the Moneth of April, which was in the year Seaventeen hundred And no longer, as folly and in like majiner aa if the same were particularly and at large Recited and set down in the Body of this Act, any thing Contained therein, to the Contrary hereof in any wise notwithstanding.

THE NINTH ASSEMBLY.

Second Semen,

(Begun Apr. 8, 1703, 3 Anne, Edward Lord Combury, Governor.)

[CHAPTER 128.]

[Chapter 128, of Livingston & Smith and Vau Scbaack, wbere the act printed In full. Title only 1b printed In Brlnley's Bradford, p. 221 Baekett. p. 72. Baskett states that this act was coDflrmed b^ the Q Uarcb 30, 1704.]

AN ACT to Enable the Minister and Elders for the time being of the ffrench Proatestant Church in the City of Newyork to build a Larger Church for the worship of Almighty God in that Congregation to h<rfd to them & their Successors for ever.

[Passed, June 19, 1703.]
WHEREAS Pieter Pieret Minister of the ffrench Protestant Chnrch in the City of New Yorlt and John Barberie Paul Droillet, Eiias Neau J<rfin David & Augustus Gray present Elders of the said Chnrch are peaceably Seized and possessed of a ortaln Lott of Ground and Church built thereon for the use of the Congregation of ffrench Proitestants in the said City Scitu- ate & being in the street Comonly known by the name of Petti- coate Lane butting northerly to the said Street Southerly to the

ground of Jaspar Nissepat Deced Westerly to the Ground of Isaac De fforest Deced and Easterly to the Ground of Heary

Digi-jzedbyGoOgiC

Van ffeurden being in Length flEortj Eight ffoot Nine Inches & in Breadth in the ffront Tw«ity Seaven foot Seven Inches and in the rear Twenty Eight foot Six Inches of -wiach breadth on the West side fnjm the ffront to the rear is ta3i:en off and refierved three foot & three Inchea for a CwnoD Alley. And whereas the said Minister & Elders by Their Teticon have set forth that their Congregation is so much Encreased that the said Church Is to small ■ to Conteine them and that they are not at present in a Capacity to Divide themselves into twM> Congregaitions praying power and Liberty by Virtue of An Act of Assembly of this Pro- Tinee to sell and dispose of their said Ground and Church and to purchase ground and build thereon a larger and more Con- venient Church to hold to the said Minister and Elders of the said Church for the time being and to their Suceesors for ever for the Fnblick worship of God in the said Congregation and for no other ose whatsoever.

To the Intent that they the said Minister and Elders he Enabled to sell their said Ground & Chnrch and that they and their successors may be better quallifled in Law and Enabled to purchase other Ground build a Larger Church thereon and to hold use and enjoy the same to the said Pious u«e for ever. Be it Enacted by his Excellency the Govemour and Council and Bepresentatives of this Province in General Assembly Conven'd and by authority of the same, That from and after the Publi- cacon hereof It shall and may be Lawfnll for the said. Minister and Elders or the major part of them to grant bargain and sell the said Ground and Church in the said street called Petticoate Lane to any person or persons or body Politick or Corporate whataoever Quallifled to purchase bouses Ground or other Estate of Inheritance. And the Sale of the said Ground and Church unto any person or persons or Body Politick and Corporate what soever to be made by the said Minister and Elders or the major part of them is and shall be deemed and adjudged good and Effectual in ^Ihe Law to all Intents Constmccons and purpoBes whatsoever, as if the same wha made by

any Single person Natural born Subject of England qualli-
fled to sell A Lawfall Estate of Inheritance in ffee simple and
as if the same had never been appropriated to the
worship of God by the snid Congregation, And the said
Ground and Church shall be and remain to the purchaser or pur-
chasers thereof their Ileires and Assigns for ever any Law usage
Custome or pretence of right whatsoever to the Contrary or any
defect or Disability in The Law whatsoever in any ways not-
withstanding.

DgizedbyGoOgiC

And Be it further Enacted and Ordained by the Authority
aforesaid that no part of the money or other Consideration aris-
ing by the sale aforesaid of tlie said Ground and Church shnll
be disposed of to any Secular or profane use whatsoever but that
the same shall be Expended and used in the purchasing of other
more Convenient Ground or Scituation and in building thereon
a Larger Church for the said Congregation for the Service aod
worship of Almighty God,

And }le it further Enacted and ordained by the Authority
aforesaid tliat from henceforward it sliall and may be La\^-fiill
for the said Minister and Elders and their Successors to jiur-
cliase and buy a Larger and moi-e Convenient Tract of Ground
within the said City for the Scituation of one Larger Church
for the Senice and worship of God and to Erect and build
thereon a Larger Church and a Dwelling House for their Minis-
ter for the time being if they sliall think fit to have hold use a
enjoy the Same for the use and Intent aforesaid by the uame
of the Minister and Elders of the ffrench Protestant Church in
the City of Xewyork to them aad their Successors for ever not
Exceeding Two hundred foot Square any Law Custome or Usage
to the Contrary or any former defect or disability in the Law
whatsoever notwithstanding.

And to the Intent that the said Minister and Elders may be the
better Enabled to carry on this Pious purpose and worke Be it
Enacted and Ordained by the Authority aforesaid that hence-
forth it shall and may be Lawfull for the said Minister and Elders
to Collect and receive from the Members of the said Congrega-

tion or from any other person or persons whatsoever their ffree and voluntary Contribucon or Benevolence towards the same for and during the Space of Seven years next Ensuing and that it shall, and may be Lawfull for ever thereafter for the Minister and Elders of the said Church for the time being to Contribute and Collect amongst themselves and the members of their own Congregation Such requisite And necessary Sum of money towards the Maintenance and Reparacon of their said Church Dwelling House for their Said Minister and other things apper- taining thereunto any Law Custome or usage to the Contrary notwithstanding. Provided always and it is the true Intent and meaning of this Act that no manner of person or persons what- soever within or without the said Congregation shall be Com- pelled or Compellable to Contribute any Sum or Sums of mwiey for the uses aforesaid but arc left to their fEree and voluntary offering or ablacon & not otherways,

Digi-jzedbyGoOgiC

[CHAPTER 129.]

[Chapter 129, of Livingston & Smith and Van Schaack. wliere the titl oily Is printed. Printed in full In BrInler'B Bradford, pp. 211, 244 OLJy Is printed In Baskett, p. T2. (See chapters 143 and 147.)1

AJN ACT to enable the Justices of the Peace for the City and County of Albany to repair or to rebuild a Comon Goale City and County Hall for the said City and County and to pay the arrears of their Public Charge.
[Passed, June 19, 17«3.]
WHEREAS the EepreBentatives of the City and County of Albany in this Present Assembly by their I'eticon have se. forth that it is R«:ommended to them by the Justices of the Peace of the said City and County in their Gfenerall Sessions at Albany the second of February in the first year of the Beign of our most Gracious Soveraign Lady Anne by the Grace of God Qneeo of England Scotland ffrance and Ireland I>efender of the ffaith &c to lay before the Assembly their great want of a Comon Goal and a new City and County Hall and other things needfull

for the publick Administraoon of Justice in the said City and County and of a ffund for payment of the Arrearages of their by past Publick Charge notwithstanding the Provision made for the defraying the respective Charge of each County within this Pro-vince by An Act of Generall Assembly made in the third year of King William and Queen Mary Entitled an Act for defraying of the publick and necessary charge throughout this Province and for Uainteiufng the Poor and preventing of Vagabonds.

Be it therefore Enacted by his Excellency the Govemour and Council and Representatives of this Province in Generall Assem-bly met and Assembled and by Authority of the same that for and during the terme andSpaceof three years from and after the publicacon of this Act, It shall and may be Lawfull for the Jus-tices of the Peace of the said City and County for the time being or the major part ot them at any time or times wlithin the said terme of three years to raise Such Sum and Sums of money not Exceeding ffour hundred pounds during the said term upon the ffreeholders and Inhabitants of the said City and County as they shall Judge needfull and reijuisite for the repaireing or bnilding of a Sufficient Gaole City and County Hall and other things need-fall for the Adminlstracon of Justice in the said City and County and for payment of their by past arrearages of the City and County Charge Provided the mannor of Renslaerwick do not nor
67

Digi-jzedbyGoOglC

shall pay the Arrearagea of the BepreeeutatiTee for Ihe County of Albany which Sum and Sums of money So raised as aforesaid shall he Aesessed and Collected by the ABseHsora and Collectors of the said City and County Annually Elected for the Assessing und Collecting of publick moneys raised or to be raised in the said City and County in Such manner and Convenient time ot times as the said Justices of the I'eace or the major part of them by warrants under their hiinds and Seels shall Limitt and appoint which said Sum and Sums of money so raised Assessed and Collected shall he paid unto the Treasurer of the City and County of Albany or such other person or perBons as the said Justices of the I'eace or the Major part of them shall thereunto appoint for the uses aforesaid which said Treasurer or person or

persona so as aforesaid appointed to receive the Same shall keep a Distinct Just and true account thereof and make payments of the Same to and for the uses aforesaid, and to no otb^* uses whatsoever by Warrants or orders under the hands and Seals of five persons or the Major part of them who are and shall be appointed Mannagers of the said buildings by the said Justices or the major part of them and be accountable thereof to them or the MaJOT part of them and to no other Supa-visor or Supervisors w other person or persons whatsoever any former Law usage or Custome in this Province or the said City or County to the Contrary hereof in any ways notwithertanding. And be it further Enacted by the Authority aforesaid that the said Justices or the Major part of them have power and Atithority and at the time they shall Deliver their Warrants to tie said AsseastM^ shall Administer an Oath to the said Assessors well and truly Equally and Impartially and in Due rnspopcon as it shall appear to them according to their best understand in jj to Assess and rate the ffreeholders and Inhabitants of the respective places for which they are or shall be Chosen Assessors.

And be it further Enacted by the Authority aforesaid that if any of the said Assessors or Collectors shall deny or neglect to make such Assessment and Collection as aforesaid it shall and may be Lawfull for any two or more of her Maties said Justices by warrant under their hands and Seals to Commit Such offendor to the Comon Goale there to remain without Baile or Mainpriie till he shall mnl^e fftne and Ransom to her Maty for such his Contempt as aforesaid in which Case it shall be in the power of the said Justices or the JIajor part of them to appoint others in the rocan to all Intents Constmccons And purposes So that this Act be fully put in Execucon

And be it further Enacted by the Authority aforesaid that if any person or persons rated and Assessed any Sum or Bmaa of

Lc;-,:.tll:yG00gIC

money by Virtue of this Act shall deny or delay to pay and Satisfy the Same it shall and may be Lawfull for such Collector by warrant under the hand and Seal of any Justice of the Peace next residing to the said Offender or of any other Justice of the

Said City & County in Case of his absence who by Virtue of this Act are Authorized and required to Grant the Same to Levy the Same by distress and Sale of the offenders goods returning the overplus if any be to the Owner the Sum Assessed and Charges of diatrerae and Sale being first deducted.

[CHAirTEB 130.]

[Chapter J30, of Llvfogeton & Smith anil Van Scbaack, wbere the titl only Is printed. Printed in (nil in Brlnley'8 Bradford, pp. 210. 243 only Is printed la Baskett, p. Tl. Livingston & Smith and Van Scbaa state that the art was confirmed by the Queen, January 8, 1708. See commnnlcatlon of Lords of Trade to the Queen recommending its con- flrmatlon hi Doc. Kel. to Col. Hlet., vol. IV, p. 1123.1

AN ACT Declaring the Illegality of the IProceedings agst Coll Nicholas Bayard & Alderman John Hutchins for pretended High Treason, and for Be^ersing and maMng null and voyd the said Judgments and all pro- ceedings thereon

[Passed. June 16, 1703.]
WHEREAS In the month of ffebbry and March In the year of oar Lord one thousand seven hundred and one, there was a Crafty and Malitious Prosecution agst Coll Nicholas Bayard of the Citty of New York and Alderman John Hutchlne of the Same Citty for pretended Crimes & MisdemeancH*s alleadged against them Upon w'eb they were Indicted and sentence of Death past upon them and other Penaltya as in Cases of High Treason w'eh: matters haveing been fully heard and Examined before her Most Sacred Majty in Counciil Att the Court att St. James's the one and twentieth day of Jan'ry one thousand seven hundred and two; Upon Consideration thereof her Majty being sensible of the Undue and Illegall proceedings ag'st the said Bayard & Hutchins was then most graciously pleaa'd in her Boyall Justice & bounty to order that her Attorney Generall here should be directed to- Consent to the Reversing those sentences & to whatever else may be Requisite In the Law for the Be-instateing the said Bayard & Hutchins in their Honour and Property as if no such Prosecu- tion had been. And forasmuch as the said Nicholas Bayard and John Hutchins are in no wayes Guilty of any Crime in those matters objected against them or either of them and that her Majestys Just Pleasure and Royall Inclination for the Reliefe

1 1., Google

of her distreBsed subjects may fake their speedy and due effect. BEE it therefore Declar'd & Enacted by his Excellency the Governour by and with the advice and Coneent of her Maj'ies Gouncill and the Generall AssOTibly of this CoUony & It is hereby declared and Enacted by the Authority of the Same that the said Proceedings and Prosecutions, for the Same fei^ed and pretended Crimes and Misdemeflnors are ft were undue and lUegall and the Juditement and Judgements, sentence and sen- tences, against the Said Coll Bayard and Alderman Hutchins and all and every matter and thing relateing thereunto are Beversed annulled and made void and of no effect to all Intents, Constructions, and Purposes whatsoever and the Said Nicholas Bayard and John Hutchins hereby are and are declared and hereby Enacted to be as to their Honour and Property in the siiim> state Bight and Condition aa if no such Prosecution, Tr^all, Judgement, or sentence had been.

And to the end that right may be done to the Said Collonell Bayard and Alderman Hutchins and to the Intent that the Memory of these matters may be put into perpetuall Oblivion and that such evill Practices and Proceedings may not hereafter be brought into Example to the prejudice of any person or per- sons whatsoever, BEE it further Enacted by the authority afore- said that all Judgements & sentences, records Prooess and Pro- ceedings and all other matters and tbings relateing thereunto be wholly obliterated cancelled and utterly distroyed, any Law statute or Cuatome to the Contrary in any wise notwithstanding.

[CHAPTER 131.]

[Chaptor 131, of LlvlogBton & Smith and Von Scbeack, where the title onlj is printed. Printed in tall In Brinley'a Bradford, pp. 222, 255 Saekett. p. 65. Continued by chapter 154.)

AN ACT for the Laying out Begulateing Clearing and preserving Publlck Comon high- ways thro'out this Colony.

[Passed, June 19, 1703.]

For the better Laying out ascetlaining. Repairing and pre-
serving the Publick Comon and General highways within this
Colony. Be it Enacted by tlie Govr. Council and General Assem-
bly of this Colony and by the Authority of the same. That there
be laid out preserved and kept for ever in good and SuflBdent
Repair one Publick C<nnon ft fieneral highway to Extend from
the now Scite of the City of N^-w Yortt thro" the City and County
of New Ywk and the County of West Cheater of the breadth of
four Bwd English Measure at the least, to be C<Mitinue and remain

for ever the roblick Oomon General Koad and highway from the
said City of New Yock to. the adjacent Collonj of Connectinutt
ADd also one other Publick Comon and General Highway to
Extend from the fferry in Kinga County thro' the same County,
Queens County and the County of Suffolk of the same breadth of
ffour Bod English Measure at the Least to be Continue and
Bemain for ever the I'ublick Comon General Basd and Highway
from the fferry aforesaid to the To^n. of East Hampton in the
County of Suffolk, And one other n?ublick Comon Oeneral High-
way to Extend from Kings Bridge in the County of West Chester
thro' the same County of West Chester Dutchess Ooiinty and the
County of Albany of the breadth of Four Rod English Measure
at the Least to be Continue and remain for ever the Publick
Comon General Boad and Highway from King Bridge aforesaid
to the Ferry at Crawlew over against the City of Albany. And
further one other Publick Comon General Hi4?hway to extend
from the Southerly Bounds of the County of Orange, thro* the
Same County of Orange to the County of Ulster & County of
Albany of the brpadth of four Bod English Measure at the least
to be Continue and remain for ever the Publick Conion General
Road and highway from the Southerly bounds of the County of
Orange aforesaid to the City of Albany & from thence to the
Town of Schaneotady in tlie County of Albany aforesaid. And
aiso one other Publick Comon General Roed and highway in the
County of Bicimiond from the Berry at the watering place
thro' the said County to Billups point over against Amboy in the
Province of East new Jarsey,

And be it further Enacted by "the Authority aforesaid That
there shall be Comon Highways Laid out, assertained repaired &
Iireserved for ever of the Breadth of ffour Rods English measure
as well from the Several Towns and Villages within thisOollouy

to their next Contiguous Towns and Villages and from one Town or Village to another as to the severall and respective publick Comon and General Roods and Highways before mentioned and to Such Convenient Landing places in each respective Town & Village where their respp<!tive Scituacons will aitord and require it for the better & easier Tranaportacon of goods and the Com- modious passing of Travelers as Direct and Convenient as the Circumstances of place will admit of at the direccons of the Commrs. respectively hereafter menconed.

And be it further Enacted by the Authority aforesaid if any person or persons from and after th,e Publicacon hereof shall Girdle Bark or Cutt down any Liveing Tree or Trees Standing, and Growing in any Conion and publick Boad or highway already laid out OP now Comonly used as Such or that hereafter shall

. '.Google

be laid out assertalDed and appointed of the Diameter of four Inches or above shall forfeit for each living Tree So cut down the Sum of Ten shillingB to be recovered by Plaint before any of her Ma'tj Justices of the peace in the Town or precinct where Such Offence shall be Comitted who by Virtue hereof hath and shall have power and Authority to Examine hear and Determine the Same one half to the Party who shall Complain and Sue for the Same, and the other half to the Poor of the respective Town or Precinct where Such offence shall be Comitted,

And be it further Enacted by the Authority aforesaid, That if any person or persons whatsoever after ye publicacon hereof shall Stop up Lessen contract, najrow or Incroach on any Comon Gen- era) or puhlick Boad or highway within this Collony and shall thereof be Convii-ted before any of her Ma'tys Courts within the same Collony by the Due Course of the Laws thereof shall Suffer Such pain by ffine and Imprisonment as by the Con- sideracon of the same Court shall be Awarded, and the same nusance to be forthwith thrown, down pulled up or removed.

And be it further Enacted by the Authority aforesaid That the respective owners of the Severall Townships Mannors and Lands by or thro' web any Comon General or Pu'blick Boad or

Highway shall be Laid out asaertained and appointed shall be bound and OEliged from time to time and at all times hereafter well and Sufficiently to Clear amend and Reipair as occasion shall require all Such Roads and Highways as shall be laid out and run by or through their or any of their Lands respectively as aforesaid under pain of fBne and Imprisonment for every Omisuon or neglect to be Prosecuted in the Courts aforesaid by presentment or Indictment by Good and Lawful! men of the Places where Such Offences respectively shall be Comitted.

And for the better putting this Act in Execucon. Be it Enacted by the Authority aforesaid, That Com'rs shall be and are hereby appointed thro'out this Collony who shall be and are hereby Impowered Authorized and required with all Convenient Speed to put this Act and every matter and Clause therein in due Execucon acording to the true Intent and meaning hereof in and thro' their respective Countys & districts for which they shall he nominated and appointed. That is to say for the County of Suffolk Mr Thomas Helmes Lieut Joseph Peirson & Mr John Turtle. For Queens County Col. John Jackson Mr Thomas Stevenson & Edward Burrows Esqrs. For Kings County Mr Peter Cortilleau Joseph Hegerman Esqr & Jlr Benjamin Vande- water. For ye County of Eichmood Oapt Joseph Billup Captain Nicholaus Manning & Mr Jacob Peulion. For the CSty and County of New York Mr William Anderson Mr Clement Elsworth

Digi-jzedbyGoOgiC

& Mr Peter Oplenous. For ye County of West Chester, Mr Joseph Heavyland, Mr Adolph Phillips & Mr Joseph Drake, For Dutchess County, Mr Baltus VaB Cliflt Mr. Johannus Tarbus & Mr Kohert Livingston. For the City and County of Albany, Col Kilian Van Eenslaer, Maj'p Derrick Wessele Mr John Brunk & Mr Evert Banker. For the County of Ulster Mr John Cock, Mr Jacob Aertsou & Mr Abraham Hasbrook, and for the County of orange Mr Peter Hearing Mr Johannus Blovelt & Mr Albert Mlnner, and if any of the Baid Oomr's shall happen to dye or refuse to serve before the aervlcea by them in this Act required to be dome and performed be accom- plished and perfected, the Deputys or Representatives for the time b^ng for the respective Citys and Countys where such Cosnr

or Comrs shall haj^>«i to dye or recuse to ser\-e are hereby required and Authorized to Nominate and appoint under their hands and Seels othCTS in the stead and place of th(me who shflll Soe dye or refuse who are & shall be Commissr or Comissrs for Such respective County to all Intents as if they had been Actu- ally Nominated and appointed in and by this present Act.

And be it also Enacted hy the Authority aforesaid. That the said Conuuissrs or any two of themi respectively for the respec- tive Citys & Ctounfys for which they are n»»ninated Commis- sioners w'ch said Commissrs and every of them shall remain Con- tinue and be Conmiissrs t» all Intemts Construccons and pur- poses in this Act menconed for the Space and Term of three years from the Puhlicacon hereof shall take effectual care that this Act and every Clause matter and thing therein Contained be put in Ezecucon according t» the true Intent and meaning hereof and the Several Comon General and publiok Highways herein before menconed well and sufficiently laid out Asser- tained and declared as well for the Carriage of goods as the passes trf Travellers within the space of eighteen mouths from and after the Publlcacon of this present Act.

And in regard the Duty and Services hy this Act required of the rMpective Oommiears cannot be done and performed but by Some Oonsiderable Labour Losse of time and Expence Be it therefore Enacted by the Authority aforesaid.

That the said Commissrs and each of them shall during the time they and each of them he Aotnally upon the Service and duty by this Act required of them, have and rice'.ve the Sum of Six shillin hy the day Currant money of this Gollony towards Defraying the necessary Eipence and Charp? they and each of them shall be at during the time they and each of them' shall be Acto- ally upon the Service and Duty afcH^esaid to be paid by the respective Citys and Oountysthey serve for, and the Several and

Lc;-,:.tll:yG00gIC

respective SupenisorB, Treasurers and other persons and ofBcers Authorized Implojed or appointed for the raising Le\'yiug and

paying the Charge <rf the severall Citys and Countys within tliis Collony are hert-by Comaoded and Enjoyn'd to raise Levy and pay the same under the penaJty of Ten pounds for each refusnll Neglect or omission to lie i-ecovered by any of the respectivf Coiii missrs before named who shall be defrauded or delayed of the sum or sums of money allowed by this Act by AtTOn of debt to be brought in any of her Mat'ys (.\)urt» of this Collony,

And be it also Enacted by the Authority aforesaid, That tlie Same Commissrs or any two of them aa aforesaid for tbeir respec- tive Citys and Countys for which they are and shall be appointed at their discrecon aa they shall Judge fit and Convenient shall and may permit order Suffer and allow good Easy sufficient Swinging (Jates in any of the Cooion Highways for the several! Towns and Villages within this Collony to their next Contigious Towna nnd Villages and from one Town or Village to another ns also to the Severall Publirk Comon and G-eneral Koads and High- ways and to Rurh Convenient Landing places as before men- coned always Provided the Same Gait^'s be made Set up and main- tained at the Costs Chaise and Expence of the person or persons respectively at whose desire Instance and request the Same Gates are or shall be permitted and aJlowed.

And that the said Commrs or any two of them where necessity or the Convenieney of Such Road or Highway shall require it shall and may direct order and allow the selling Cutting and Carrying away or Consuming any Living Tree or Trees what- ever for the Clearing of any Road Path or Highway any thing before in this Act to the Contrary hereof in any ways notwith- standing.

And further that it shall and may be Lawfull for the said Commissrs or any two of them as aforesaid where any fence or Inclosure is or shall be at the Publickacon hereof made Erected or Set up Contracting Narrowing or obstructing any of the Roads or Highways before mencooed to give Such reasonable time for the removing pulling up or Ijevelling Such ffence or Inclosure not Exceeding more than two years from, the publicacon of this Act as to them ye Said Comrs shall appear Equitable Just and C<MiTenient.

And be it further Enacted by the Authority aforesaid that where it shall So happen that the said Road or highways shall lye Run or be laid out where the bounds of Severall Countys are in dispute the Commrs or any two of them of both those

Countys respectively shall be lyable and take effectuall care that

Digi-jzedbyGoOglC

this Act & every Clause therein be put in Execncon any Such Diepate or any other Doubt or Controrerey notwithstanding.

And be it further Enacted by the Authority aforesaid That ibe Contra hereinbefore by this Act appointed and Authorized and hereafter to be appointed and Authorized as in this Act is Directed for the Space and term of three years before menconed aad after ye Ezpiracon of the said three years the SurveyorB for ye highways in An Act of General Assembly menconed, Enti- tnled An Act for the Enabling each respective Town within Ihis Province to Regulate their ffenees & highways and make pru- dential orders for their peace and orderly Improvements are hereby Comanded and required Authorized Impowered and appointed to take care that this Act and eveir Clause matter and thing in the Same Conteined be duely truely and Effectually performed done and put in Execncon acording to the true Intent and meaning of this Act under the Penalty of Twenty pounds for every ommlssion neglect or refusail the one half thereof to her Maty her heires and Successors to be Applied to the Con- tingent Charge of the Qovennent and the other half to the Party who shall Sue for the Same by Accon of Debt in any of her Ma'tys Courts within this CoUony.

Provided always and it is the true Intent and meaning of thla Act that all the Roads and publick Highways by this Act Intended shall be of four Rod at the Least in Such as are now already used and laid out and of the breadth of Six Rod at the least where any new Publick Rod or Highway shall hereafter by Virtue of this Act be laid out.

Pro^~ided also that the publick Rods and Highways ip the Coantya of Ulster & Albany shall be laid out & asaertained according to the Demensions and as in this Act is before Expressed Except where Such highways shall run thro' meadow (iroond to be only Twenty foot wide and not otherwise and that the Same Highways shall and may be Cleared and maintained according to the methods formerly and at present used and

practised in ye Said Countya

Provided also that in the Countys of Orange and Dutchesse altho" the ways to be laid out shall be of the breadth of Six Rod at the least the said Countys are not hereby Obliged to Clear or maintain any other path or Highway than for Horse and roan only, nor in The County of T'lster from the Palls to Orange County,

And be it further Enacted by the Authority aforesaid That the Commiss'rs for even' respective County shall return to the Clerk of every County respectively a full & perfect Report and discription of ye Manner & Extent of every Road they shall from

Digi-jzedbyGoOglC

finup to time lay out and the Clerk of every County is hereby required to record all and every Such Return and Report as the Respective Com'rs shall from time to time make to Ihem pur-suant to the Direccons of thi» Act

[CHAPTER 132.]

[Cbapter 132. ot LlriDgeton & Smith and VaD Schaack, where the title only Is printed. Printed lu full In Brlnley's Bradford, pp. 215, 248 only Is printed in Baakett, p. 72. Expired at the next aession, aft 31, 1710.]

AN ACT for Prohibiting the Distilling of Rum and burning at Oysters Oyster shdU or Stone into Lime within the City of New york or within half a miles Difltance of the City Hall of the said City.

[Paeeed, June 19, 1703.1
WHEREAS the Distilling of Rum, molasses, and other Such like Liquors as also tlie Burning of Oj'sters, Oyster sliells and Stone into Lime within the City of New York hath been T<ery Offensive and unwholesome to the inhabitants thei-eof, and is now become a Comon Nusanoe amongst them, for the pretention whereof, Be it Enacted by the Govemour Council and Represen-

tatives of this Province in General Assembly Conven'd and by the Authority of the same, That fromi and after the Publication of this Act no person or persons what8oe\'er, shall presume to distill any Rum, Molosses or other Such like Liquors, or to bam any Oysters Oyster shells, or Stone into Lime in any House shedd, or other place or places within the City of New York aforesaid, or within the distance of half a Mile fi-om the City Hall of the said City, upon any accompt or pretence whatsoever. And that every person and persons, that from and after the time set and Limitted aforesaid, shall pre«mne to oifend in any of the particidars aforestiid shjill forffit and pay, for every time he she or they shall be so found offending, the Siuu of fifive pounds Cur-rant money of this Colony, The said respective Forfeitures, after the same shall accrew, to be Sued for and Recovered, by Action Bill, Plaint or Informacon in the Supreme Court of Judicature for the Colony aforesaid by any person or persons that wUl Infonne or sue for the same, one moiety of the (forfeitures afore-said, to be to the Informer him or her that Sues for tlie Same, th other Moiety thereof to be to the Corporation of the City of New York for the use & benefltt of the poor of the said City and no Essoin, protection, wager of Law op Imparlance to be allowed in any Suite or Action aforesaid. PROVTr>EI> always that no Suite or Action shall be brought or Comenced for any the forfeitures

Lc;-,:uJbyC00gIC

aforesaid but within Seven moDtbs after the Offence committed, and not otherwise. And if any Blave Labourer or other Servant cr hireling shall be guilty <rf the breach of this Act in any the particulars therein named and become liable to any the fforfeit-ures aforesaid That then and in Such Oaae the Maater, Mistrease, owner, hirer or Imployer of such elave or servflnt so guilty as aforesaid pespectively shall pay the said fforfritures, for such slave Servant or hireling aforesaid, & shall be lyable to such Suite & Action for the same as aforesaid any thing herein Conteined to ye Contrary thereof in any wise notwithstanding.

Provided also that this Act shall have Continuance for the terme and Space of Seven years or to the end of the next 8e»-sion of the General! Assembly of this Colony.

[CHAPTEB 133.]

[Chapter 133, of LlvlngBton & Smltb and Vaa Scbaack. where the act Is printed In fall. Printed In full In Brinley's Bradford, pp. 2t3, Bagkett, p. 69. Conflrmed by the Queen, May 20. 1708. (See Fowler's Bradford, p. CXXXVIII.) The act explained Is cbapter a]

AN ACT tor the better Explaining and more Effectual putting in Execucon An Act of General Assembly made in the third yeare of the Reign of their late Majtiea King Wm. and Queen Mary Entituled An Act for defraying of the Publick and necessary Charge thro'out this Pi^vince and for mainteining the Poor and preventing Vagabonds.

[Passed, June 19, 1703.1
Forasmuch as many disputes Cavilla Controversies and mis- takes have happened and been Occasioned as well by the Gen- erallity of the Words In a Certain Act of General Assembly Entitnled An Act for defraying of the Piiblick and necessary Charge thro'out this Province and for mainteining the Poor and preventing Vagabonds, as many other Omissions and defects Experience has found and observed in the same Act. Be it there- fore Enacted by the Governour and Council and Representatives Conveen'd in General Assombly and by the Authority of the Same. That be Elected and Chosen once every year, in each respective Town within this Province by the ffreeholders and Inhabitants thereof, one of their ffreeholders and Inhabitants to f'ompute Ascertaine Examine Oversee and allow the Contingent Pablick and necessary Charge of each County, And that each and every Inhabitant being a ffreeholder In any mannor Liberty Jurisdiccon Precinct and out Plantacon shall have liberty to

Joine his or their Vote with the nest Adjacent Town in the County- where such lohabitunt ahall dwell for Choice of a Snper- vlsor Except the ilannor of Renslaerwick who shall hare liberty to Choose a Supervisor for the same mannor. And also that there shall be in each Town Mannor and precinct by the ffreeholders and Inhabitants thereof in everj' respective County Annually Chosen two Assessors and one Collector which Supervisora Assessors and Collectors shall be Annually Chose in every Town

on the first Tuesday in Aprill or Such days as is appointed b,v . their Charters or I'attents which Supervisors so Chosen shall Annually meet at the County Town in each respective County on the first Tuesday in October and at such other time and times as the said Supervisors shall Judp;e and find Neccsssary and Con- venient to Examine & Compute ail Such Publick nect^sary & Contingent Charges as they shall find their respective Countjs properly Chargeable wth and all Such other Sum & Sums of money bb shall be brought, & Exhibited to or before them, that have or shall be Imposed or laid on the same Countys by the LawB of the Collony wch Cx)mputacon being made and perfected and the Proporcon of each Town, Mannor, Liberty Jurisdiccon and Precinct within the respective (^ountys ascertained & appointed wch the said Supenisors or the Major part of them for the Several Countys respectively are hereby Impowered and required to Ascertain and appoint shall be transmitted under the hands and SesUs of the said Supervisors to the Assessors of each respective Town Mannor Lii>erty Jurisdiccon and Precinct Chosen as aforesaid wch Assessors are hereby required Equally duely and Impartially to Assess and make a Rate for their Respective pro- porcona being first Sworn Equally duely & Impartially to make Such Assessment before any of the Justices of the Peace for the Same County where such Assessors shall reside {who are hereby Authorized and Required to Administer Such oath) wch Assessment bi'ing so made shall be delivered to the respective Collectors who are by this Act Impowei-ed to Collect and pay the Same unto the County Treas- urer who shtill be Annually Chose in each respective County by the Supervisors aforesaid, And if any person or persons shall refuse or neglect to pay the said Assessment or Rate that it shall & may be Lawfull for the Collectors aforesaid to Collect and Levy the Same by distress on the <i'f)od8& Chatties of the Defaulters by Warrant under the hand and Seal of the Supervisors of each respective County aforeswid or the Major part of them who are hereby obliged to Affix Such Warrant aforewiid to each Assessment so to be trausraitted to the Col- lector as aforesaid who are hereby required to pay and Lodge in

Digi-jzedbyGoOgiC

the tmnds of the Treasurer of each respectiTe County the sum

& sums of money by them peapectively Collected according to the Computaeou of the Contingent Charges made and perfected aa aforesaid And the said Treasurer ehail receive and pay all Such Sum & Sums of money Aaaeesed Collected and paid in, as aforesaid according to the said Computaoon by warrant under the hands and seales of the said Supervisors or the Major part of them respectively, And the said Treasurers shall keep a distinct Book of Accot's of the receipts IMsbursemente and payments of the money so Assessed & Collected •a» before menconed. And <»ice every year at the Annual Meeting of the said Supervisors bring in and Ezhibite his or tbeir Accounts before them for their Audit thereof. And they are and shall be hereby made lyable to An Aceon erf Accot to the Supervisors of each County or the major part of them respectively for all Such Sum or Sums of money they shall ■ receive as aforesaid, w'ch Said Supervisors are by this Act Impowered and EntHtuied to Sue Maiiriain & prosecute such Action for the use of their respective Countys and the said Treasurers shall and' may plead & Discharge themselves in such' manner as other Beceivers or Bailiffs by the Law may can or ought to do. And further that the said Collectors shall be allowed to take and Receive Nine pence for each ponnd they shall so Collect as aforcBaid, And that the said Treasurers shall retain and have Six pence on ye pound for what moneys they shall receive and pay as aforesaid to witt three pence for receiving and three pence for paying And be it further Enacted by the Authority aforesaid That if the Supervisor or Supervisors Assessor or Assessors Cx>lIector or Collectors Treasurer or Treasurers so Chose as aforesaid rfiall deny neglect refuse delay or faile to do performe and Execute all and every or any Clause Article thing aud things required and Contained in this Act, on such days times & in manner hereinbefore Expressed according to the true Intent and meaning thereof. They and each of them so denying neglecting refuseing delaying or failing as aforesaid shall forfeit five pounds Currant money of this Oollony for every Such their Offence to be recovered by the person or persons who is or shall be delayed wronged or injured by any such their or any of their offence in any of her Matys Courts in this Collony wherein no Essoin Protection wager of Law or any more than one Emparliance shall be allowed, besides being lyable to an Accon of Trespass grounded on the Case to every Such person who shall be so delayed Wronged or Injured any Law Statute or Usage to the Contrary hereof in any wise notwithstanding.

Digi-jzedbyGoOgiC

And be it further Enacted by the Anthoritj aforesaid That the SuperviBore AsBessora and Collectors for the severall and reapective Towns within this Collouy from whom Yearly Quit Bents or Cheif Rents are due or hereafter shall become due or on whom Such Rents are Chargeable are hereby Impowered and Required to take Effectual care that the Same be dnely and truely paid, according to the true Intent meaning and Expression of their Several I'attentB and Qrants and that the same AssesHOr^ shaJi Yearly and every yeair Assess the several ftreeholders of the said Towns Respectively according to the part share & proporcon of Lands within each respective Town Such (freeholder or ffree-holders shall have hold poesess and enjoy for and towards the Bischargeing and paying such Cheif or Quit Rent or Bents Bespectively, and that the said Collector shall by Warrant under the hand and Seals of the Supervisor Collect Levy and pay the same in such manner as before in this Act is set forth and Expressed for the Raising Assessing Collecting and paying Hie publick and necessary Charge <A each County in this Collony.

And be it also Enacted by the Authority aforesaid That in Case any Supervisor Assessor Collector or Treasurer after hariog been so Chosen and Elected as aforesaid shall happen to dye refuse to Serve or depart the Collony after such his Election and before the end and Expiracon of the year for wch he or they are Chosen the respective Town or Connty where such person shall happen to dye refuse or depart from shall and may and are hereby Authorized and required to proceed to a new Choice of Such Collector Assessor Supervisor or Treasurer as shall be wanting for the remaining part of the year, And in Case the ffreeholders and Inhabitants of any Town or Precinct or the Supervisora of any County within this Collony shall neglect deny or refuse to Elect and Chose A supervisor Assessor Collector or Treasurer in the manner in this Act before Exprest, The Justices of the peace of the respective Counties wherein such Town or precinct shall lye or the major part of them being not under the number of five are hereby Authorized Ira.powei*ed and required under their hands and Seals to niMuinate and appoint a Super-visor or Supervisors Assessor or Assessors Collector or Collectors or Treasurer in the Room Stead and place of Such Supervisors

Assessors Collectors or Treasurers so omitted to be Chosen, who shall be Supervisors Assessors Collectors and Treasurers to all Intents and purposes with the like powers and Subject to the same Rules Pains and Penalties as any supervisor Assessor Collector or Treasurer Chosen or Intended to be Chosen and Elected pursuant to and by Virtue of this Act

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 134,]

[Cbapter 134, ot LlvingatoD & SmitU and Van Schaack, where the title only l8 printed. Printed in full in Brlnlej'a Bradford, pp. 216, 249 only la printed In Baskett, p. 72. Baskett Btaies, tliat the act wa firmed by the Queen, March 30, 1704. (See chapters 33 and 141.) Van t^haack states that the act expired by the death of Ur. Vesey, July 10, 1748.1

An Act for the better E8tal>liBhmeDt of the maiDteuance fan the Mjniister of the Citty of New York.

[Passed, June 19, 1703.]

WHEREAS the InhabitaQts and ffreeholders in the Cit; of New York have heretofore made Divers VoJuntiary Contributions and Subscriptioiw Amongst themaelves, in order to the laying the foundation of a Church and Steeple in the sd City, and have thereby Advanixid the Same bo far as to the flnishing the said Church, & the building of the Steeple to a Ctmvenient Height above droond, with a purpose to Proceed and finish the Same. And WtiereflјB before the Bmlding the said Church (that is to Say,) in the year of our Lord 1693 An Act was made by the General Afeemhly of this Province, Intituled, An Act for the Setling a Ministry & raising a Maintenance for them in the City ot New York, County of Richmond, West Chester and Queens County, wherein axaongst other things it was provided and Enacted, That there Should be Called, Induoted and Established in the City of Sew York a. good Sufficient Protestant Minister, to Officiate and have the Care of Souls; and that there Should

Annually be Assessed, Levyed, Collected and paid for the main-
tenance of Such Minister, the Sum of One hundred pounds, w'ch
said Sum of One hundred pounds, Since the Building of the
said Church, hath been paid unto Mr. William Vesey, the present
Rector or Incumbent thereof, w'ch being thought an insufficieo't
mainteinance for the said Incumbent, by the Wardens & Veatry
of the said Church, has hitherto, for Some time, been Supplied
by an Addition out of the Voluntiary weekly collections from the
Inhabitants of this City, and People frequenting that Church,
w'ch were otherwise Intended towards the perfecting the said
Church and steeple, & other pioiis and religious uses. The
General Assembly of this province, for the better Maiivtenance
& further Encouraemt of the said Mr. William Veaej, have
thought fit to Enact, AND BE IT ENACTED by hla Excell. the
Govr, by and with the Adiice and Consent of her Majties Council!
and Representatives in Gcnerall Assembly mett and Conven'd,
and it is hereby Enacted by the authority of the Same; That in

Digi-jzedbyGoOgiC

Lieu and Stead of the above said Sum of One hundred poands,
mentioned to be raised and paid by the above recited act of
General Assembly, there Shall Annually and Once in every year
(for and dureing the Xatural Life of the eaid Mr. William Vesey,
present Incumbent of the said Church, and so long as he Shall
Oftichite as Minister of the same) be Assessed, Levyed, Collected
and paid, for the Maintenance ot the said Mr, William Vesej,
Bector of the aaid Church, the Sum of One hundred and Sixty
pounds Current Money of New York. And for the more regular
and orderly raising The said Sum of One hundred and Sixty
pounds. Bee it Enacted by the authority aforesaid, That the
Justices of the Peace of the City and County of New Yorlt, or
any two of th«n shall every year Issue their Warrants to the
Constables of each respective Wards within the said City
to Sumnis the ffpeemen aawJ fPreeholders of the said City
together, on the Second Tuesday in January for the Chuaing
of Ten Vestry men and two Church Wardens, and the said
Jnstices or any two of them Shell within two Months after
the said day call ti^ether the Vestrymen, bo Chosen as
aforesaid, and they or the Major part of them, are hereby Im-
powered and required to lay ao Equall Tax on the Inhabitants

of the said City of New Ywk, for the raising the aforesaid Sum of One hundred and Sixty pounds; And be it further Enacted by the authority aforesaid. That Such of the Vestry men as Shall not be present at the time Appointed to make the said Tax, and thereof he Convicted by a Certificate under the bands of Such as doe Appear, and have no Sufl3cient Excuse for the same, Shall respectively ffw^eit fBve pounds Currant money aforesaid; And a. Roll of the said Tax, so made shall be Delivered into the bands of the Constable of each respective ward of the said City, with a warrt Signed by any two Justices of the peace of the said City, Impowering him or them to Levy the said Tax, and upon refusal! to destrain upon tlie Goods and Chattells of the Person or per-sons so refusing and Sell the Same, by publick out-cry, and pay the Money, arising by the said Sale, into the hands of the Church Wardens, first petaiuing to himself twelve pence in the Pound for Levying thereof, aud returning the Overplus, if any there shall happen to be, to the Owner. And if any person Shall refuse to pay what he is so Assessed, and the said Constable or Con-stables do Destrain for the Same, all the Charges Expended by the said Constable or Constables, Shall he paid him or them, with Such further Allowance for his or their pains as the said Justices, or any of tbera. shall judge reasonable. And if the said Justice or Justices Shall neglect their Duty to Issue the said Warrant, or fail in any of the premises, by him or them to be

Digi-jzedbyGoOglC

done or performed, in pursnaoce and ExecutloB of this act, he OP they respectively Shall fforfeit the Sum erf Twenty pounds Currant money aforesd. And if the Baid Constable, or any of them, shall fail to doe their Daty Herein, they shall respectively fforfeit five pounds Currant Money aforesaid. And the Church Wardens, so Chosen, shall undertake the ad Office, and receive and keep a Just and true Accot of the Moneys or Goods Levyed by Virtue of this Act, & the Same Issue by order of any two of the said Justices, & the Major part of the sd Vestry men, for the use. Intent and purpose aforesaid. And the Church Wardens shall, as often as thereunto required, yeild an Accot unto the Justices and Vestrjinen of all their receipts and Disbursements; And in case they Shall neglect to do the same, they Shall respect-ively forfeit five pounds Currant Money aforesaid for every

refusal!. And be it further Enacted by the authority aforesaid. That the said Church Wardens Shall, by Warrant, as aforesaid, pay unto the said Bector the Maintenance aforesaid at four equal and quarterly payments, under the penalty of fflve pounds Cur- rant Money aforead for every refusal, neglect or Default. And be it further Enacted by the authority aforesaid, That the fines, Penalty's and fforfeltures menconed in this act shall be one Half to the use of the poor of the said City, and the other half to h or them that Shall or will prosecute for the Saime before any of her Majtiea Justices of the Peace for the City of New York, for the time being, who are hereby required within fforty day's after any Complaint Shall be made to him or them by any person or persons of the breach of this Act, by reason of any person or per- sons not Doing the Duty hereby required to be done and per- formed by him or them, he or they shall Sumon the said person or persons So neglecting or refusing as aforesaid, and the matter being heard before him. Shall give Judgment and grant Ezeco- tion thereon against the party offending; and Shall Imediately thereupon appoint an other fltt person to do and perform what ought to have been done and performed by the sd party OfTend- ing. And If the said person so appointed as aforesaid, Shall n^lect to do and perform his Duty herein, he Shall be Subject to the like penalty as if he was Duely Elected, Any fomier Law, usage or Custom to the Contrary hereof Id any wise Not- withstanding.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OP NEW YOBK.

[CHAPTER 135.]

[Chapter 135, of TJvingaton & Smitli and Van Scbaack, where the UUe only is printed. Printed In (ull lu Brlnley's Bradford, pp. 227, 260 only U printed in Baakett, p. 72. The act referred to Is chapter

An Act for the better and more Speedy Eecovery of the fforfeitures oi Six pounds, for PenODB not appearing upon Betarhmeitts land perftMining the Berrice required Accord- ing to the purport of An Act of Generall AflBeanbl; of this Oollony made in the flrat

Tear of her Matys Reign Entituled An Act for the better Setling the Militia of tbis Province &c

IPassed, Jtroe 19, 1703.1

WHEREAS by An Act of Generall Aaeembly of ttiis Colony, made in the flrst Year of her present Matys B^gn, Entituled, An Aot for the better Betllng the Militia of this Province, and making it more uaefnll, for the Security and Defence theretrf, and for the Repealing of all former Acta heretofore made in this Province, BelnJtlug to the same; It is amoogat other things Enacted, That whenever it shall so happen, Thait Money shall be raised by Act of General Assembly of this Colony for the raising and paying of men for the Defence of the ffrontieers, the Several and respective Captains, and other officers Oomonding the Com- panies Bespectively, for the time being, shall and may, by virtue ot the eaid Bedted Act, Appoint or Detach, Such and So many, of the respective Oompanys as shall be required for that Service, by the Captain General or other Superior Officers, by leaving a Note in Writing at their respective Houses, or last place of abode; Signifying when and where they shall appear. Ten dayes Inclusive before the day of such appearance; And if any person or persons for whom Such Note shall be left, as aforesaid, shall not appear at the time and place appointed, and perform the Service required of him, be or they shall forfeit the Smn of Six pounds, to be recovered by the respective Captains or other Officers in the respective Coui^^ of Oomon I'leas of Such County or place where such Offence shall be Oomitted, or offender slmll be found, by Aecon of Debt, Bill Plaint, or Informocon, in which no Protection, Essoyn, IJnparlaince or Wager of Law shall be allowed, w'ch forfeiture of Six pounds is to be applyed and given to the use of Such pei^ son or persons who shall be Sumoned to appear and Serve in the Boom of Such Offendor makeing Default of appearance as

aforesaid. And whereas the said Course and Method of pro- ceeding appointed by the above Recited Act for the Becorery of the eaid forfeiture of Six pounds afoi-esaid is to tedious & I>ela- tory to Effect the true end and De»igne of the said Act, by reason the said Courts of Oomon Pleas are Seldom held, and of short Ooatinnance, sO' that the said fforfeStures cannot so Speedily be

had and Obtained as the service and applicacon thereof requires. For help and remedy of which Mischeife and Inconvenience. Be it Enacted by his Excel the Governour & Couneil and Bepreaen- tatives of this Colony in General Assembly Convened, and by the Authority of the Same. That from and after the publicacon of this Act the said penalty or forfeiture of Six pounds in and by the said above recited Act Set and appointed as aforesaid shall not be Sued for, had or recovered in the said Courts of Comon Pleas or any of them by Accon of I>ebt Bill, Plaint or any Accon OP Informacon whatsoever to be Comenced prosecuted or fol- lowed thereby any person or persons whatsoever. But that it shall and may be lawful! thence flforward, for the better Recovery of the penalty or fforfeiture aforesaid, for every Captain or other Officer of any Militia Troop or Company within this Colony to apprehend and take into his or their CuatJodys wherever they shall be found Such persons or persons of their respective Troops or Companys who beins DetacJit or to he Detax^hed according to the purport of the said Recited Act shall Incur the penalty and fforfenture thereof, and the said person or persons So apprehended and taken into Custody to have and Carry before any three Jus- tices of the Peace (one of which to be of the Quorum) of the Count Town or place where such person or persons were Inhabiting or Be- sideing at the time of Incurring the penalty and forfeiture afore- said. The which Justices of the Peace shall be and are hereby Authopfzed and Impowered upon Conviction of the Offendor, by Confession or otherwise by warrant under their bands and Seales to order and appoint the Levying and raising of the said Penalty or fforfeiture of Six pounds aforesaid upon and out of the Proper goods and Chatties of the Offendor if he have any, and for want thereof by like warrant to Comitt the said Offendor to Goale there to remaine one whole year without Baile or main- prize unless the said fforfeiture be sooner paid.

And Be it further Enacted by the Authority aforesaid that all and every Article Clause and thing in the said before recited Act menconed and Contained touching and Concerning the Sueing for or Recovery of the said fforfeiture of Six pounds only thereby appointed is and are, in and by these presents fully Cleerely and absolutely Repealed Annulled and made void, and So declared to Stand and be, to all Intents and purposes whatsoeiver, as if the

. L'.oogle

Bame hod never been therein Incerted. Provided alwayes that the said Sum of Six pounds fforfeiture aforesaid when and as often as the Same shali he Levjed and Raised upon any of the Offendora aforesaid, their goods or Chatties, the same shali be paid and Delivered to each respective Captain or other Officers aforesaid for the use and benifit of Such person or persons who shail do Duty for and Supply the place and Stead of the Offendor or Offenders according to the Direction and appointment of the said Act any thing in this present Act being Conteined to the Contrary thereof in any wise howsoever.

Provided That this Act shall be of ffCM-ce no longer than the before recited Act

[CHAITER 136.]

[Chapter 136, o(Llrlngston Sc Smith and Van Scbaack, where the titl 011I7 is printed. Printed In full In Brlnley's Bradford, pp. 221, l^ onl7 Is printed In Baskett. p. 72. The act referred to 1b chapter

An Act to Supply the Defects of An Act of General Assembly made in the first year of her present Maties Beigne Entituled An Act for appointing and Enabling Commrs to take state and Examine the Accounts of the Revenue of this Colony and the necessary <Joiltingent Charge of the Ooverment

(Paaaed, Jnne 19, 1703.]

WHEB1;AS In and by one Act of General Assembly of this Oolony made in the first year of her Ma'tys Beign Intituled Ad Act for appointing and Enabling Commrs to take State and Examine the Accots of the Revenue of this Colony and the neces- sary Contingent Charge of the Goverment. Rip Van Dam Stephen De Ijancy John Barberie Thomas Wenham and David Jamison Gentl have been and were Constituted and appointed Oommrs for takfing Stateing and Examining the Accots in ye said Act meneoned, and to make returne of their proceedings therein unto ye House of Representatives, the first day of this present meeting or ScssioDS of General] Assembly of this Colony, The web matters have not nor could not be so well and EffectuaJly done and performed within the time Limitted as aforesaid, not

onely in respect of the shortness of the said time but for want of Sufficient powers and Authorityes, to the said Commrs in and by the sajd Act to have been given, for Supply and Remedy whereof, Be it Enacted and it is hereby Enacted by his Excellency, the Governour and Council, & Representatives in General Assembly Conveened and by the Authority o>f the Same That the Said Bip

1 1., Google

Van Dam, Stephen De Lancey, John Barberie Thomaa WeDham Bud David Jamison and every (rf them are and shall be farther CoDstitnted, Continued and appointed C<Hnm'rs for takeing, Btateing, & Examining the Acco'ts in the said before Recited Act menconed or Intended, with all the Powers, Authorityes, Priviledges and Advantages w'tsoever to them the said Conun'rs, or any of them by the said Act given, frcan ye first day of this present Sessions of Generall Assnnbly for and dureing the time and Space of Eighteen moneths from thence to be Computed and Beckoned any thing in this or the said fonner Act to the Contrary hereof in any wise not wthstanding.

And for the t>etter attaining accomplBhing, and fulfilling the end and designe of this and the before recited Act, according to the true Intents and meanings thereof. Be it further Enacted thst the Commrs aforesaid or any three of them from time to tkoe dureing the Continuance of this Act, shall have power to and may by Warrant or Warrants under their hands and Seals, Send for Persons, Papers and Becords and Books of Accot Such and So juany of them as to them the said Commrs in their pru-dence and Discretion shall be thought fit and necessary to be Inq»ected or Examined by them touching and Concerning wily the Accots aforesaid, And that in Case any person or persons rerideing within the City of Newyork on whom. Such warrant or warrants shall be duely Served shall not Comply therewith, and give Oi)edience thereto within the Space of three dayes next after the Serving thereof as also all other person and persons refflde ing in any other place within this Province at Such time and tanes as the said CtMnmrs shall appoint having regard to the Distance of their abode without just Excuse for such their Delect and Disobedience therein to be aJIowed by the said Commrs or any three of thc-ji. That then and in such Case it

aball and may be further Lawfull to and for the said Commrs or any three of them by like warrant or warrants under their hands & Seals to Comit such person or persons not Complying and giveing Obedience as aforesaid, to the Comon Coal of the County, Towne, or place where the said person or persons so to be Comitted shall then Inhabit or Reside, there to Continue and Beamin antill they shall Comply and give Obedience as aforesaid flr otherwise answer upon Oath to Such questions or Interroga- tories, as by the saJd C(«nmrs or any thrc^e of them, shall be put or Exhibited to them, The wch Oath, question, and Inter- R^tories, the said Commrs or any three of them shall be & are hepAy from time to time as often as occasion requires Impowered to Administer put and Bender respectively in Course & order.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OP NEW YOKE.

[CHATTER 137.]

[Chapter 137, of LlvlngBtou & Smith and Van Scbaack, wbere ttaetilte only is DrlntiHl. Prlated lu full In Brinley's Bradford, pp. 203, 23 only Ib printed In Baskett, p. 71.1

A Bill for raising ffifteen himdred pounds toward Erecting two Batt^iee at tlie Narrows, or passage l)etween Staten and Long Island.

[Passed, Jane Ift, 1T03J

Whereas the said-passage called the narrows leading from the main Keu. into the tray or harbour of the City of New York H the same were fortified and made defenceable would be a gr»t security not only to the said City but to great part of this anddw Neighbouring Colonies from the Insults of our enemies whieh lying open hath some time since given Incouragment to Strangen in a hold 'and warlike manner to ettter our port and sound oor Channella to the Surprize and Terror of this City; ffor the pr& [Tentioo of which & of greater dangers & IneomTeniences Vd may happen in time to come and towards the aeeisting his Excel- lency the Lord Oombury her Majtie» CapbaJn Generall and

Oovemour in Cheif in and over this Colony in erecting two B^
t^ies, and on each side ot the narrow's aforesaid for
the Defending and fortifying the same The General Absmo-
bly pray that it may be Enacted and be it Enacted,
by his Excellency tiie Oovernour with the Conaat
of her Matys Council and General Assembly and by the Authority
of the Same; That all and every person and persons who at the
time of the Execncon <rf this Act shaJl be in the Severall Rankt
and Stations and Circumstances as hereinafter is meoconed and
Expresst shall to the purijose aforesaid Contribute and pay the
Severall sume and Sums of money hereafter in this Act set dovn
and appointed (That is to say) every Person who has the HmiooT
to be of .hpr Ma'tys Coimcil for this Colony shall pay the Sum (rf
ffortj shjllinRB, Every person Elected and Returned to Serve at
a Reprsentative in Generall Assfanhty the Sum of Twenty shil-
lings, every person practiceing the lAwasaCouncillorAttom^
Proctor or SolHcitor the Sum of Twenty shillings Every person
wearing a Peniwigg the Sura of five shillings and Six Pence
Every Batchelour being a Freeman of the Age of five and
twenty Years and upwards the Sum ot three Shillings Ever Free-
man of the Age of Sixteen Years and upwards the Sum of Nhie
pence besides what is hereinhef<we Expressed. The Slaster or

Itietrees of every Slave of the age of Sixteen years and under
Bixtj the Sum of one shllliug for (each such Slave. And Be it
turthtt Enacted by the same Authority, That for the purpose
udendafofesaid, there is hereby Granted and shall be Laid, and
Levyed and paid the Sum of three pence on each (jallon of Dis-
tilled liquors, that is or shall be I>iBtiiled from any matter or
thing Soever (Grain of the Growth <rf the Colony only Excepted)
dnring the space and Tenn of one whole year from the Publica-
CCD of this Act. And be it further EiKicted and Ordained by the
Authority Aforesaid, That for the better ordering, Levying, Col-
lecting and paying, the Sums of Money hereinbefore tnencomed
imJ appointed. The Severall Collectors for the time being within
the Several Citys, Towns, Warda and Prednrts within this
Colony, of the publlck and necessary Charge, within the Space of ,
fforty Days after the I'ublioacon hereof, shall take & make an
Exact, tme And perfect list and Roll of all Such Freemen, and
tlHi of all Such Slaves oa at the Publicacon hereof shall be '
Dwelling or Residing within their respective Towns, Wards end
Precincts within this Colony, and a true Coppy of such Lists and

Bolls shall be Delivered to the Clerk of each Respective City and Ooon^ within this OiAony, and shall Demand and Receive of each the Serera) pereoii or persons Chargeable by this Act, the Bewral and respective Sum and Sums of mony limitted and q>pohtted by the Same; and the said Sums of money so being iwed, shall on or before the twenty Nineth day of SeptembCT Mit, pay the Same unto the Commissioners appointed to exe^ rate the oflBce of Collector and Receiver General of this pnjvince, or to the Collector and Recover General of this proTince,for the time being; And if any person or persons shall refnae to pay the Several Sum and Staus and proporcom sppointed by this Act for such person or persons to pay, upon Demand made by the Collector of the Place where Such person or persons Shall Dwell, Inhabit or Beside, It shall & may be Law- fall to and for Such Collector, for non-payment thereof, to Dis- trein the person or persons so refusing by his or their Goods and Chatties, and the Diatress so taken to keep by the Space of four ^yes, at the Costs and Chaises of the owner thereof; and if the Said owner do not pay the said Sum or sums of money so dis- tnuned for within the said four days, then the said Distress to be pnblickly Sold by the said Collector, for the paymtPnt of the ttid money, and the overplus coming by the said Sale {if any be) oTer and above the Charge of taking and keeping the said Dis- hwse, to be Immediately restored to the owner thereof.

And be it further Enacted by the Authority aforesaid. That Way house-holder, being Master or Mistress of a ffamily, shall

. LiOOglc

within two dayes after Demand made hy any Collector of tlitt place oc precinct wherein Buch Householder being Master or Mistreaa shall Dwell, Deliver to the said Collector a true and perfect List of all Peraons who are ffreemen above the Age of Sixteen Yearea, that shall be Inhabiting or residing in their Respective ffaniilys, as also of all Slaves above the Age of Sixteen years, and under Sixty, be or she shall be owner of, or in his or her Service, Keeping or posseeaion, and if any Such Master or Mistress shall make Default of Such Delivery, being thereof Convicted before any one of her Ma'tys Justices of the Peace (wh« are hereby Impowered and Authorized to bear. Examine and

Determine the same) he or she shall forfeit tlie Sum of Twenty shillings; and for every person Omitted out of Such list, u aforesaid, "Pen shillings, the one Moiety of Such forfeitures to be to the Informer, and the other half towards erecting the Batteries aforesaid; which forfeitures shall be Levyed by Distress and Sale of the Offendors fi-oods, Eendring the Overplus to the owner.

And for the Better Le\'ying and Receiving of the said Duty rf three pence per Gallon on all Distilled Liquors, as aforesaid. Be it Enacted by the Authority aforesaid, That all Distillers vt Strong Liquors within this Colony shall weekely make tme Entry wth the Collector of that Town, Ward or Precinct, in op ander which they Live, of all strong Liquors Distilled or made fit for sale in that week respectively, and pay and Cieare the Duty and Excise thei-eof forthwith, upon pain of forfeiture of Twenty ponnds for every week they or any of them shall neglect to make such Entry, or pay the Duty & Excise hereby Granted and appointed, to be Le^^ed by diatrew and sale of the Offendon Goods and Chattels, reudring the overplus to the owner, The Charge of the Distress and Sale first being Deducted, which said forfeiture shall be disposed and applyed also towards the erect- ing the Batteries aforesaid.

And be it Enacted by the Authority aforesaid, That if any Dis- pute or Controversy shall arl«e between any of the Collecton and the respective person or persons Chargeable with any Sunt or Sums of money by this Act, Concerning the Age of any person or persons, ffreemen or Slave, the same shall be Ascertained It Decided by the next Justice of the Peace where such person <ff persons shall Dwell or reside, who is hereby Authorized to Deter- mine the same, and whose award therein is hereby Enacted to be valid in that behalf.

And whereas the abuse & mlsapplicacon of the pnblick moneys from time to time heretofore Raised and -Levyed for the Caaum Benefit and necessary Support and Defence of this Colony, is too Notoriously known and felt. Be it further Enacted by the

D,g,;,zeclbyG00gIC

asAorit; aforesaid, That the CooimiBHioDerK for executing the

office of Collector and Receiver General of this province or the Collector and Receiver General thereof, for the time being, to vbom the moneja to be raised by this act are before appointed to be pay'd by the several Collectors and Beceiyera of the same, shall keep a distinct and aeperate account of their Beceipta and pay- ments of the said moueyce from all other moneyes whatsoever, and the aame Exhibit to the General Assembly for the time being, when thereunto Required.

And be it hereby further Enacted That the Collector of each respectire ward, Town, Mannor and Precinct shall be allowed to take and receive to himself Nine pence for each Pound he or they shall so Collect and pay, as aforesaid. And tba>t the saJd Treaanrer shall retain and have Twelve pence for every pound for what moneys he shall receive and pay as aforesaid.

And be it further Enacted by the Authority aforesaid, That if iny person or pereons, who shall be Chose Collectors in manner aforesaid, shall neglect, deny or refuse to collect or pay in any una or Sums of money in form before menconed, That then and h Bach Case, it shall and may be Lawfnll for any two of her Ka'tys Justices of the Peace of the Citys, Coiintys, Towns & iiannors where such offenders shall happen to Dwell or reside, (who by vertue of this Act are required and Impowered to do the Same,) to Comit Such Collectors So denying, neglecting or ^rfnsing to Collect, Receive and pay, as aforesaid, to the^Comon Goal, there to remain without Bail or Mainprise till he or they ■hall make fflne or Ransom to her Ma'ty for Such Contempt, as aforesaid.

And be it further Enacted by the Authority aforesaid, That what person or persona soever shall lend any Sum or Sums of Money, not Exceeding the Sum of ffive hundred pounds, upon Credit of this Act, for the ends and purposes therein menconed, aoii shall pay the Same unto the Commissioners for executing the office of Collector and Receiver Generatt, or the Collector and Be<^ver General of this Colony, for the time being, shall have snd Receive back the Sum & Sums of money So by th»n advanced. So Soon aa the Same can be Collected, with Allowance after the Rate of Ten per Cent pr Ann untlll they shall be reim- trareed the moneys lent or alvanced as aforesaid

Provided always, That it is the true Intent and meaning of this Act, that no Article or Clauae herein Contained shall he CoQstmed to Extend to any Military officer or Sonldier in hec

Ma'tys Immediate p^.

Provided also, That if any of the Distilled Liquors, Chai^eable h this Act, and which shall hare paid the Duties aforMaid, shall 70

Lc;–,:.tll:yG00gIC

at any time before the end and expiration of this act, be Exported out o(this Colony, the person op persons so Exporting the Same, shall receive from the said Commissioners for managing the office of Collector and Receiver Generall of this province, or the CJolIectop and Receiver General of this province for the time being, the Sum of One Penny half penny p Gallon for each Gallon so Exported, upon Proof made nprm Oatb that the said Distilled Liquors are the Same wch have paid the Duty aforessid, and that such Liquors have been Landed In some other Plantacoo Territory or Colony, which Oath the said Gfflnmissioners for managing the ofBce of Collector and Receiver General of this province, or the Collector and Receiver Generall for the time bebig, is hereby required and Authorized to Administer.

[CHAPTtai 138.]

[Chapter 138, of Llvlngstoa & Smith and Van Scbaack, where tbe act Is printed Id full. Printed In full In Brlnley's Bradford, pp. 21S, Bukett, p, 63. Tbe act was ronflrmed by tbe Queen, May 20, 170a <8eo Fowler'B Bradford, p. CXXXVIII.)]

An Act to Assertain the Assize of Casks, Weights, Measures and Bricks within this Colony.

IPassed, June Ift, 170S.]

WHEREAS nothing is more agreeable to Oomon Jtistice and Equity, nor for the good and benefit of any People or Govennent, who live in CMmnunity and friendship together. Than that they have one Equal and Just Weight and Ballance, one true & per– fect Standard and Assize of Measure among them, for want whereof, Experience shows that many frauds and Deceits

happen, wch L'sually fall heavy upon the meanest and most Indigent Sort of People, who are least able to bear the Saute, and may be accompted little better than oppression, ffor Remedy of which Evil, Be it Enacted, And it is hereby Enacted by his Excellency the Crovernour, by and with the Advice and Consent of her Mt'tys Council & Representatives of this Colony, in General Assembly Convened, And by the Authority of the same. That from & after the first day of August next, no Cooper or other persMi or persons whatsoever within this City or Colony, sball make any dry Cask or Vessell but of good and well Seasoned Timber and of the respective Dimensions following (that is to Say) Every Hogshead to be forty Inches long thirty three Inches in the Bulge, and Twenty Seven Inches in the bead. Every Tierce to be thirty Six Inches long, Twenty Seven Inches in the Bulge and twenty three Inches in the head. E\'ery Barrel to be thirty

Digi-jzedbyGoOgiC

Inches Long, twenty Six Inches in the Bulge, and twenty two. Inches in the head. Every half Barrel to be Twenty five Inches Long. Twenty Inches in the Bulge and Sixteen Inches in the head. Every Qoarter Barrel to he twenty Inches Long, Sixteen Inches in the Bulge, and thirteen Inches in the bead. All Tite Barrels to Contain thirty one Gallons and a half of Wine Measure each, and not to exceed or be half a Gallon over or nuder the same, and all otbep Cask to Contain In prt^torcon to a Barrel, upon the penalty of five ahilliugs for every offence Comitted to the Contrary hereof, to be paid by the maker or user of Such Casks or Vessels in whose hands the said Offence shall first happen to be known or discovered.

And for the prevention of other frauds and decelpts that may be in Casks made aforesaid, according to the respective Dimen- nous aforesaid. Be it further Enacted by the Authority aforesaid, That from & after the said first day of August, all and every the Cask & Casks wch shall he Imployed or used for the Stowing or padving of fSower or Bisket within this City or Province for the transportation thereof, or otherwise in any way of Merchan- dize bef(Hre any the said Goods or Comodities shall be put or packt therean, shall he trueiy weighed and the Just weight and Tare thereof be Set with a Marking Iron upon the head of each Cask

BO Imployed, as aforesaid, together with the name of each respective person using or Imploying the same, upon the penalty of Nine pence to he paid for every neglect herein by the. person or persons respectively on whose Accot any of the Goods or Ccqumodlties aforesaid shall to the Contrary hereof be stowed or [Mcked, as aforesaid. And be it further Enacted by the AnUiority aforesaid, That from and after the first day of August aforesaid, there shall be one Just Beam or Ballance, one Certain Weight and Measure, & one yard, that is to say, Averdupoise and Troy weights; Bnshells, half Bushell; pecks & half pecks aecord- iag to the Standard of her Ma'tys Exchequer in her Eealm of England, thro'out all this Colony, as well in places priviledged as without, any usage or Custom to the Contrary notwithstand- hig. And that every Measure of Com shall he Striked without beap, Sc whosoever shall Sell, buy or keep any other Beam, Weight, Pleasure or yard than as aforesaid, whereby ony Com, Grain or other thing is bought or Sold, from & after ye time I^mitted, as aforesaid, shall forfeit for every such offence Twenty, (hillings.

And that for the better Observance, & putting in Execucon of this Act, fit persons be appointed in ail Counties and Oityes within this Colony for the Settling & marking all Beams, Weighta^) and y«rds to be used within the respective Counties

Digi-jzedbyGoOglC

& Cities aforeBaid, witli the Letter A, according to the Standard of her MatfB Exchequer in Englasd, that the Borne may be known thro'out this C<^ony; & that hie Excel the GoTernoor aforesaid be desired to nominate & appoint Buch' fit persona in all proper places within this Ck)lon; aforesaid, the which respective per- sons when Nominated and appointed atiail take for their pains in Sealing & marking all Bach Beams, Weights, Measures and yards as shall from time, to time for that purpose be bronght into them the rate of Nine peno^ Ezc^t Weights and Small Liquid Measures w'ch Shall pay onely one peny each & no more on penalty of fire shillings for the least Exaction therein, Save- ing alwayes nevertheless unto the Cities of Newyork Albany & Burrow of WestChester and the Mayors thereof for the time being all Buch Bights privileges & usages as they Respectively

can Justly claime as Clerks of the Market within the said Cities and Burpo«B or otherwise howsoever any thing herein .Contained to the C'OTitrary thereof notwithstanding.

Be it also further Enacted by the Authority aforesaid that from and after the first day of August aforesaid no persMi or persons be he Master or SerA-ant, shall make or Suffer to be made in any place or places within this Colony any Bricks or KQne <^ Bricks but Snch as shall be well and throughly Burnt; & of the Size and Dimensions following (that is to Say) Every Brick to be and Confeiin Nine Inches in Length, four Inches & one quarter of an Inch in breadth and two Inches and one half Inch in the thickness thereof all well Struck off in good & workmanlike order and manner, & made of well & Right tempered Mould or Clay on the penalty of Six shillings for every n^lect herein to be paid by the Master or owner of the said Bricks or Kilne In whose bands or whereso<'\ei' the n^lect or offence aforesaid shall be discovered or found out, Except Well Bricks.

And it is hereby also further Enacted that from and after the time Limitted as aforesaid, no other Casks, Beams, Weights, Measures, Yards or Bricks shall be used within this Colony than Snch as aforesaid Except Well Bricks and Buch other Bricks as are already made or to be made before the Commencement of this Act on the penalty of Twenty shillings to be paid by the ppi-scn or persons, useing the Same, or any of them.

PROVIDED alwayes that all and every the penalties and for- feitures in and by this Act si't & appointed as aforesaid shall be one halfe to the use of the poor of the Parish Towne, or place, where the Default or offence happens to -be, the other Moiety thereof to the use of any person or persons who shall Inform & Sue- for the same forfeitures in any of her Ma'tys Courts of Record within this Colony or else to be recovered to the naes

DgizedbyGoOgiC

aforwaid npon Conviction ol the offendoc by the Oath of one Sufflci^it Witness before any Justice of Peaoe, Mayor, or other bead Officer of the City, Connty, Towne or place Bespectively where the Offence against or Breach of this Act stiall be

Cwnitted (who by vertue q(this Act shall have power to Administer An Oath in that behaJf) by Way of Distress and Sale at the Offendors goods and Chatties, the over-i^us, if any be, (dter Charges of the Disb-ess Deducted, to be returned to the owner thereof, and where no Distress can be bad, That It shall & may be lawful to & for any Justice trf Pea«e, May**, or head OfScer afm^said, to Ccnuit the said Offendtv or Offendors to PrisDO or Goal, there to remain without Bail or Mainprise untill lie or they shall pay the penaltyes & forfeitures aforesaid, for w'ch they shall be so Committed, to the uses aforesaid.

Provided also, That no Prosecucon shall be for any of ye for-feitures aforesaid but wthin three Months after ye Respective facts or offences Committed, any thing herein to ye Cwitrary hereof notwithstanding.

[CHAPTER 139.]

[Chapter 139, of Livingston & Smitb and Vau Scbaack, where the title only is printed. Prtnled In foil In Brinley's Bradford, pp. 206. 23» onlr is printed in Baskett, p. 71. The act referred to Is chapter (See chapter 143.))

An Act to Oblige persons to pay their Arrears of One thousand Pounds Tax Granted by Act of General Assembly of this Province, In the Twelfth year of the Reign of our late Soveralgn King William the third for building a Port at Onondaga for the Security of the five Nations of Indians.

[Passea. June 19, 1703.]
WHEREAS in and by one Act of (Jeneral Assembly of this Province made in the Twelfth year of our late Soveraign Lord King William the third for ever blessed Memory Intituled An Act for Repealing An Act of Assembly entitled An Act for the better Securing the five Nations of Indians in their fidelity to his Ma'ty and for granting to his Ma'ty the Sum of One thousand pounds for building a Fort for the security of the five Nations of Indians, Certaine Ratee and Duties then Chargeable on Divers soods, Wares, and Merchandizes, as well. Imported int(H as Exported out of this Province, over & above all other Duties, Charges, Impofiitions, Rates & Customs, by any former Act and Acts, Set and Imposed, for the raiseing the One thousand pounds aforesaid were taken off & Discharged as being then thought

lDCODv«iieDt to the trade of this Province and lesseDing of his Ma'^ oiher Bevenue therein. And a f urtlier Sum of One thousand pounds Currant moneys of this Oolon; more than what had been then- raised & Collected fnun je Bates and Duties aforesaid was laid and Imposed upon all & every the Freeholders) Inhabitants, Besidents, and Bojoamers of & in this Prorlnce for the building fSuishiug & compleating the ftort af<K-esaid then designed to be built att Onrmdaga for the Seouritj at the five Nations of Indians affvesaid. And whereas, the said befwe recited Act of Generall AsaemEly aforesaid, for the Baising the last menconed Sum of One thousand pounds for the building the said Fort at Onondages aforesaid hath not been bo Effectually put in Execueon, nor the moneys to be raised thereby So well & Carefully Collected as the Same ought to have been Sooje places & persons having paid their whoil proporcon thereof, others none at all, whereby Great Arrears of the said one thousand pounds Tax are still standing oot & uncollected for the Speedy and Certain Gathering & Col- lecting whereof; that none may have reason to Complain of hard- ships, Inequallitj or Partiallity therein. Bee it Enacted, And it is hereby Enacted accordingly By his Excel the QoT'r by and with the Consent of her Ma't^s Council & Generall Assembly of this Colony & by the Authority of the same. l%at within the time & Space of two mouths after ye pabllcacou of this Act the respective Mayors, Reawders, & Aldermen of the respective Cityes and the respective Justices of the Peace for each respect- ive County within this Colony, or such & so many ot them respectively as shall not be let or hindred therein by some other Exterordinary business & Occasion, shall meet together at some Convenient place or places, by them to be respectively agreed on, within their respective Cities & Countys aforesaid, &, there from timeto time asthey shall find if requisite and necessary, to Review & Examine, ail the Books & Bolls of the said One thousand pounds Tax last appointed to be raised for ye building a fFort at Onondaga aforesaid, and the Several! Rates & Assessments thereof, accwding to the Severall and respective Quotas thereof, of each respective City, County, Towne and place in the said before recited Act of Generall Assembly of this Colony men- coned In order to See and find out what Sum & Sums of money

were and have been Charged upon particular persons & Estates within this Colony by Vertue and Authority of the said Act, Sc who have paid their respective Bates and Proportions of the said Tax, & who have not paid the Same. For the better Effecting and finding out whereof the Severall & respective Mayors, Recorders, and Aldermen, and the Severall & respective Justices of the Peace aforesaid or any two-

Digi-jzedbyGoOgiC

of them, within their re^E>ectl7e JnrisdiccMis aforeeaid are hereby Inipowered bj Warrants under their hands and Seals to send for and C<Hnmand to be laid before tbem all booka of Assess-ment, Tax, BoIIa, Bates, and AseeaBineuts, whatsoever (and la whose hands Custody or keying whartsoeTer the same now are or ahall be.) relating to or in any nianner or wise Concerning; the said last menconed Sum of one thousand pounds appointed for the baildlDg <rf the said ffort at Onondages aforesaid, And also to Send for & Oonunand befcH^ them reBpectlvely by Warrant ae aforesaid, aJl & every the Collector & Crflectors <rf the said Tax or any part or parts thereof w'ch shall be mow liveing, or any other person or persons by th«r Discretions that can give Infor-mations or make discovery in the premises whereby the said Mayon^ Recorders, and Aldermen and the said Justices of the Peace within their respective Cities, Counties and Juriadictions aforeeaid, may be enabled to make true and perfect Books, Bolls, or Lists of Accots separate from one another, of what moneys have been paid & received, & what are still standing out & in Arrears of the said Tas, the which Books, Bolls, or Lists, the said Respective Mayors, Becorders, and Aldermen & the respective Josticee of the Peace aforesaid are hereby required to make & perfect on or before the last day of October now next following, & in one of the Books, Bolls or Lists o(accot aforesaid to Set down Distinctly, the Christian & Bimame of every person that shall be found to have paid their Bates and proporcons of the Tax aforesaid, bow much their said Rates & porportions were, in what Division or District such persima Eeepectively lived at the time of their payment thereof, and to wha.t Collector they paid the same, with the time when the Same was paid as near as may be. And in the other of the said Books, Bolls or Lists of Accot to Incert likewise the Christian & fiimame of every person and

persons Chargteable with the said Tax, that shall not be fonnd to have paid their Bates & proportions of the said Tax, but are Still in Arrears thereof & Indebted for ye Same, what and bow much money each particular person is in Arrears and stands Indebted as aforesaid, in what Divisioin or Wstrict the said Arrears are due and payable whether ye person or persona oweing the Same are liveing or Dead if liveing the place and places of their respec tive aboods. The which Books, Bolls, or Lists of Accorapt being made in parts as aforesaid the said respective Mayoi-s, Recorders, A Aldermen, & Bespective Justices of the Peace aforesaid respec- tively within one month after making and perfpctinp thereof, shall Cause Exact and true Duplicates of ear-h part of the said - Books, Rolls, or Lists of Accot aforesaid, to be falrely writ & Transcribed and send the Same to the respective Town Clerks,

D,g,;,zeclbyG00gIC

of each respectire City, and the respeotive Clerks of the Peace of each respective County aforesaid, and also to the Commra for executing the oltlce of Collector and Receiver General ot this Colony or to the Collector & Keceiver General for the time b^ng by them to be respectively kept, filed or Entred on Record. And be it further Enacted by the Authority aforesaid that the said Town Clerks and Clerks of the Peace aforesaid, within one month, after the said Dnplicetes shall be in their hands, shall respec- tivdy make out other Books or Bolls for the said Citys or Oouutys aforesaid, and for the Bevemil Wards and Precincts within the said Citja and the eeverali Towns, places, Divisions and Districts within the said Oountys, of all Such Arrean* of the last one thousand pounds Tax aforesaid as shall be found to he behind and unpaid in any the Oitys, Countys, Towns, or places aforesaid, with the Christian & Surnames of every person & persons owelng the Same & Bet the particular Sum & Sums due by each respective person in a right Line with the name of the said person, fit for the Collector & Collectors of every the respective wards Precincts, Towns, Divisions Dis- tricts, and places within the respective Cltys and Countys afore- said to Collect & Gather the Same by. The wch Books & Bolls So to be made out by the respective Town Clerks, & Clerks of the Peace aforesaid, when made out and prepared shall be viewed and Examined by the Respective Mayors, Recorders and

Aldermen of the said Citys, and by the respective Justices of the Peace for the said Counties respectively, and if the same be approved, then the said Bo<»ks and Rolls So made ooit and prepared by the said Town Clerks and Clerks of the Peace aforesaid, shall be signed by the respective Mayora, Recorders, Aldermen and Justices of the Peace of each respective City, County, Town and place aforesaid or any two of tliem respectiiely, under their proper hands and by Warrant imder the hands and Reals of the said respective Mayors Recorders, Aldermen and Justices of the peace So Signing the Same, or any others within the respective Citys and Countys aforesaid shall be sent to the Comm'rs for Mannageing the ofBce of Collector and Receiver Generall of this Colony, or to the Collector and Receiver General of this Colony for the time being, as also to, all and every the Collector and Collectors lately Chosen Elected or appointed to gather & Collect the said One thousand pounds Tax or in Case of Death or removal! of such Collector or Collectors from their Respective Precincts or Districts, or to all and every the Collector & Collectors for the time being of each respective City, ward, Precinct, County, Town, Manner, Division, District and place as well Priviledged or not, within the Colony aforesaid, the which Collector &.

Digi-jzedbyGoOgiC

Collectoni Severally and respectively art hereby Authorized & required to Collect and receive the respective Arrears of the said One thousand pounds Tax aforesoid 80 to be sent theai as aforesaid, and to pay the Same to the CMnm'rs for Executing Hhe Office of Collector and Receiver General of this Colony or to the Collector or Receiver General thereof for the time being at NewyorH aforesaid on or before the first day of March next.

And whereas, Since the makeintr of the said recited Act of Assembly, it hath not been thought Convenient to Erect the said Fort at Onondaga & his Excellency the Gove'rn haveing made Some progress in the Erecting & building a Fort or Fortiflcacon at the City of Albany the fonner Fortifications being wholly out of Repair and useless. Therefore for the better Enabling his said Excellency to Cany on the said ftortiflcacons. Be it Enacted by his Excellency the Governour by and with the Consent of her Ma'tys Council & General Assembly. And it is hereby Enacted

by the Authority of the Same That the Arrears of the said Sum of One thousand pounds appointed to be raised for the building the said ffort at Onondaga as also what hath been Already raised for that purpose by Virtue of the Act aforesnid shallbe applyed and used towards the carrying on the said Sortificacons at the said City of Albany the said Recited Act or any thing therein Conteined to the Contrary thereof in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, Iliat the Justices of the Teace, Assessors, and Collectors for the time being of all and every the respective Citys, Counties, Towns, Mannors, Liberties, and Jurlsdiccons within this Colony are hweby required Impowered and Authorized to do perform aod Execute all Such matters and things as are hereinbefore men- coned to be done pefformed and Executed by him or them Respectively for the Collecting, Receiving, and paying the Arrears of the said Sum of one thousand pounds appointed to be raised in and by the said Recited Act, according to such manner. Rule and Direction As is hereinbefore menconed and Expressed and under such pains and penaltys as are Conteined, Injoined, and Directed in and by One Act of General Assembly made in the first year of the -Reign of her present Ma'ty EntituJed An Act for granting unto her Ma'ty the Sum of two thousand pounds to be applyed (with her JIa'tys good pleasure) to the uses in that Act menconed, in as full & ample manner for the due Execucon of this Act, as if the Same were particularly & at Large Recited & set down in the Body of this Act, any thing Conteined therein to the Contrary thereof in any wise notwithstanding.
71

Digi-jzedbyGoOglC

THE NINTH ASSEMBLY.

TTiird Saaum.
*
(Begun Oct. 14, 1703, 2 Anne, Edward, Lord Combury, Gotct-- Dor.

[CHAPTER 140.]

[Chapter 140, of LlTlDKBton & Soiltb and Van Scbaack, where the titl onlr la printed. The act Is not printed In an; edition of Bradford Bukett]

An Act for Levying and Collecting the^ Sum of Thirteen hundred pounds for main- rtaining one hundred ffuzileers with their proper officers aod Thirty mea. with their proper officers to be Imployed as Scoots for the Defence of the Fronteers.

[Passed. Ootober 23, 1703.]
That his Excellency may be the better Enabled to Secure the Fronteers the Winter Ensueing.

Be it Enacted by his Excel the Gov'r by and with the Consent and Advice of her Ma'tya Council and General Aas^ubly and by the authority of the Same, That the Sum of Thirteen hundred pounds Currant Monry of Kew York be Laid, Assessed, raised & Levyed upon all and eiery the Inhabitants, Residents, Sojour- ners and ffree-holders of and in thisi Colony, for the mjeing, pay- ing, maintaining Transporting, Quartering, Ketuming to their respective Habitsicons, and other Incldentall Charges of One hun- dred ffuzileers, with their proper Officerst for one hundred and fifty days, and Thirty Men, with their primer Officers to be Imployed as Scouts Sixty two days: Tlie ffuzileers to be posted on the fronteers at or near Albany, from the first day of !N'ov«n- ber next ensuing, untill the last, day of March next following, and no Lcniger; and the Scouts to be raised and Posted at such Place or Places as his Excellency shall 8<'ein meet; which said Sum of Thirteen hundred pounds, as aforesaid, shall be raised and paid according to tho severall Heapective Quotas & propor- cona hereafter menconed unto her Ma'tys Receiver General of this Proiince, for the time being, at the Oity of New York, at or before the Twenty fifth day of March next ensuing, according to the Rates and proporcons following, that is to say, For the City and County of New Yori; two hundred Eighty three pounds and six shillingB, For Kings County, One hundred Eighty Seven pounds and tenn shillings. For Queens County, two hundred Eighteen pounds and Nineteen shillings. For the County of

Sofftrfk Two hundred Eighteen pounds and Nineteen shillingn.

For the County of Richmond, Sixty one pounds and Twelve shillings. For the County of West Chester Ninety one pounds and foureteen shillings. For the City and County of Albany Ninety pounds and Six shillings. For the County ot XJtslor One hundred and four pounds and thirteen shillings. For the County of Orange Thirty pounds and fifteen shillings. For Dutchess County, Twelve pounds and Six shillinga And be it further Enacted by the Authority aloreaaid, That for the better Asaeswng, Baislng and Collecting the Sum of Thirteen hundred pounds, aforesaid, the Mayor and Aldermen of the Oltyes of Newyork and Albany, the Justices of the Peace, the Assessors and Collectors, for ye lime being of all and every the respective Cities, Counties, Towns, Mannore or Liberties within this Colony, are hereby required, Impowered and authorized to aummons, Assess, Collect and pay the Severall Sums of Money herein before menconed, according to the proiporcons t>efore Expressed, in . such ways and meanes, and according to Such Manner, Rule and Direcon, and under such pains and penalties, as is Contained, Injoyed, menconed and Expressed in an Act of General Assembly Entituled, An Act for the Levying and Collecting the Bum of Kghteen hundred pounds for ye raising, paying & maintaining one bundred aud fBfty ffuzileers, with th«r proper OfBcers, for five Months, and thirty men, with their proper officers, to be ImploTed as Scouts Sixty twt> days, for ye Defence of the fronteera, made in the first year of her Matys 'Reiga; and all and every the Articles, Clause Rule, pains And PeDaltiee menconed in the aforesaid Act, shall be, abide and remain in full force and Effect to all Intents Construccons and purposes, in as full, and ample a mjinner for the I>ue Execucon of this Act, untill the said Bum of Thirteen hundred pounds be duly, fully and Compleately Assessed, Collected, and paid, as hereinbefore directed, as fully and in like manner as if the Same were particularly and at Large Recited and Set down in the Body of this Act, any thing Contained herein to the Contrary hereof in any wise notwithstanding.

And he it further Enacted by the Authority aforwaid, That the Severall and respective Cities, Townships, Mannors, peculiar Jurisdictions and Precincts within this Colony, Shall Assess, Levy, pay and Sattisfy to their OoUectors rcspectiTely the Sum of nine pence for each pound, by Such Collector, to be Collected end paid in, in manner before Exprest over and above the Severall Sums hereinbefore menconed, to be raised, Levyed and paid in for the Service and uses before in this Act set forth and Aaeigned.

Digi-jzedbyGoOgiC

And be it furtlier Enacted by the Authority aforesaid, That any persooi or pere<mR whatsoever, who Bhall advance any Sum or Sums of Uoney, not Exceeding the Sum of Five hundred pounds, upon the Credit of this Act, for the eads & purpoeeci h^^in-before menconed for the time and ^mce of Six mouths, & Shall pay the Same unto the Beceiver General, for the time being, shall receive back the same, with allowance after the Bate of Tenn pounds, p'r Cent p'r Annum.

Pro\ided alwayee. That no Mayor, Alderman or Justice of ye Peace Shall be troubled, sued, prosecuted, or molested for any OmisBion, Offfflice or Neglect by Virtue of this Act, but within ye space of one year after such Omission OfFence or Neglect & not at any time there after, any thing herein Contained to the c<mi-trary thereof in any wise notwithstanding.

[CHAPTEB 141.]

(Cbapter 141, of LWIngatoD & Smith and Van Scbaack, where the act la printed Id full. Prloted tn full In Brinley's Bradford, pp. 229, Title only Is printed In Baskett, p. Tn. Confirmed by the Queen. Ma 1708. (See Fowler's Bradford, p. CXXXIX.) See chapters 134, 146.]

AN ACT Granting Stmdry Priviledges and Powers to the Bector and Inhabitants of the City of Newyork of the Communion of the Church of England as by Law Estab-lished

[Paaaed, June 27, 1704.]

WHEBHAS the Inhabitants of the City of Newyork of the Communion of the Church of England aa by Law Established for sooie Teares past by Voluntary Cootribuoon of themselves & others favouring the Churches Interest have Erected a Church within the said City for the Senice and Worship of Almighty God, called & Known by the name of Trinity Church & have purchased & procured & do quietly and peaceable

hold use Exercise and enjoy the said Church with the Cemitry or Burying place and a certaine Tract of Land belonging there- unto Bounded Easterly upon the Street Commonly called the Broadway Conteining in breadth on the West side of said Street three hundred and Ten foot or thereabout, from the NorthEast Comer of the Ground Comonly called the Queens Garden to the Land of John Hntchins Esqr thence by a Straight Line along the North side of the said Burying place Continued to low water Marke of Hudeons Biver; thence by a Line Southward- along the said Biver, Three hundred Ninety & five foot all English Measure; & from thence by the Line of the said Garden, Easterly to the place where it begun. Together with Sundry Powers, Bights,

Digi-jzedbyGoOgiC

PriTiledges, & Prebemineiicies neoeBsary for the DUiDnagiDg the affairs of the said Church wch by the bleBsing of God has been attended with great Succesd & the Oongregation thereof bedng much encreased, calls for Suitable Eucoaragemeot. To the end therefore that Such Religioas worke may be foauded vpoa some laating foandatioD, grow up & become fmitfull to the Praise & Glory of God, the Good Example ot otliers & the benefit of thdr Posterity and Successors. Be it Enacted by his Excel- lency Edward Visconnt Combury Captain General & Govt in Ciiief of ye Colony of New York by & with the Consent of her Ma'tys Council & this General Assembly & by Authority of the same that from hence forward fwever hereafter ye Recttw & Inhabitants of ye said City of New York in Communion of the Church of England as by Law Established & their Successors be and shall be able and Capable in the Law for the mainte- nance & recovery of their Estates, rights & Priviledges whatso- evCT, to Bne & be Sued, Plead & be Impleaded, to Answer and be Answered unto, Defend and be Defended by the said Name erf the Bector and Inhabitants of the City of New York in Com- munion of the Church of England as by Law Established, in all Suits Quarrells, Controversies, Causes, Actions, matters & things whatsoever, in any Court or Courts of Comon La.w, or Equity whatsoever. And that by the same name they & their Succeftsours doe & shall Lawfully have, hold, use. Exercise & enjoy aJI & Binguler their said Church. Burying Place & Land thereunto belonging with the Hereditaments & Appurtenances

heretofore by them & their Predecessours by whatsoever name or names the Same were purchased and had, or to them given and Granted, and by them or any of them used and Enjoyed, for the uses aforesaid, to them and tlieir Successours to the Sole and onely proper use, and benefit of the said Hector and Inhabitants and their Successours forever, in as flmi and Ample manner in the Law, as if the said Rector & Inhabitants had been Legally Incorporated and made Capable in the liaw to take ReceiTe, Purchase liave hold use and Enjoy the same at & before the Purchasing Taking Receiving and holding of the said Church, Ceme>try and Land thereunto belonging and Lawfully had, held and Enjoyed the same, any Law, usage, or Custome to the Contrary thereof in any wise notwithstanding. And be it further Enacted by the Authority aforesaid. That the said Rector and Inhabitants & their Successours by the same name from henceforward for ever have & shall have full, power, good, right & Lawfull Authority, tw have take. Receive, acquire and Purchase & nse & Enjoy Lnnds, Tenfments & Hereditaments, Goods & CItattles, and to Demise Lease and Improve the said

DgizedbyGoOgiC

Lands Teaeinents & HereditameDts & to tise & Improve Such Goods & Chatties to the benefit of the saM Church & other Pioos uees not Exceeding five hundred Poonds Yearly Bent or Income, any Law, usage or Custome to the Contrary hereof in any wajes notwithstanding. And it shall and may be Lawfull for the said Bectop & Inhabitants & their Succeesors to finish & Adorn tie said Church, Alter, Enlarge and Amend the same or any part, as also to Erect & Build a Consent Dwelling House, Garden and Appurtenances for the use of their Bector for the time being, a Vestrey Boixne, Chamell House; and other necessarys of the said Church & to Enclose Support and Mointein the same from time to time as there shall be need thereof. And be it further Enacted by the Authority aforesaid that the said Church & premisses be from henceforward for ever Set apart and StTierated for the Eeligious uses aforesaid. And that the Patronage & Advowson of the said Church and Bight of ppesentatioo After the Death of the Present Sector, or upon next Avoidance and for ever there after shall belong & ajqjertain to the Chnrch Wardens and Vestry men of the said Church, Annually Elected,

or to be Elected by the Inhabitants aforesaid in OommaniOD as aforesaid, in manner hereafter menconed and Exprest or to the Major part of the said Church Wardens & Vestry men for tte time being, whereof one Church Warden alwayes to be one, which Bectors shall be Instituted and Induced into the said Church in Such manner & ways as shall be most Suitable ft agreeable to her Ma'tys Instructions to his Excellency the Gor- ernnr of this Colony for the time being, & that Oanonicall Bl^t & Authority which the EiRht Eeverend (father in God Henry Lord Bishop of London & his Successon^ hath & shall have over the said' Church. And be it further Enacted by the Authot4ty aforesaid That the Succeeding Bector or Incumbent trf the said Church next after the Death or other avoidance of Mr. Williflin Vesey present Rector & his Successors for ever, be and shall be Instituted, Autliorized & Impowered, to have & receive and shall have & receive the Sum of one hundred pounds Yearly. Baised and Levyed upon the Inhnbitants of the said City for the main- tainance of a good Sufiicient Prostestant MiniMer in ye City aforesaid by Virtue of An Act of General Assembly of this Colony made & Enacted in the fifth Year of the Beign of King William &, Queen Mary Entltuled. An Act for Setling a Ministry & raising a Maintainance for them In the City of New Yoric County of Richmond, West Chester, & Queens County any Law usage, or Cnstome to the Contrary thereof in any ways notwth- standlng.

DgizedbyGoOgiC

And be it farther Enacted by the Authorilty aforesaid, That it shall and may be Lawfnll for the aaid Bector & Inhabitante in Oomunion as aforesaid, & their Bucce«aore for ever lierea/ter, to have & use a ConHm Seal & the Same to Alter, hireak, & new make at their. Discretion. And be it further Ennisbed by the Authority afcM-esald, That it shall & may be Lawfull for ye Inhabi- tants aforesaid to Assemble & meet together on Tuesday In Eastepweek Annually at ye said Church to Chuae two Church Wardens and Twenty Vestrymen Communicants of the said Church to Serve and OfBciate for ye next ensueing Year by the Majority of the Voices of the said Commonicants so met & not otherwise, which said Churchwardens so chosen and hereafter to be Chosen Annually have & shall have like Power & Author-

ity to do Execute & perform their said Offices respec-
tively as Church Wardens and Vestry men in England have
onless scsne particular Difference may happen by the
Express power & Dipectton, of thib present Act of
General Assembly. And it shall & may be Lawfull
for the said Church Wardens or on_e of them' at any time or times
& so often as it ahaibe needfull to call a meeting of the Veetiy-
men of ye said Church to meet the Rector for the time being
if any there be and Church Wardens or one of them, whlfh said
Rector Church Wardens or one of them & Majority of the Veatrey-
men for the time being have and shall have power to make such
rules & orders for the KfaoDaging the affairs of the said Church,
as they or ye said Rector & one rhurch Warden wtth ye Majr
number of Vestrymen so from time to time met & Aseemhled
sball agree upon, which said Majority of Vestrymen together
with ye Rector & one Churrh Warden at Iwist, shall have ye sole
Disposition and ordering of all payments of ye Churches moneys,
all which rules orders and payments shall be fairly entred and
kept in Books for that purpose: Ppoiidcd neverthele*B in Case
of the Death of the said Bector and before the said Church be
supplyed with another, that the same Powers & Authoritya, relat-
ing to the makeing of Rules and Orders, as also the Disposition
and payment of the Churches m^oney, be fully Invested in the
Church Wardens for the time being, by & with the Advice &
Consent of a Majr Kumber of tlie wholl Vt^atrymen, and not
otherwise, to be entred & kept in manner aforesaid any thing
herein Conteined to the Cootrary thereof in any ways notwith-
standing. And it shall and may he Lawfull for the aaid Church
Wardens & Vestrymen or Major part of them whereof one Church
Warden always to be one without their RiTtor to Establish &
regulate all ffees & perquisites of their Rector Clark, Sexton and
other officers of said Church, prorided none of ye ffees or perquls-

. Cdoj^Ic

ites shall Exceed the flees & perquisites asaall; tal^en in Eng-
land by such OflScera respectively with regard to the Difference
of the value of money in this Colony as also fw the saJd Chnrch
Wardens and Vestreymen or major part of them with their said
Rector, to regulate and order the perquisites trf the Church, grow-
ing and coming by the breaking of the Ground in the Cemitry

or Church Yard & in the Church for burying of the Dead Pro-
vided the Perquisites for breaking the Ground in the Cemitry
or Church Yard shall not Exceed the Perquisites Beserved &
mencoued in the Grant thereof made by the Mayor Aldermen &
Comonality of the City of New York for the use of Trinity Church
aforesaid. And in Case the Church Wardens & Vestrej-men or
any o* them happen to dye within the year, it shall be Lawfull
for the Inhabitants aforesaid in Comanunion as aforesaid, at any
tfimie upon such Emergency to meet at the said Church upon
Notice given by the Sector to Elect & Choose others so Qualified
as aforesaid in their Bo<Hne who shall have full power and
Authority to doe Execute & perfonne the offices of Such aa they
shall be So Chosen to Succeed respectively, untill the time of
next Annuall Election. And upon the Alteration of any Church
Warden by Death or otherwise the preceding Church Warden
or Wardens o* the said Church, shall Deliver over to their Suc-
cessors in that Office, all Deeds, Charters, Evidences, Books, mat-
ters & things whatsoever belonging to the said Church in their
Custody by Indenturee Containing An Inventory of them Inter-
changeably under their hands, which Indentures shall be Exhib-
ited and shewn to the Vestreymen at first meeting next after
such Annuall Election or other Alteracon happening.

And be it further Enacted by the Authority aforesaid that it
shall & may be Lawfull for the Rector for the time being <rf the
said Church upon avoidance of such Officers to nominate and
appoint a Clark Sexton or Sextons for the said Church & that
the Clark Sexton or Sextoms of the said Church he & Continoe
in their respective Offices dureing their Natural] Livee, unless
they Voluntary Surrender, become uncapable of Sen'ing by Sick-
ness or other Infirmity, or misbehave themselves, in which Case
it shall be in the power of the Rector of the said Church for the
time being with Advice & Consent of the Church Wardens or
one of them & Vestrej-men or Major part of them to displace or
remove such Officer or Officers so misbehaving themselves & not
otherwiee And Lastly be it Enacted by the Authority aforesaid,
that this present Act and the Severall powersi, priviledges &
Libertyes therein & thereby granted to the Rector & Inhabitants
aforesaid in Communion as aforesaid & their Successors for ever
be & shall be Construed & understood most favoorably for ye

Digi-jzedbyGoOgiC

benefit of eaid Church according to the true Intent & meaning of his Excellency the Governor & Council & Assembly aforesaid. Provided neverthelesS that this preeent Act of General! Assembly nor anything therein Conteined shall be Construed or understood to Extend, to abridge or take away the Indulgency or Liberty of Conscience granted & Allowed to other Protestant Christiana. By An Act of Parlianient made in the first year of the Beign of the late King William & Qoeen Mary of blessed memorj-, Entituled An Act for Exempting their Matiee Protestant Subjects Dissenting from the Church of England from the penalty of Certaine I«W8 or by any other Law or Statute of the Beolme of England or this Plantation any thing in this present Act Conteined or misconstrued to the Contrary thereof in any ways notwithstanding.

THE KISTH ASSEMBLY.

J^owrth Session.

(Begun Apr. 13,1704, 3 Anne, Edward, Lord Combury, Gonrer-

nop.>

[OHAPTEB 142.]

[Chapter 142, of Livingston & Smith and Van Schaack, where the title only IB printed. Printed la mil In Brlnley'B Bradford, pp. 235, 26S. only Is printed In Baekett, p. 75. This act and the eeTeral other 1704, are stated. In Baskett, to have been passed In 1705.]

An Act to charge the Severall Citys & Countys of this Colony with One hundred ■Forty three pounds Ten sMllings & Ten Fence, for fitting &. Furnishing a Boome for the General Assembly with a Lobby in the City Hall of New York.

(PaBBed, June 27. 1704.]

For the appointing fitting up & tfumishing a Boome for the Sitting of the General Assembly & a Lobby to the Same in the Eastern part of the City Hall of the City of New York, &. mabeing the same Convenient for that purpose. The persons Elected by the Freeholders o* the respective Countys and places in this

Colony to serve in Genertdl Assembly are humble Suiters to your Excdlency, that it may be Enacted- And be it Enacted by the Govemr Ocraucil '& Assembly & by the Authority of the same, Tliat the Chamber or Boome in the said^City Hall on the same, fflower, & to the South East of that part of the Hall where the Mayom Court is UBuallv holden & kepf, shall be & is hereby set
72

. t'.DOglc

570 LAWS OF THE COLONY OP NEW YORK.

a part appropriated and appt^ted for the [dace Boome or ChaaiL- ber for the tSeaeions erf the General Assembly for ever hereafter, when the Same Assembly shall be summoned called & held in the same City of Kewyoik and the Boome <m the same Flower to the North East thereof to be a Lobby to the same. And that for the fitting & furnUhing the said Two Koomes for the ose & Sen-ice aforesaid and nototherwise, the Sam of One hundred fforty three pounds, ten fihUlingB &, ten pence, be paid by tlie fTreeholders & InhabutaatB in this Colony according to the Ser- eraii & respective Quota's & proporcons hereafter menconed nnto Jremiah TothiU one of the Aldermen for the said Oily of New- jork, at or before the Last day of October next enfnieing accord- ing to tlie Eates & proporcons following (that is to say)

For the City & County of Newyork Thirty one pounds, Ave shillings & Eight pence.

For the City & County of Albany, Nine pouuda Nineteen kill- ings & fire pence.

For Kings County, Twenty pounds, ftmrteen Shillings & cue peny.

For Queens County, Twenty four pounds, three shilUnga ft Six pence.

For the County of Suffolk, Twenty four pounds, three shillings and Six penoe.

For the County (rf Bicbmond, Bix poiinds & Sixteen shillings.
For the County of West Chester, Ten pounds Two ShillingB &

Eight pence. ,

For the County of TJlBter, Eleven pounds, Eleven shillings ft four penoe.

For the County of Orange, Three pounds, Seveni shillings and Eight pence.

fV>T Dutchess County, One pounds ft Seven shillings which said severall Rums shall be raised, Assessed Collected & Lefryed inmedia,tely after the Publicacou of this present Act, according to ft by Such Bales, Direccons ft Methods, & under such paines, penalties & forfeitures as is Contained meneoned & enjoyned in ft by an Acifc of Oenerall Assembly made in the Second Year of the Be4gn of Her present Maty Queen Anne, Entituled an Act for the better Explaining ft more Effectual putting in Execucon, an Act of General Assembly made in the third Year of the Bejgn of the late King William ft Queen Mary. Entituled, An Act for Defraying the Piiblick & necepsary Charge thro'out this Province and preventing Vagabonds, as fully and in like manner to all Intents & purposes as if the same were particalariy recited and Set down in the Body of this Act.

Digi-jzedbyGoOglC

And be it also Enacd^d by the ctathority aforesaid tbat the Sererai Sum & Sums of money before meDooned, Bliall at or before the Twenty Nineth day of September Bext by the Severall and respective Collectors of the Citys, Towna, Maanors, Libertya and Districts for which they reapectively do serve, be paid into the Treasurer of their respective Citya aad Countys. And fur- ther that the t^everall and respective treasurers of the eald Cltys and Countys, shall and are hereby l>irected, authorized and required to pay & Sattisfy, the said Mr, Jeremiah Tottiill the Several! and respective Sum & Sums hereinbefore menconed proportioned & appointed on or before the said last day of Octo- ber next ensuring at Newyork aforesaid, and without further Delay, to be applyed appropriated and Disposed to the use and purpose aforesaid, & no other use or purpose whatsoever under Such pains & penalties as by the said recited Act of Oenerall AsBembly made in the Second year of the Reign of her present

Maty, & in this Act before menconed is appointed, Enacted set fortti & Exprest

[CHAPTER 143.]

[Chapter 143, of LiviDjcston & Smith and Van (ichaack, wheiv the tlt only l8 printed. Printed in full In Brinle.v's Bradfortl, p. 237, 27 0DI7 is printed In Baskett. p. TTi. (Sec chapter 130.)]

An Act for the better Explaining An Act made in the Second Year of her present Ma'tys Reign, Entituled An Act to Oblige persons to pay their Arrears of One thousand pounds taxe granted by Act of Oenerall "Assembly of this Olony in the Twelfth year of our late Soveraign King William the third of blessed Memory, for building a Sort at Onondago for the Security of the five Nations of Indians, & for the remedying some Irregular proceedings Coraitted in Kings County in the Execucon of the said Act.

[Passed. June 27, 1704-1

WHEREAS there was a Tax of One thousand pounds layd upon this Colony by Act of General Assembly in the Twelfth Year of the Keign of King William the third, for building a Fort Bt Onondago &c and upon the Levying of Kings Countys proporMon of said Tax, the Publick and necessary Charge of the said County was Added to the same Proportion which together amounted to the Sum of Three hundred pounds & was promisciously Aaseseed and laid on the ffreeholders & Inhabitants at

.., Coot^lc

that Ck>uiitj, and part thereof Levy'd, C<dleeted and paid in, to Discbarge the Proporcon of tlie said Tax of One thousand pounds, and other part thereof Levyed Collected and paid in towards Defraying the said Publick St necessary Charge of the said County, aod whereas upon the putting in Execucon the said Act made in the second Year of the Beign of her present Ma'ty to Oblige the payment of the Arrears of the said One thousand

pounds many Disputes Difficulties and questions have arrisen & divers hardships & Ineonveniencyes may probably happen If not prevented. For the avoyding of which Be it Enacted by the Qot-emr Cbuncil & Assembly and it is heivby Enacted by the Author-ity aforesaid that the severall Collectors for the respective Towns within Kings County who were then Chosen & appointed to Levy & Collect the said Tax or in Case of Death or removal!, the Col-lector or Collectors for the time being shall & are hereby directed, Impowered & required to Levy & Collect the Arreares of the said three hundred pounds according to the then Assessment thereof made <rf and from the Severall & respective persons In the said County Chargeable therewith who have not already paid the same, & the Sum so levyed and Collected with those Sums now remaining in Such Collectors hands of that Assessment & not paid in shall forthwith be paid, in to the Treasurer of the said County, who out of the same shall Immediately, pay into the Collector or Receiver Generall soe much as shall Oompleat the Sum of One bundred fforty seven pounds being the propwr-tion of the said One thousand pounds Tax wherewith the Same County was Burthened & the Arrears of the said One thousand pounds Tax menconed & Intended by the said Act of Assembly in the second Year of her present Ma'ty, & that ye remaindw thereof be & remain in the said Treasurers hands till Issned forth according to the Laws of this ColMiy towards defraying the publick & necessary Charge of the said County any thing in the said Acts of Assembly or any other Law, usage or Cus-tome to the Contrary hereof in any wise notwithstanding.

And be it further Enacted by lie same Authority That the said Treasurer and Collectors and every of them shall have tbe same powers and Authoritya, priviledges & Advantages for the putting this Act in Execucon and be Lyable to and undergoe the same Pains and penaltys in Case of any Omission neglect or Abuse as the Collectors in any or all the said Acts of Generall Asswnbly are Invested with or Lyable unto as if the same were specially & perfectly menconed in this Act.

Digi-jzedbyGoOgiC

[CHAPTEB 144.]

[Chapter 144, of LlTlngehm & Smith and Van Scliaacfc, where the titl only l8 printed. Printed In full In Brlnley's Bradford, pp. 233, 266 Baskett, p. 74. Confirmed by the Queen, May 20, 1708. (See Fowler'» Bradford, p. CXXXIX.) See chapter 131,1

A Bill for the better Laying out Regu-
lating Clearing audi Preserving Fublick^
Oomon Highways in this Colony and for the
Erecting and Building a County Jaile and
County House In the County of Blchmond,
[I'assed, June 27. 1704.J

WHEREAS by An Act of General Assembly made in the second Year of the Reign of her present Maty, Entituled, An Act for the Laying out, Regulating, Clearing and preserving, publick Cmnon Highways thro'out this Colony. It is Enacted that all the Roeds ft Publick Higbway» by the said Act Intended shall be of four Rods at the Least in Such as then were used and laid ont, and all new Publick Roads or Highways that should be laid oat by %'irtae of the said Act be of the breadth ot Bix Rods English Measure, And for the better putting in Execucon the said Act, Conunissioners were in and by The same appointed. Nominated, Impowered and required with all Convenient Speed to put the said Act in due Execucon thro' the respective Countys & Districts for w'cfa they were nominated and appointed. Forasmuch as the County of Richmond l>eing Small, & to prevent as much that Land may not lye Wasted & be rendred uaelens and the luoonveniency Charge and Burden that may attend sun-dry persons and by reason the Inhabitants of the County have but small Tracts of Lands, & want the beniflt of Cflmmons as other Countys in this Colony Injoy. And for the Speedy and Effectnall putting in Execucon the before recited Act. Be it Enacted by the Govemour Council & Assembly and by the AnlhorKy of the same. That the grpat Road within the County of Richmond shall only Extend in breadth four Bod English Measure and no more,& the Lesser Roads in the said County shall be of the breadth of three Rod English measure and no more Except and always provided where and when a Road is or shall be Directed and Laid out thro' any persons Land who by his Patent is Obliged to allow a greater breadth for Roads and High-ways any thing in the said recited Aet menconed to the Con-trary hereof in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That all the InhabiifiantB In each respective Division within the said

..Google

County Bliall Contribute Aid and Aaaist to Clear repaii-e amend and preserve all such HitfliwajB which are or shall be appointed and laid out within the said County by the ConuuiasioorB nomi- nated in the before recited Act And the said Commisaionrs are hereby Impowered to make out & Send orders from time to time to summons the Beverall Inhabitants of their respective DivisiODS within the <'ounty of Eichmond for the Clearing, Repairing, and preserving all and every or any part of the Roada and High- ways made or to be laid out as aforesaid and all and every Inhabi- tant, Refuseing, Delaying and Denying to Obey any such order or Sumoms of the said CommisaioDers a» aforeaaid KhaJ];forfeitQnd pay for every Such Offence six sblilings (^irrent money of tliis Colony and on Non-payment thereof, the Commissionrs aforesaid on Oath made before the said Commrs by one Credible Witness of Such neglect, refuseing Delaying or Denying to obey any order or Sumons are hereby Authorized and Impowered to Issue forth their Warrants under their hands and Seals to any Constable to make Distress & Levy the same on the Goods and Chatties of the Party or Tartys so offending as flforeaaid as in the said recited Act is menconed which ftorifeiture shall be Imployed to the use and purpose aforesaid & the overplus (if any be) of such Distress and Sale (ifter the Charges thereof shall be paid and Deducted shall be returned to the owner or person on whom such Dis- tress shall be made.

And whereas there Is wanting in the said County of Richmond a County Jaile and County House which the Inhabitants thereof are not Enabled by a particular Law to Assess Levy & Collect money for tlie building & EreoHng the same. Be It further Enacted by the Authority aforesaid that the Justices of the Peace for the said County or the Major part of them at their Quarter Ses sions or otherwayi shall have full power to order Direct and appoint under their hands the Building & Erecting Such County Jaile & County House aforesaid on Such Convenient place or places neer the middle of the said County (saveing the Property of others) & to Calculate, Settle, agree, Estimate & Examine the Charge of Such Erections & buildings hereinbefore menconed which said Oalculacon & Estimate of the Charges Provided the

Same do not Exceed the Sum of Two hundred pounds shall be Delivered with a Warrant under the hnnds of the Justices into the respective Assessors of each Division of the said County who shall equally. Justly & Impartially Rate & Assess the ffreeholders & Inhabitants of the Said County which said Rate and Assess- ment shall be delivered unto the respective Collectors of each DiYisim in the said County with all Convenient Speed & the money So Collected shall remaine in the hands of the said Col-

lectors who shall mak« payment thereof for the usee aforesaid to Bach persons and in Such manner as shall be Directed and appointed under the hands of the Justices of the Peace of the said County or the major part of them, on the penalty of (forfeiting the Bam of Two hundred pounds for the uses aforesaid to be recovered in any of her Matys Courts of Eecord within this Colony. And the Assessors and Collectors before menconed that shall refuse to undertake the said Severall and respective Ser- vices or who shal) neglect or make Default of their respective Dutya therein shall pay & fforfeit the Sum of Two pounds for Such refasall; and every wilfull Default & neglect of his Du^ to he recovered & Levyed by Distress & Sale of the Offendors Goods & Chatties by Warrant nnder the Hands & Seales of two Justices of the peace of the said County Provided Oath be first made of the said Oflfence before such Justices by one or more Credible Witness wch said fforfeitnre shall be Imployed to the use of the Building aforesaid & the overplus (if any be) of such Distress & Sale after the Charges thereof shall be paid & Deducted shall be returned to the owner or perscm on whom Buch Distress shall be made.

[CHAPTER 145.]

[Cbapter 145. of LlvlogBton & Smltb and Vao Schaack, where the title only Is printed. Printed in full in Brlnler's Bradford, pp. 233, 288 Baakett, p. 73. Confirmed by the Qneen, May 20, 1708. (See Fowler's Bradford, p. GXXXVIII.) Tbe act referred to is chapter 1.]

An Act to Repeal the last Clause la An Act ot Aasembly Entituled An Act for the quieting and Setling the IMsorders that have lately happened within this Province & for the Establishing and Securing their

Matys present Goverment against the like
Disordera for the futuire.

IPaesed, June 27, 1704.]
WHEREAS by one Act of Oenerall Assembly made in tbe year One thousand Six hundred Ninety one, Entituled, An Act for the quieting and Selling the Disorders that have lately happened within this Province and for the Establishing and Securing their Ma'ties present Goverment against the like IHsorders for the future. It was Enacted that whatsoever person or persons should by any manner of way, or upon any pretence whatsoever endeavor by force of Arms or otherways, to disturb the Peace good & quiet of this their Ma'ties Govennent as it is nowEBtab-lished, should be Deemed & Esteemed as Rebells & Trayiom

. LiOOglc

onto their Maties, & Incur the Paine, Penalties & fEorfeitutes as the Laws of England have for such Offences made and Pro-vided.

And whereas her most sacred Majesty liath been graciouslj-pleaeed out of her princely Oare for the good and Safety of her Subjects in thrir Lives and Estates to observe in her Intruccons to the Governor that the meaning of the said Clause hath been of late misinterpreted to the oppre»sioii of her Subjects, and is pleased to direct that for preventing the like abuaes for the future the said Clause should be repealed the Laws of England having Sufficiently provided for the true purposes thereof.

Be it therefore Enacted and it is hereby Enacted by his Excel the G-ovem' by and with the Consent of her ila'tys Council & this General Assemhty that the abo^-e recited Clause in the said Act and every matter and thing therein Contained shall be & is hereby Repealed, Annulled and made void to all Intents Oonstructions and purposes whatsoever anything in the said Recited act being to the Contrary hereof in any wise notwith-standing.

THE NINTH ASSEMBLY.

M/th Setaion.

(Begnn Oct. 6, 1704, 3 Anne, Xidward, Lord Oombniy, Govei^

nor.)

[No acta were passed at this session.]

THE TENTH ASSEMBLY.

Jf^st Session.

(Begun June 9, 1705, 4 Anne^ Edward Lord Oombury, Gover-
nor.)

[CHAPTER 146.]

IChapter 146, of Llvlngstuu & Smltb and Van Scbaack, wbere the act U printed in full. TIfle only Is printed in Brlnlcy's Bradford, pp. 278; Baskett. p. 80. Ltvlugston & Smith and Van Scbaack, state that act was confirmed by the Queen, April 11, 1700. (See chapters 36, 1 412, S12.)]

An Act for the better Explaining ft more Effectual putting in Execuaon an Act of General Assembly Entituled an Act for Set-
ling a Ministry & raiseing a mainteinance for them in ye City of New York County of Richmond West Chester & Queens County.

[Passed, August 4. 1705.]

WHEREAS by an Act of General Assembly made in the Year of our Lord 1693 Entituled an Act for Setling a Ministry &

raising a Mainteinance for them in the City of New York, Oonnty of Bichmond, West Chester & Queens County It was Enacted that there should be uaJled, Inducted & EstaWish'd in the aeTeral places therein meucon'd a good sufficient Protestant Minister to Officiate & have the care of Souls & that there should be Annually Assessed, Levy'd, Collected & paid in every the respec-
tive Cities & Countys aforesaid the several & respective Bums in the said Act niencon'd for the maintein^ance o^ their Several & re8i>eetive Ministers to be paid in Country produce at money price. And whereas in putting in Esecucon the eaid Act many disputes Difficulties & Questions have arisen for the preventing & avoiding of which Be it Enacted by the Governr, Council & Assembly, And it is hereby Enacted by the Authority

of the same. That from henceforth If the Justices & Vestpeymen of each respective County Parish or precinct of Richmond West-Chester & Queens County aforesaid who by the said Act are Directed & Impowered to lay the Tax for the puri>oses aforesaid Shall not within Ten daies next alter the said Vestreymen shall be respectively chosen in such manner as the said Act directs lay a reasonable Tax on ye several & re^ective places for the several & respective maintnlnces in the said Act expressed. That then the respective Justices of the Peace of each County respectively or any two of them shall & are hereby required & Impower"d within ten dayes n^ext after such neg-lect or ref ueall of the Vestrymen Aforesaid to lay a reasonable Tax on the respective places aforesaid for the several! & respective mainteinances as they might have done by virtue of the said Act in default of the respective Freeholdera Chuseing of the Vestrej-men nnder penalty of five pounds for every respective Justice that shall neglect, or refuse to do the same.

And be it further Enacted by the Authority aforesaid that all & every the payments that shall hereafter be made & paid to the respective present IncumlK-nts Inducted & Established at the respective places aforesaid by his Excellency the present Govr & to all & every tlie Incumbents who shall hereafter be presented Instituted and Inducted to the said respective places for their respective mainteinances pursuant to the said recited Act shall be made & paid to them respectively by the respective Church Wardens of every respective place in the Currant money of this Province any thing Contain'd in the said Act to the Contrary not-withstanding, and the same to be paid at such times & in such manner & under Such penalty as in the said Act the same is required & directed to be paid in Country produce.

And for the more Effectual putting in Execueon the said recited Act, Be it further Enacted by the Authority aforesaid
73

. L'.oogle

that all and Siu^lar tb^ fines penalties & foi-feitures menconed in this & the said reoited Act shall be one halfe to ye poore of every respective County Parish or Precinct where the same ahal

be incurr'd & the other half to hiui or them that shall or will p cute for the same In-fore any of her Maties Jiratices of the peace for the resiH-'ctive rounticH for the time beinp: where such penalty shall be incurr'd as nfoivsaid who are hf^reby n sp. ctively require Impowered & Authoriz'd within fforty days aftt'r any CcHnplalot shalbe mnde to him or them by any person or persons of the breach of this or of the said recited Act by reason of any person or persons not doing his or their Duty hereby or by the said recited Act required to l>e by him or them perforni'd and done, to Rumons the said person or persons so Complain'd against as aforesaid, & upon the partyes not appearing upon the said Siunons or the matter being heard before him shall give Judg- ment & grant Execucon thereon against the party so not appear- ing or offending. And shall Immediately thereupon appoint another fltt person to do & performe what ought to have been done & performed by the said party Offending, and if the person so appointed as aforesaid shall neglect to do & performe his Duty therein he shalbe Subject to ye like penalty as if he had been duely Elected any former Law Usage or Custome to the contrary thereof in any wise notwithstanding.

And forasmuch as by the said Act all & every the respective Ministers that should be settled within the respective Countys Parishes & Precincts aforesaid should be called to OfBciate in ye respective places by the respective Vestry Ifen & Church War- dens within one Year nest after the publication of the said re- cited Art now as an explanacon of the said Act & for preventing any Controversies & disputes for the future touching the sam^L

It is hereby further Enacted & declared that the respective Vestrymen & Church Wardens for the time being of every respec- tive place, or Major part of the said Church Wardens & Vestry- men whereof one Church Warden always to be one shall & are hereby Impowered to call & present after the Death of the severall & respective present Incumbents so Inducted & Estab- lished as aforesaid & for ever hereafter a good sufficient Protest- ant Minister within one year next after the avoidance of any of the said places respectively the same shall from time to time happen to become void which Ministers shall respectively be Instituted and Inducted to the said Churches of the said respect- ive places, & BO as often as any or either of the said places shal become void.

Provided nevertheless that neither this present Act of General AsBCEiibly nor any thing herein contein'd shall be CoQBtrued or

.., Google

understood to extend to abridge or take awa; the Indnlgaice or Liberty of Conscience granted & allowed to any other Protestant Christians by any Law or Statute of the Realm of England or of this Plantation any thing in this Act contein'd to the Contrary hereof in any wise notwithstanding.

And lastly it is hereby Enacted and declared by the authority aforesaid that the said Act of General Assembly made in the Year Sixteen hundred Ninety three hereinbefore recited and all and erery Clause, Article and thing therein contained shall Con- tinae and be in full force and Virtue Save so much only which by any former or this present Act is altered or made void or other- wise Directed, Declared and provided for.

[CHAPTBR 147.]

[GhAptei 147, of LlrlDgston & Smltb aad Van Scbaack, wbere the Utla only Is printed. Printed In fuU In Brlnley's Bradford, pp. 233, 272. only Is printed la Baskett, p. 80. See cb. 129.]

AN ACT to enable the Justices of the Peace for the City and Ocranty of Albany to rai»e the Sum of One hundred pomnds for the Bepairing or Bebuilding of a comon Goal & City & County Hall, over & above the Sum of ffour hundred pounds they were enabled to raise by an Act of the General Assembly made in the second Yeaj" of her Ma'tys Beign, Entituled, an Act to enable the Jus- tices of the Peace for the City & County of Albany to Repair or to rebuild a Comon Goal, City & County Hall for ye said City '8c County, & to pay the arrears of their Pub- lick Charge.

t Passed, An^st 4, 1705.)

WHEREAS by an Act of the General Assenibly of thla Colony,

made in the second year of her Matie« Reign, Entituled, an Act to enable the Justices of the Peace for the City & County of ■ Albany to repaire or Rebuild a Comon Goal; City & County Hall for the said City and County, and to pay the Arrears of tbeir Pablick charge, It 'is Enacted that for & during the Term and space of three years fnan & after the Publioacon of the said Act, it should be Lawful for the Justices of the Peace of the said City & County, for the time being, or the Major part of them, at any time or times with in the Term of Three Y^wrs, to raise such Sum 4 Slums of money, not exce(*ding four bundred pounds, during the naid Term, upon the Freeholders & Inhabitants of ye Said

. Google

City & County, as they abould Judge needful & requisite for Uie repairing or building a Suttlcieiit Goul, City & County Hall, & other things needful & requisite foi- ye Aduiiuisti-aeon of Justice in the said City & County, & for paj-ai't of their by past arreai^ agat of the City & (.\>unty Charge, to be -\j*se8sed, Levyed & paid acconiiug to the Direccons in the said Act at huge exprest. And wheresuj the Jualit-es of the I'eare of the said City & County Since ye making of tlie aaid Act, have upon Examinacon, found tluut the said sum of four hundred poiinds is not Sufficient to Complwit the matters aforesaid, Be it therefore Enacted, And it is hemiby Enacted by his Excellency, the Go^-r, Council & Assembly, & by tlie Authority of the same, That for & during the Term & Space in the aforesaid Act menconed, it shall & may be Lawful for ye Juatites of the Teace of the said City & County, for ye time being, or the major part of them, at any time or timea, within the Term in ye said Act Ljinitted, to raise ye Sum of One hundred pounds, over & above the four hundred pounds in ye said Act menconed, during flie said Tenn, upon the Free- holders & Inhabitants of the said City & County, as they ahall Judge needful for ye repairing or rebuilding of a Comon Goal & City & County Hall, & for no other use & purpose whatsoever; . w'ch Sum of One hundred pounds, over & above the said Sum of Pour hundred pounds, is to be Assessed, Collected, Levyed, paid & disposed of tor the use aforeaaid, & for no other use w'tsoever, in ye like manner & form, & under ye same rules &. Direccons, as in ye before menconed Act is expreat, in as full & ample manner as if tlie same were in tliis present Act particu-

larly mencooed & Exprest, any thing to ye contrary hereof in any ways notwithstanding. Trovided alwayes, & be it further Enacted, That ye manner of Renslaerwick shall not be chargeable with any part ot the said One hundred pounds, any thing to the Contrary hereof in this present Act conteined in any wayes notwithstandin g.

[CHAPTER 148.]

[Chapter 148. of I.fvtnitsfoii & Smith and Xaa Schftaok, wbere tbe t only is printed. Title only is prlnteii fn Brinley's Braaford, pp. 2 The act does not appear In Baekett. Expired, Octoher 31, 1707. See chapters 127 and 1G9.]

A Bill for Enforcing and Continuing the Act for Encouraging A Post Oflire in this Province of Xew York for three Years from the Month of October which was In the year 1704.

[Passed, AnfpiBt ■*, 1705.]

WHEREAS the Act of Generall Assembly of this Province made in the year one thousand Six hundred Ninety two

Entituled An Act for the Encouraging A Post Office. And also an Act made in the year One thousand Six hundred Ninety five Entituled an Act for Continuing An Act for Encouraging the poet Office thi"ee Years longer after the Expiration of the said Act And also another Act made in the year one thousand Six hundred Xinety Nine —Entituled —Vn Act for Continuing the Act for Encouraging the post Office two years longer after the Expira- tion of the last Act made for Continuance of the same. And also another Act made In the year one thousand aiiaven hundred and two Entituled An Act for Enforcing and Continuing the Act for Encouraging A post Office in this Province of New York for four years and one halfe year from the Month of April which wea in the Year one thousand seaven hundred are all Expired by their own Limitation the last of which Ended in the Month of October One thousand seaven hundi-ed and four. And itt being found Very Advantagions to the Inhabitants of this Province by the preserving of Trade and Maintaining A Mutual Correapondenoe

amongst our Neighbouring Collony's and Plantation's that the same Should be Enforced and Continued. Be itt Enacted by the Governour and Council and Representatives Conven'd in General Assembly and by Authority of the same that the Act Entituled An Act tor Encouraging A post Office be Enforced and Continued for the Term of three years from and after the Month of October which was in the year one thousand seaven hundred and four and all the Rates and Sums of Monej' Established by Vertue of the said Act upon letters and Pacquetts that shall be Received and dispatched by the Office and Offices Contained in the said Act Shall be paid by the Space of three years from And after the Month of October which was in the year One thousand seaven hundred and four According to Such Rules and directions and under such Penalties and forfeitures as is Contained and Enjoyned by the Said Act Entituled An Act for Encouraging A post Office and Every Article Rule and Clause therein Mentloued and Con- tained Shall be Abide Remain & Continue in full force and Effect to all Intents and purposes during the said Term of three years from and after the Month of October which was in the year one thousand seaven hundred and four and no longer as fully and in like manner as if the same were particularly and att large Recited and sett down in the body of this Act Any thing Contained therein to the Contrary hereof in any wise Notwithstanding.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF XEW YOEK.

[CHAPTER 149.]

[Chapter 149. of Llvlngaton &. Smith aud Van only la printed. Printed In full Id BrlDle;'s Baakett, p. 77. Be^lved by chapter 308.]

AN ACT to prevent tlie nmning away of Negro Slaves out of the Citty end County of Albejiy to tbe Freucli at Canada.

[Passed, August 1, 170^.]

WHEREAS the Citty and County oC Aibany are the ffrontiers of this Province towards the ffrench of Cannada and that it is of great Concerns to this Collony dureing this time of warr with

the ffrench that no Intelligence be Oarrj'i-d from the said City and Counly to the French at Oannada. XSD WHEREAS the Justices of the Pe«ce for the Sold (.^1 ty and County at a Court of SessioiiB held at the ("itty Hall <rf the Said Citty of Albany the fBfth day of June of This preaent year of our T^ord One Ttionsand Me^en hundred & ffive did recomend to the Represen- tatives of tlie Sfiid Citty and County to lay before the Assembly of this I'rOTince now Conveened the ffeoi-a and Jeloiisies they have that Several Nt'sra Slaves belonging to the Inbabltaute there have a dmign to leave the^r respective Owners and go to the ffrench at Cainnada us Some have already done which has and would be to the greart loss & detrimrilt of the Owner or Owners of Such Negro Slave or Slaves and also of very perni- cious <\m8equence to the whole pro\-iniie, /\XL which being Considei^d by the General A39<-nibly BE IT ENACTED and it ia hereby Enacted by his Excellency the G^vemour Councill and Assembly And by the Autliorify of the Same that all and evei7 Negro Slave or Slaves belonging to any of the Inhabitants of the Citty and Cwunty of Albany who Shall from and after the fBret day of August of this present year of our Iiord One Thousand Seven hundred and fflve be ffoiind Travelling fforty Miles above the Citty of Albany at or above a Certain place called Sarach- toge (unlesfi in Cfflnpany of his her or their Master Mistress or Such Employed by them or either of them.) And be thereof C<)nvi<'fed by the Oaths of Two or More Credible Witnesse.o before ye Court of Sessions of the Peace of the Said Citty and County (which Court of Sessions ore hereby Authorized and Empowered to hear and determine the Sjime in manner aforesaid and thereupon to award Execution) he She or they so convicted shall Suffer the pahiea of r>enth as in cases of ffellony, ANT> be it further Enacted by the Authority aforesaid that ail & every

i'egro Slave or Slares belonging to any of the Inhabitants of the Cittj and County aforesaid who after the ffirst day of August aforesaid Shall be found offending against this Act he she or they is or are to be Imediately Conveyed to the next Justice of the Peace <rf the Said County and be by him Committed to Goale without Bail or Mainprise untill he she or they be thence de- livered by due Coupsie of Law and the said Justice of the Peace is hereby required to give Or Send Imediate Notice thereof nnto the owner or Owners of Such Slave or Slaves to the End Such Owner or Owners do witihin Two days next and after the

Receipt of Snch notice appeare before some Justice of the Peace of the Said County and nominate One or more indifferent persona to Appraise and Value the Negro Slave or Slaves So taken and Ocnunitted as aforesaid And the Said Justice of the Peace is hereby required and Empowered to Kraninate and appoint as many more indifferent persons to Joyn with the persons Nominated by the Owner or Owners of Such Slave or Slave* to Appraise and Value the Same which persons so chosen are to petume their Appraisment to the Justice aforesaid under their hands and Seals within Two days next and After their being nominated and Appointed which Said Appraisement so made the Said Justice of the Peace is to Eetume the Same to the next Oonrt of Sessions and if Such Negro Slave or Slaves Offending in Manner aforesaid be thereof Convicted and Executed for the Same the Said Court of Sessions is hereby directed and Impowered to Cause the Summ of the Appraisement of Said Negro Slave or Slaves together with the Charges of prosecution Provided the Sftid prosecution doth not Exceed Tenn pounds to be Rated Assessed and levyed on all and every person & persona having Slave OP Slaves within the Said Citty and County in Such ways and manners as other the publick Ctiarges of the Said Citty and County are levyed PROVIDED altways the Same be Assessed levyed Collected and paid to the Treasurer of the Said County within Three months next and after ye Execution of Such Slave or Slaves and the Said Treasurer is hereby directed within Eight days next & after his Receipt thereof out of the Said moneys so to him paid to defray the Charges of the prosecution not Exceeding Tenn pounds as aforesaid and pay to the Owner or Owners of Such Slave or Slaves the fnll Value Such Slave or Slaves were Appraised for, whose Receipt Shall be his Sufficient discharge and that no difference may arise Concerning the Value of the Slave or Slaves for whom the Owners are to pay in manner aforesaid BEE IT ENACTED by the Authority aforesaid the Negro Slave or Slaves in the Citty and County aforesaid when any Such Accident shall happen are to be Bated and Assessed at the

. '.jQOglc

Rates and prises hereinafter Exprest that is to say, Every Negro Slave male or Female from the Age of ffifteen Years and upwards being fltt for Service at Thirty pounds And If any difference do

arise whether any Negro be fltt for Service the Same is to be Adjudged by the next Justice of the Teace And be it ffurther ENACTED by the authority aforesaid That the Respect-ive Court or Sessions and Justices of the Citty and County afore-said are hereby fully Empowered and Auttiorized to Cause this Act to be put in Execution Any Law tisage or Custome to the Contrary hereof Notwithstanding TBOVIDED always that this Act and every article & charge therein contained Shall only be of force dureing this present warr with the French and no longer.

I'BOVIDED also that this Aol nor any Clause therein Con-teined Shall be Construed to Exempt the Negro Slaves o* the Said Citty and County from the Penaltys for other his her or theire offences mentioned in an Act of Assembly made in the ffirst year of her Majesties Reign Entituled an Act for Regulating Slaves any thing to the Contrary hereof notwithstanding.

[CHAPTER 150.[

[Chapter 150, of Livingston & Smitli and Van Schaack, where the act 1h prluted in full. Title only Is prlut«d In BHnlev's Bradford, pp. 278, hut umons the acts of ITiXi, p. 28T, the act la printed In f In full In Baskett. jt. 7i). ronfirmed by tlie Queen, May 20, 1708. Fowler's Bradford, p. CXXXIX.)]

AN ACT for defraying the Comon & neces-isary Charge in the Mannor of Renslaeirwick in the County of Albany.

[Passed August 4, 1T05.]
BE it Enacted by the Oouvcrnour Council & Assembly & by ye Authority of ye same that for the better defraying ye Ccsnon & necessary charge of the ilannor of Rensliienvick in the County of Albany as well aa what is already past as the present & future Clrarges. That it shall & may be Lawful! for the Inhab-itants of the Mannor of Renslaepwick being Freeholders to Elect & Choose Yeni'ly & every Year one Supervisor one Treasurer, one Assessor & one Collector for ye said ilannor who shall have ye same power. Authority Office & ffunction & do performe Execute & Sen-e & be Lyable to ye same paines & penaltys as ye Super-visors Treasurers, Assessors & Collectors of ye Severall & respect-ive Countya within this Colony have, ought or are intended to have do performe & be lyable to, by one certaine Act of Generall Assembly past in ye Year of our Tjord Seventeen hundred & three

Entituled an Act for ye better Explaining & more Effectual

putting in Execncon ao Act of Generall Assranbly made in the third Year of ye Beign of the late King William & Queen Mary Entituled an Act for defraying ye Publick & necessary Charge thro'out this Province & for maintaining ye Poor & preveoting Vagabonds. And he it further Enacted hy ye same Authority That ye Wages & Charge of their Representative or Deputy in General Assembly shall be ye same as in ye other Citys & Countya, which ia & shall be Tenn shillings P diem & that as to what relates to ye Wages & Charges of Representatives in General Assembly the Inhabitants of ye same mannor shall only be lyable to defray the Wages & Charge of their own Bepresenta^ tives or Deputy in General Assembly & not otherwise.

[CHAPTER 151.]

[Chapter 151 of LiTlagston & Smith and Van Schaack, where the title only ia printed. Printed In full In Brinley's Bradford pp. 237, 276. only Is printed In Baslcett, p 70. Expired In 1713. Revived by chap 8ia]

AN AC?r for the Preservation of Deer
[Passed August 4. 1705.]

BE it Enacted by the Govr. CouncU & Assembly & by the Anthority of the same, That whosoe\er within the Countys of Suffolk, Queens County, Kings County, West Cheater or Rich- mond, Christian or Indian, Freeman or Slave after ye first day of January which will be in the Year of our Lord Seventeen hun- dred & five shall kill or destroy any Buck Doe or Faun or any Sort of Deer whatsoever, at any time of the Year escept only between the first day of August & the first d«y of January, shall forfeit & pay the Sum of Twenty Shillings Lawfull money of New York or in default thereof Suffer Imprisonmt for ye terme & Space of Twenty days without Baile or Mainprize, unless within that time he or they pay the forfeiture aforesaid. The one half whereof shall be to him who shall proeeeute & sue for ye same before any one of her Ma'tys Justices of the Peace where such offence shall be C<wnitted who is hereby Authorized Impower'd & required to hear & determine the same at his Discretion and ■ the other half to the Poore of the respective County where any

person or persons shall be of such Offence Convicted.

And be it also Enacted by the Authority aforesaid That wliat-soever Dojf or Dogs shall i)e found hunting or Chaceing any Buck Deer op Faun or any Sort of Deer whatwoeTPr between the said flrwt day of Jannary & the first day of August Yearly sliall & may he and hereby are required to be ahott and kill'd or other-wise deatroy'd any Law to the Contrary hererf notwithstanding, and the Sererall Jnetices of the Peace within the said Countys
74

Digi-jzedbyGoOgiC

& every of them are hereby required to Se this Act and every Clause therein put in Execution According to the true lutent, & meaniug tbereirf.

And be it further Enacted by the Authority aforesaid that the Keepers of the Ooalea for the Counlya aforesaid respectively having a Warrant from one of her Ma'tys Justices of the Peace for that CVunty aliall reit^ve Such Offender or Offenders into their rfspective Goals and him or them in safe and Close Cus-tody Ivcep for the Term aforesaid on penalty for neglect or refnsall to pay Double the Forfeiture aforesaid to be recovered in any of her Ma'tys Courts of Sessi<ms and to be apply'd in man-ner before Exppest,

Provided always, That this Act shall be & remaine in full force for the Space of Seven years from the first day of January next & no longer.

[CHAPTER 152.]

[LiTlnfTBtoD & Smith and Vnn Schaack, print the title of thU act as distinct from chapter 146, Klvinx date of paeeaK? of each act as Au 4th. The Mlnutea of the Council of that dntf show that but one act passed. (See Journals of Ijefcislatlve Council, p. 234.) Title only I inserted here tor the purpose of preserrlng the coatiault; of chapter nuinberB.]

An Act for the better expMining, and more

effectual putting in Execution an Act of General Assembly, entitled, An Act for settling a Ministry and raisUig a Main-tenance for thran, in the City of New York, County of Richmond, Westdieater and Queens County.

[Parsed August 4, 1705.]

CHATTER 153.]

[Chapter 153, of Livingston & Smith and Van Schaack, where the act is printed In full. Title only Is printed la Brlnley'a Bradford, pp. Printed In full In Baskett, p. 80.]

AN ACT for ■an Allowance to the Burgess of the Burrough of West Che«ter

[Passed August. 4, 1705.]
Forasmach as the Burgess of the Burrough of West Chester can not Officiate and Discharge theTnist rpspos'd in him without being at Charge and Expence. Be it Enarted by his Excellency the Governoor the CounciJ and Asaembly and by Authority of the Same. That the Wages and allowtince to tiie ftaid Bur-gess for the said Burrough from the first day of this present Sesavona of Assembly, and for ever hereafter shall be as is

Digi-jzedbyGoOgiC

EetaMish'd vizt. Ten shillingB er day Cnrraut money of this Colony and the Mayor, or Deputy Mayor, or any two of tlie Aldet-meu for the time being are hereby Authoriz"d appointed and requir'd to raise or Cause to be rads'd, Levy'd and Collected In tlie Baid Bnrrough of West Chester & to pay ye Same to tht^r Burgeas in such manner & by sueU waves & Methods & for default, & mmpayment of the said Wap's & .\llowance under such painee, penaltys, ffines, forfeiturea and puoishmente as ate mencon'd, Contain'd & Express'd in a Certaine Act of General Assembly made in the year of our Lord Se^-enteen hundred & three EntUoled an Act for the better Explaining & more effeet-uaJ putting in Execucon an Act of General Assembly made in

the third year of the Reign of the late King William & Queen Mary, Entituled an Act for defraying the Public & necessary Charge thro'out this Province & for maintaining the Poore & preventing Vagabonds as fully & in like manner as U the same were particularly & at large recited & set do^nie in the Body of this Act any thing Contain'd therdn to the Oomtrary hereof in any wise notwithstanding,

[CHAPTER 154.]

ICbapter 154, of LlTlngBton & Smltb and Van Schaack. where tbe title only Is printed. PrlDt«d In full In Brlnle;'e Bradford, pp. 286, 275 title onl7 la printed In Basket, p. TU. »ce chapter 131. This act at the end of the next Beaalon after June 10, 1709.]

An Act for Continuing an Act for the Laying out Regulaiteing Cleering and pre- serving Publick Cknnoii highways thro* out thie (>rfony.

[Passed AMguBt 4, 17(0.]

WHEREAS the powers granted to the ConuniBsioners men- coned in an Act for the Lajlnjr out Begulateing, Cleering and preserving, Publick Oomon highways thro' out this Colony made in the Y^ear of our Lord Seventeen hundred and three will Expire by its OWE Lymittacon in the month of June next, whereby the Service by that Act intended will in all probability remaSue undone and Imperfect and it being necessary and requisite ihe same should be performed and fully acocroplish'd. BE it there- fore Enacted by his Excellency the Govemnnir the OonmoiT and Assembly and by the Authority of ^^ Same That the said here- inbefore recited Act and every Artiele Clause and thing therein menconed and Expressed shall be and Is hereby Continued t» be in full force and virtue for three Tears from the Nineteenth day of Jane next ensueing & from thence to ye End of ye next Bm-

Digi-jzedbyGoOgiC

sicma ol Genii, Assembl.v, & no longer any thing to the Contrary hereof in any niae not witliatanding.

[CHAPTER 155.]

[Chapter 1S5. of LivloKston & Smith aud Van Schaack, ivbere tbe title 0UI7 Is prlDtfd. PrlQted in full In Brlnlej's Bradford, pp. 2^ Baskett, p. 79. Tlie act expired in 1712. The algnature of the Gove and date ot passing appear to be torn from the original law In tbe office of the Secivtary of State, but from the Minutes ot the Counc An^9t 4, 170S, It appears tliat such an act n~ns si^ed b^ the Gove on that date. See cliapter 123. Revived by chapter 370.]

An Act for Beviving and Otmtinuing an Act, Entituled, an Acl for Begnlatiog 81aT^.

[Passed August 4, 17(».]

WHEREAS an Act, Entituled, An act for Regulating Slavee, made In the year of our Lord, one thousand seven hundred and two is Expired by its own Limitation, which said Act hath been of great use to this Colony, Be it Enacted by his Excellency the Govemour, the Council ond AsBembly, and by the Authoidity of the same, That the said herein beforerecited Act, and every Artifle, Clause and Thing therein loentiooed and expressed, shall be, and i» hereby Revived, Renewed, Continued, & shall be in full force and Tirtue for seven years from the Publication herf'of, any thing tff the Contrary hereof in any wise notwithstanding.

[CHAPTER 156.]

[Chapter 156, LiviDgBton & Smith and Van Schaack, where the title only Is printed. Printed In full in Brtnley'a Bradford, pp. 238, 277 Wily iB printed in Baskett, p. 80.]

AN ACT to enable William Bradford of the Cltty of New Yorit Printer to Bell and dispose of ye Real Estate of Jno Dewsbnry late of Oysterbay in Queens County within this Collony deceased, for the payment of Debts.

[Passed August 4. 1705.]
Whereas John Dewsbury late of Oysterbay in Queens Oonn^ on Nassau Island deed, was in his life time indebted to William

Bradford of the Citty of New-York In Several Considereible Rums of Money, with part whereof in his Life time he purchased diveres T/anda Tenements and Hereditaments in this Colony and afterward dyed Intestate, his said Debt yet remains onpaid.

D,g,;,zeclbyG00gIC

And whereas the aaid William Bradford as prmcipal Creditor of the said John I>e\vsbur3- huviug obtained Letters of Adminis- tration froui the honourable Coll Fleieher late Go\-emonr of this Colony of the Goods Chatties Rights and Credits of the said deceased, but found not Assets of the Said deeeaaed, wherewith to pay and SatisHe the Same. And the Said John Dewsbury in his Life time, and at the time of his decease being Seized in pros sessed of and entituled to those Lands Tenements and Heredita- ments in this Colony in manner aforesaid and no Children or Heirs appearing in these parts, it being highly equitable that the Same or Bo much thereof as will pay and Satisfy the just Debts of the Said John Dewsbury should be applyed for that purpose There^ fore at the humble Petition and Request of the Said William Bradford Be it Enacted by the Governour Council imd Assem- bly, And it is hereby Enacted by the Authority of tlie same, That the Lands Tenements and Hereditaments of the Said John Dewsbury in this Colony AMiich he stood Seized and possessed of in his Life time and at the time of his decease are and shall be liable to the payment of the Debtsof the said John Dewsbury, and that in order tliereunto the Said William Bradford is hereby impowered and authorized to sell and dispose of the same to the best advantage, and to Sign Seal deliver and Execute Deeds and OonveyaiiceB thereof unto any person or Persons whatsoever which Deeds and Conveyances made and executed shall be con- strued deemed and taken to be good valid and Sufficient in the Law to all intents constructions and purposes whatsoever And the Vendees and Grantees thereof are hereby Severally and Respectively invested in and entituled to all and every or any of the Said Lands Tenements and Hereditaments purchased by them by virtue hereof from the said William Bradford to all intents and purposes whatsoever in as full and ample manner as If the Same or any of them were sold and disposed of by the said John Dewsbury in his Life Time, according to the most eiact perfect and due form by the Rules of Law required to be done

unto them or any of them

And it is hereby further Enacted by the Authority aforesaid, That the Moneys arising by the Sale and disposition of the Lands Tenements and Hereditaments aforesaid stuill be accounted and esteemed to be Assets of the said John Dews- bury in the hands of the Said William Bradford and as such shall be applyed by him as administrator thereof for and towards the payment of the just Debts of the said John Dewsbury And that the said William Bradford shall be accountable for his dis- position thereof in like manner as Administrators legally are, any thing herein to the Contrary hereof notwithstandingr.

LiOOglc

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 156a.]

[This act does not appear In Livingston & Smith or Van Schaack or Baskett Title only Is printed In Brlnley'a Bradford, pp. 239, 27a Tb title of the act ia the same as ctiapter 130 passed June 19, 1703. tinct act appears among the original laws in ttie office of tbe Secr State as taavlng been passed An^st 4, 1705. From tbe Mlnatea of tba Council of tbat date It appears than an act of tbls title was pass (See Journals of Leglsladve Council, p. 234.)]

AN AOr declarelng the Illegality of the Proceedings againBt Coll. Nicholas Bay- ard aad Aldermeti Jt^n Hutchins for pre- tended tiigh Treaaon and for Beversing & imaking null & void tbe sajd Jpdgmenta & «I1 Froceedinga thereon.

[Passed August 4, 1705.]
WHEREAS in the Months of February & March in the year of our Lord 1701 there was a Crafty & Malicious Proeecutioii agadoBt Ooll Nicholas Bayard of the Cittj of New York; -And Aldenuan John Hutchlns of the Same Oitty for pretended crimefl and misdcmeaiioars alledged against them, upon which they were Indicted & Sentence of Death past upon them and other Penalties as in oases of High Treason. Which matters

having been fully heard & Examined before her Most Sacred Majtie in Councill at the Court at St James's the 21th Day (rf January 1702, Upon Consideration thereoit, Her Majesty being sensible of the Undue & niegall Proceeding against the sayd Bayard & Hutchina was then most graciously pleased in Her Royall Justice & Bounty, to order that Her AtTtomey General! here should bee directed to consent to the Reversing those Sentences and to whatever Else may be requisit in the Iaw for Hie Reinstating the said Bayard & Hutchins in their Hcmour & Property aa if no such Prosecution had been.

AND FORASMUCH as the said Nicholas Bayard & John Hutchins are in no wayes guilty of any Crime in those matters Objected a^inst them or Either of them And that Her Majties Just Pleasure & Royall Inclination for the Relief of Her Distressed Subjects may taie their Speedy & due Eifect, BEE It therefore declared and Enacted by His Excelly the Govemonr by & with the advice & Consent of Her Majties Councill & the Generall Assembly of this CoHonVj And it ia hereby declared and Enacted by the Authority of the Same. That the said Proceedings & Prosecutions for the aaSd feigned & pretended Crimeii & Misdemeanours are and were tTndue and Diegal & th»

Digi-jzedbyGoOgiC

" Judgment & Jadgments Sentence & Sentences against the said Coll Bayard & Alderman Hutchina & all & Every Matter & thing relating thereunto are Beveraed, Annulled & made void & of no Effect to all Intents Constructions and Purposes wtaoeyer. AND tbe said Nicholas Bayard & John Hutchins hereby are & are declared and hereby Enacted to be a» to their Hononp & Property in the Same State Plight & Condition as 11 no Such Prosecution tryall Judgment or Sentence had been.

THE TENTH ASSEMBLY.

Second Session.

■(Begun Sept. 26, 1705; 4 Anne, Edward, Lord Combury, GoTernor.J

[No acts were passed at this session.]

THE TENTH ASSEMBLY.

7%ird Session.

(Begun May 29, 1706; 5 Anne, Edward, Lord Cornbury, GOTCmor.)

[CHAPTER 15T.]

[Chapter 157, of Llylagaton & Smltb and Van Scbaack, where the title only Is printed. Printed In full In Brtnley's Bradrord, p. 280. The does not appear Id Baekett Tbe origlnat of this act does not appear be in the office of the Secretary of State, but the Minutes of the of June 27. 1706. indicate that such an act was signed by the Gove on that date. (See Journals of Legislative Council, p. 240.) This co made from Brlnley's Bradford. See chapter 11-1. Repealed by chapter 188.1

An Act for Beviring An Act of General Assembly, entituled. An Act lor the better Settling the Militia of this Province, and making it more useful for the Security and Defence thereof, for the space of one year. [Passed June 27, 1706.]

THE Apparent Danger and present Necessity requiring it. Be it Enacted by the Governour, Council and Assembly, and it is hereby enacted by the Authority of the same, That one Act of General Assembly entituled. An Act for the better settling the Militia of this Prorince, and making it more useful for the Security and Defence thereof, made in the first year of the Reign of hep present Majesty, and late expired by its own limita- tion, shall be and is hereby Enacted by the Anfiority aforesaid, to be of force for and during the space and term of one year from the Twentieth Day of June in this present year <rf our Lord, 1706 and no longer.

DigiMzedbyGoOglC

[CHAITEE 158.1

[Chapter 158, of LivingBion & Smith and Van Schaack, where the title only is printed. I'rlnted in full In BrInlef'B Bradford, p. 2T9. TlU only is printed in Basltett, p. SI. Tlie original of this act does to be In tlie olUpe of the Secretary of State, l)ut the ilinutes o Council of June 27, 1700, Indicate that such an act was signed lay Governor on that date. (See Jonrnaia of Legishitlve Council, p. 240.> TUa copy here printed was made from Brinleys Bradford.]

An Act to enable the Mayor, Aldeno^i
and Common Council of the City of New-York,
to Carry on the Fortifications of the said City-
[Fassed June 27, 1706.]

BE it Enacted by the Governour, Council and Asaembly of tliia Colony, and by the Authority of the same, That from and after tlte Puhlicntion of this Act, All and every the Citizens, Free-liolders and Hooiaekeepers of the City of New-York, being Inhabitants of the same City, for and during the tenn and space of two years, either by themselves or sufficient Labourers, shall do such labour, at such days and times, at such place or places, and in such manner and form for the fortifying of the said City of New- York, and for maintaining the same in repair, as shall from time to time be directed and appointed by the Mayor, Recorder, Alder-men and Assistants of the said City of New-Yoii, or the major part of them, conven'd in Cfanmon Council, on Penalty of Six Shillings for eiery neglect, refusal or default, to be forfeited and paid by every such person or persons who shall neglect refuse or delay to perform sach labour by themselves, or a BufQcient Labourer in their stead and place, in manner afore-said; and to be recovered by Plaint before the Mayor, or any other of her Majesties Justices of the Peace of the said City of New-York, who are hereby authorized to issue their Warrants, from time to time, to the Constable of the Ward where such per-BOn or persons shall dwell, for the levying the said Forfeiture^ or any of them, by distress and sale of the Goods, and Chattels of such person or persons so refusing or neglerting to labour, as aforesaid; which said Forfeitures shall be imployed and laid out towards the said Fortifications, and not otherwise,

THE TENTH ASSEMBLY.

FourtTi Sesaion,

(Begun Sept. 27, 1706, 5 Anne, Edward, Lord Combury, Ghwemor.J

[CHAPTER 159.]

[Chapter 159, Livingston & Smith and Van Scbaack, where the title on Is printed. Printed in full In Brlnley's Bradford, p. 281. Lirln

Smltb and Van Scbaack, state that this and the six following acta w passed October 24, ITtW, but from the Minutes of tlie Couacll It ap that the}- were signed by the Uovemor, October 21, 1706. (See Journa of Legislative Council, p. 245.) See chapter 192.]

AN ACT for raising the Sum of Three thoua-
and poimdK towards defraying the Expence
of Fortifying the City at New York.

[Passed October 21, 1706.]
BE it Enacted by the Governr. Council and Assembly and by the Authority thereof. That the sum of Three thousand pounds Currant money of New York be hereby granted to her Maty our Soveroign Lady to the L'ses & purposes hereinafter mencoued set forth & expressed and that the same be lasd, Assess'd, rais'd and Levy'd upon the Estates Real and personal of all and every the Inhabitants Residents, Sojourners and Freeholders of and in this Colony to he paid into the Treasurer ot this Colony hereinafter nam'd and appointed, in manner following, that is to say. The sum of Fifteen hundred Pounds, on or before the fire & Twentieth day of March now next Ensuing and the sum of Fifteen hundred pounds on or before the last da-y of November then next Ensuing, according to the rates & proportions fol-lowing, that is to say, For the City and County of New York. FiCteen hundred pounds: For Kin^ County, Two hundned Seventy Six pounds & Thirteen shillings. For Queens County. Three hundred Twenty three pounds & three shillings. For the County of Suffolk Three hundred Twenty three pounds & three shillings. For the County of Richmond, Ninety pounds and Seventeen shillings. For tlie Count\- of West Chester One hun-dred thirty five pounds & five shillings. For the City and County of Albany, One hundred thirty three pounds & four shill-ings. For the Couniy of T'lster, One hundred fifty four pounds & Eight shillings^ For the County of Orange. Forty five pounds ft Six ahiltings. and for Ihitchess County, Eighteen pounds & one shilling.

And be it further Enacted by the Authority aforesaid, that for ithe better Assessing, raising; Collecting & receiving the said Sura of Three thousand pounds, the Mayor & Aldermen of the City of New York, the Mayor & Aldermen of the City of Albany, with the Justices of the Peace for the time being, for the Several and respective Citys ft Coonfys within this Colony, for which they shalbe Justices erf the Peaces do within forty days after the Publication hereof. Assemble ft meet together in the Court Houses tor the several ft respective CStys ft Countys, or BOcK other place or places as they shall agree among themselves, 7B

Digi-jzedbyGoOgiC

and shall there order that the Assessors & Collectors for the Several and respettive Citys, Towdsj Slunnore, Libertys & Pre-cincts within their Several Jufisdictions for the Assessing & Collecting of the I'ublic rates for the defraying the Public & nec'essary Charge of each resi>e«tive City and County aforesaid to be the Assessors & Collectors for tlie Assessing & Collecting the said Three thousand pounds according to the proportions before Expressed in like manner as the same Public rates are Usually laid Assessed & Collected.

And In case any Manner, Town, Liberty, or Precinct within the respective Oountva, do or shall refuse, neglect, Omit or not Annually Ele^ or onc^e in the Year Choose Assessors or Collec-tors whereby the Intent of this Act may be Eluded. It is hereby Enacted by the Same Authority, That then & in such Case the Justices of the Pence for the Countys where such Towns, Maunore, liberty s, or I'recinets are, are hereby required, Impowered & Authoriz'd to Nomtnate and appoint Assessors and Oollectora for such Towns, Mannors, Libertys and Precincts, which Assessors & Collectors' shall to all Intents & purposes Observe the direccons of thi« Act as any other Assessors and Collectors are by this Act Oblige'd & enjoyn'd to do.

And be it furtier Enacted by the Authority aforesaid that the said Mayors, Aldermen & Justices of the Peace for the respec-tive Citys & Countys, have & shall have power & Authority by

virtue of this Act & are required any two or more of them or each of them by himself to Adminiater an Oath to the said Assessors, and any and every of them well, truly, equally and Impartially and in due proportion as it shall appear to them, according to their best understanding to Assess and rate the Inhabitants, Sojourners, residents and Freeholders of the respective places for which they shalhe Chosen, Assessors.

And be it further Enacted by the Authority aforesaid, That if any person or persons who shaJbe Chosen Assessors or Collectors in manner aforasaid shall deny, neglect or unequally and Impartially Assess or refuse to make such Assessment as by this Act is required or shall deny, neglect or refuse to Collect an Rum or Sums of money in forme before mentioned, Laid Taxed and Assessed & be thereof Convict before any two Justices of the Peace of the Citys and Countys where such Offenders shall happen to dwell or reside (who are hereby required & Impowered to hear Determine and do the same) shall by Warrant under the hands and Seals of such two Justices of the Peace be Comitted to the Comon Jaile there to remaine without Balle or Mainprlze till he or they shall make Fine '& Eansome for such Contempt as aforesaid. And if any person or persons of what Degree or

Digi-jzedbyGoOgiC

Quality soerer he or they ahalbe within this Colony who shall refuse, neglect or Delay to pay the Sei'eral Sum and Buma or proportions of money appointed by this Act and Assessed in umnner aforesaid, for such person or persons to pay upon Demand made by the Collector of the place where such person or peraons Bhall Dwell Inhabit or reside. It shall and may be Lawful) to and for such Collector for nonpayment thereof to distreio such person or persona so refusing, I>el«ying or neglecting by his or their goods and Chatties and the Distress ao taken to keep by the Space of four days at the Costs and Chaise of the owner thereof, and if the owner do not pay the said Sum or Suma of money so diatrain'd for within the said Four days then the eaid IMatreas to be publicly Sold by the said Collectors for the payment of the said moaey and the overplus coming by the said Sale (If any there be) over and above the Charge of taking, keeping and selling the said Distress to be Immediately restored to the owner

thereof.

And also be it Enacted by the Authority aforesaid, That if any Mayor Aldermen or Justice of the Peace w4thin this Colony who are hereby rpquired Impowered and Authorized to take Effectual care that tliis Act be duly Executed, according to the true Intent and meaning thereof, shall deny, refuse, Delect or delay to do performe and Execute all or any of the powers dutys and authoritys by this Act required by him or them to be done and shall thereof be Lawfully Convict before any of her Matys Courts of Record within this Colony, he or they shall suffer such pains by Fines & Imprisonment as by the IMscretion of the Jus- tices of the said Courts shalbe Adjudged.

And be it further Enacted by the Authority aforesaid. That if any Artion, Bill, Plaint, Infomiacon or Indictment shalbe brought^ moved, or prosecuted, at any time hereafter against any person or peraons for any matter. Cause or thing done or Eie^ cuted. in pursuance or Execucon of this Act Such person or per- aons So Rued or prosecuted in any Court w'taoerer shall and may plead the general Issue not guilty, & give this Act & the Special matter in Evidence, and If the plaintiff or prosecutor shalbe non- suited or forbear further prosecution. Suffer diecontinuance or Verdict to pass against him the Defendant or Defendants, shall have treble Costa for w'ch they shall have like remedy as in Case where Cofits by Law are given to Defendants;

Provided always that no Mayor, Aldermen or Justice of the Peace shalbe sued, prosecuted, troubled or molested for any omission offence, neglect or mistake of or against this Act, bat withio ye Space of one year after such omission, offence, ne^^leot

Digi-jzedbyGoOgiC

or mistake, Comitted & not at anj time thereafter any thing herein Contained to the Contrary notwithstanding.

And to ye end tiat ye moneys intended hy this Act to be raised & Le^'y'd, may be disposed & apply'd to the use & uses by this Act meant & espress'd, to witi, towards the FortifyiDg the City of Xew Yorlt & to no other use or Intent whatsoever. Be

it Enacted by the Authority aforesaid. That Col Abraham De Peyster of the City of Sew Yort, be & is hereby Xominaled & appointed to be Treasurer for -all & Singular the Sum & Sums of money to be rals'd & Le^y"d by nrtue of this Act & that Capt Lawrence Bead, Capt Kobert Walters, Capt Kobert Lurting, Mr. Bobert Darkins, Capt David Provoost, Capt Rd. Willet, and, Mr Barent Reynders or any four of them shall be and are hereby appointed Commissionera to take care that the said Sums of money are laid out paid and disposed accordingly. And that all moneys to be Issued and paid out by the said Treasurer shal be Issued andpaidby Warrants under ye hands amdSeales of the said Commissioners or under the hands and Semis of four of them at least & to Express to whom for what service or for what Materials in and about the said Portificaoons and not otherwise.

And to the Intent that the (Tbvr be duely Informed of the Occasions of the CommissionerB Issuing Warrants, Uc it Enacted by the Authority aforesaid, That the Treasurer for the time being shall if thereunto- required, on the first Monday of every Mouth, lay before his Excellency an Account of all such War- rants Issued by the Commrs for the Treasurer to pay any Sum or Sums of money, wherein shall be incerted the persons name, to ■whom due, or payable, and for what, and how it affects, the XIseB and purposes intended by this Act.

And be it farther Enacted by the Authority aforesaid that the several Collectors herein this Act before menconed shall pay in the Several Sums of money by them, by viWuc of this Act to be Collected and T^ory'd to the said Treasurer or to his Deputy and to no other person or persons whatsoever, only regaining to themselves the Sum of Xine pence in the pound for all Such money as they shall so Collect & Levy as aforesaid.

And also that the said Treasurer shall dispose and pay out the moneys so by him to be received by Warrant from the said Commissioners in manner before Expressed & by no oBier order mandate or Warrants whatsoever, retaining to himself Six pence in the pound for all such mraieys as he shall receive & pay under ye penalty of forfeiting thrice ye vallue of such of the said moneys as shall by any of them otherwise be disposed of or paid, to be recovered in any of her Maties Courts in this Ctdony b Action of Debt^ Bill, Plaint or Infonnation wher«n no Esscagn,

Digi-jzedbyGoOgiC

Protection, or Wager of Law shalbe allowed the one half of the said Forfeitures to be to her Maty her heirs and Successors to be applv'd towards the Charges of the Fortifications aforesaid by the said Conuuissloners or any four of them at ye least, & the other half to be to any person or persona who shall informe & Sue for the same.

And be it also Enacted by the Authority aforesaid that ye said Ti-easurer on the payment to him, of the respeotlTe Sums of money Collected & Levy'd by ye Several Collectors, shall gratis give unto the said Collector Receipts for snch Sum or Sums of money as shall by them or any of them be paid nnto him. which Receipts shalbe to the Several Collectors aforesaid a good Suffi-cient acquittance, Release & Discharge in the Law for so much as in the same Receipts shalbe menconed and Esprest to be received.

And be it also Enacted by the same Authority that ye said Warrants under the hands and Seals of the said Commissioners or four or more of them shaihe to the Treasurer aforesaid a good & Sufficient acquittance, Release and IMscharge in the Law for 80 much as in the same Warrants is mentioned & Expressed to be paid by virtue thereof As aiso for the payment of any moneys that has or shalbe advanced towards the said Fortiflcar tioos.

And be it further Enacted by the same Authority That the said Treasurer shall keep a true & Exact Aocot of all Such Sum & Sums of money as shall so by him be reeed & paid & such accot give & render at all times when required to the Governor Council & Aaeembly for the time twing when sitting and requir-ing the same.

[CHAPTER 160.]

[Chapter 160, of I>lvlDgston & Smith and Tan Schaack, wbere the act Is printed In fuU. Printed in full in Brlnler's Bradford, p. 286; B p. St]

AN ACT to Incourage the Baptizing of Negro, Indian and Mulatto Slaves.

[Passed Octolwr 21, 1706.]
WHEREAS (livera of her Maties good Subjects, Inhabitants of this Colony now are and have been willing that such Negro, Indian and Mulatto Slaves who belong to them and desire the same, should be Baptized, but are deterr'd and hindred there-from by reason of a Groundless opinion that hath spread itself in this Colony, that by the Baptizing of such Negro, Indian or Mulatto slave they would become free and ought to be sett at liberty. In order therefore to put an end to all such Doubts and

DgizedbyGoOgiC

Scruples a» have of hereafter at any time may arise about the same. BE it Enacted by the Governr Council and Assembly and it is hereby Enacted by the authority (rf the same, That the "Baptizing of any Negro, Indian or Mulatto Slave ehail not be any Cau«e(or reason for the setting than or any of them at Liberty.

And he it declar'd and Enacted by the Govemr. Conncil & Assembly and by the Authority of the same, That all and every N^ro, Indian Mulatto and Mestee Bastard Child & <aildren who is, are, and shalbe bom of any Negro, Indian, Mulatto or Mestee, shall follow ye State and Condition of the Mother & be esteemed reputed taken & adjudged a Slave &. Slaves to all intents & purposes whatsoever.

Provided, always & be it declared & Enacted by ye aald Anthorify That no slave whatBOe\-er in this Col<my shall att any time be admitted as a Witness for, or against, any Freeman, in any Case matter or Cause, Civill or Criminal whatsoever.

[CHAPTEB 161.]

[Chapter 161, of LiTlngBtou &. Smith and Yen Scbaack, wbere the title only la printed. Printed lii full In BrJnIey'a Bradford, p. 28 only la printed In Baskett, p, 81-1

AN ACT for ral-slng a Fund for the Defence

of the Pronteers & other Uses

[Passed October 21, 1706.]
BE it Enacted by the Govemonr, Council and Assembly and by the Authority of the same. That the Sum of Nine hundred Eighty three pounds and ten shillings. Currant money of New York be Laid, Assess'd Collected and Levy'd on the Estates Beal and Personal of all & singular the Freehfrfders, Inhabi- tants and Besidents in thia Colony of New York, according to the rates & Proportions following {that is to say) For the City & County of New York Two hundred thirteen pounds Six shillings and Bix pence.

For the City & County of Albany, Sixty Seven pomids & two shillings for Kings County One hundred Forty two pounds twelve shillings and six pence. For Queena County, One hun- dred Sixty Seven pounds & Six pence. For the County of Suffolk, One hundred Sixty Seven pounds & Six pence. For the County of Richmond Forty five pounds & Nineteen shillings. For the Oounty of We«t Chester, Sixty Eight poundst Eighteen shill- ings and Six pence. For the County of TJlBter Sevwity Eight ponnds fourteen shillings, & Six pence. For the Oonnty of

DgizedbyGoOgiC

Orange Two & twenty pounds nineteen Bhllllngs, and for Dutch- esH County iNine pounds & tieventeen. shillings and that the Same be paid unto the Treasurei- hereinafter mentioned, the one half therof on or before the five and twentieth day of March next ensuing & the other half thereof on or before the five & twentieth day of November Seventeen hundred & Seven.

And t>e it further Enacted by the authority aforesaid, That the Said sum of Nine hundred Eighty three pounds & ten shill- ings be and is hereby Given and granted unto her Ma'ty her heirs and Successors to be disposed & paid out & apply'd to tiie Several Uses Intents & purposes in this Act mentioned Set forth Limitted & Expressed & to no on;her use or uses. Intent or pur- pose whatsoe^'er (that is to say) the Sum of Six bnndred pounds part thereof for Outsoouts, ^yes & other Ineidentall Charges, towards Securing the Fronteers at Albany and parts Adjaceat

the Year ensuing. The Sum of One hundred Sixty two pounds thirteen shillings further pairt thereof for the pay of Captain John Bratt & the Company lately ITnder his Command who Served as out scouts In the Year, One thousand Seven hundred & four for the preservation and defence of the Fronteers of this Colony & other Incidentall Charges & Twenty five pounds to Capt Abraham Schuyler for his Journey to & Ber\'ice In the Onondage Country. And the Sum of thirty Eight pounds for the building a Guard roome & Sinking & SufiBclently Stoning a well in the Fort at Schenectady & for Materiails & other Incidents abont the aame. And the Sum of One hundred pounds part of the said Sum to be paid to Colonel Peter Schuyler towards his Services & Eiterordinary Expences to and about the Indians, relating to the Defence of ye Fronteers. And the Sum of Two and a haJf per C^ent for the Treasurer for receiving and paying the same and Nine pence in the pound to the Collectors herein-after appointed to Collect and pay the same to the Treasurer aforesaid.

And be it further Enacted by the same Authority, That the Treasurer shall give in Sufficient Security to the approbation of William Nlcoll Esqr. the present Speaker of this Assembly that he shall well & truly pey & dispose of the moneys by this Act to be raised & Levy'd to the Uses herein mentioned and not other-wise & to render a true Account thereof from time to time to the Govemr. Council and Assembly when Sitting and requiring the same.

And be it farther Enacted by the Authority aforesaid that Col Abraham De Peyster giving in such Security aa aforesaid be and is hereby nominated & appointed to be the Treasurer of all & every the Sum & Sums of money to be rais'd Assess'd, Col-

Digi-jzedbyGoOgiC

lected, & Levy'd by virtue of this Act, afld that the Commia-sioars appointed by his Excellency the QoYemr fM- managiiig the Indian affairs at Albany together with Gapt Mjndert Schuy-ler, Mr Henry Ben^aer Mr John Cuyler and Oapt Peter Van Brughen or the Major part of them sbolbe and are hereby appointed Comiulsskinera to tali^e care that the said Several

sums of money are a.pply"d, disposed & peid to the Sev'erall and respective use & Uses in this Aot before expressed & to ao other use or purpose whatsoever.

And be It further Enacted by the Authority aforesaid that all moneys to be issued & paid out by the said Treasurer by virtue of this Act shalbe issued & paid by Warrants under the hands and Seals of the said Comraissionera or the Major part of them at least, which Warauts sh-all express the names of the persons to whom & for what service or for what goods, provisions, materialls or necessarys & not othen\'ise.

And be it further Enacted by the Auth<mty aforesaid that the said Sum of Nine hundred Eighty three pounds & ten shillings shalbe Laid, Assess'd, Raised, Collected Levy'd & paid in such manner by such wayes and means under such restriccons, Regu- lations, poines, penalties and forfeitures, & with such advant- ages, priviledges & Exemptions as in & by one oertaine Act of Geaiepal Assembly passed this present Ses^iMi of Assembly, Entituled, an Act for the raising the Sum of Three thousand pounds towards defraying the Expence of Fortifying the City <rf New York, is Enacted, I>eclared, provided & exprees'd to all Intents, Constructions & purposes whatsoever as if the severall Clauses, provisoes & Limittarixms in that Act for the better aasessing, raising, Collecting, receiving & paying of the said Sum of Three thousand pounds in this present Act of Gem>i«l Assembly were Especially, fully & particiUarly Incerted setfortb, Included & Expressed.

And it is also further Enacted by the Authority aforesaid That the Treasurer hereinbefore named & the Several Collectors for the ^Collecting & gathering in the moneys herein granted & Intended to be granted shall have & enjoy, such powers, profits & perquisits & in Such methods, shalbe Exoneraited & Dis- charged, & in like manner shalbe accountable as the Treasurer and ColIeot«w8 in and by the said Aot of Assembly for raiang the said sum of Three thousand pounds are to have and are directed & enjoyn'd to all Intend Construccons & purposes wtsoever.

And for as much as some Doubts, I>ebatieBV Mistaiies & ill Con- structions have arisen Concerning the Eleetfott & Du*y <rf flie AsBessors for the City of Albany no Such officer or ofBcera being

Digi-jzedbyGoOgiC

meation£d in their Chai'ter & whei-eaa Hesdric H-ansen and iWessel ten Broeck were on the first Tuesday in Aprill last past elected & Chosen AssesBOra for tlie City of Albany for the Year tJien ensuing by the Freeholdere & Freemen of the said City. Be it Enacted by the Authority aforesaid that the aald Hendric Hansen and Wesael ten Broeck, shaJbe, & are hereby declared to be Aaseeaora for the said City of Albany untill the first Tues-day in Aprill next EuBuing. And that the Freeholders & free^ men of the said City of Albany shall within twenty Dayes after flie publicatioQ of tils 'Act Assemble & meet tc^ether & by the Majority of Voices Elect and Ohooae four other Assessors, whiich tour persons so to be Chosen, together with the said Hendric Hansen '& Wessel ten -Broeck sbalbe intrusted with the powers do (he lihe datys & be Sabjecrt & liable unto the same paJna & penalties aa any other Asseesore by the Laws of this Colony are Subject to, Oaght to perform, & are required and enabled to do, and shall continue in the same office or Station untill the iret Tuesday in Aprill next Ensuing at which time Six New Assessors are hereby directed to be Elected & Choeen for the said City & from thai time Annually, that is to say, two Aasess^ ore for each Ward within the said City of Albany.

[CHAPTER 162.]

[Cbapter 162, LlvlagstoD & Smitb and Van ScSaack. where the Utle onij Is printed. Tbe act Is not printed In any edition of Bradford BiskettJ

A2f. ACT to furnish the Towns Guards at Schenectady in the County of Albany wiith' firewood, & to repair the guard House & gates of that Towoe

(PasBed October 21. 1700.]

FORASMUCH aa the Towue of Schenectady is one of the utmost Ironteer Garrisons In this Colony of New York, where every night guards are kept for the S^ecurity of the said Towne ye Inhabitants thereof hitherto by tunw-s have willingly pro\-ided the Town guard with firewood and now refuse to continue so, &

that ye gates belonging to ye Fortification of the said Town & the said guard Honse Stmietimes requiresi mendlngv for ye Supports thereof the said Towne h-ath no fund. Be it there- fore Enacted by his Excellency ye GoTem'r & CouncU & Bepre- BPntatiTPS rVmven'd in General Aaspmbly '& it is hereby Enacted that there be laid, Assessed, Levy'd, & Oollected wi ye Free/
76

Digi-jzedbyGoOglC

holders and luhabitaiitB oif the sajd Town & places Adjacent thereto belongiug tkt much firewood as will Supply the guards of the said Town during this present Warr with the French onr Enemies, & also to raise the Hum of Tenn pounds Yearly during this said Warr, t» repaire ye gates & guard House of the said TowBe, which firewood & Sum of money as aforesaid ahalbe Assessed by the Assessors of the said Towue and a^ijacent places as afoi-esuld for the time being by Warrant under the hands & Scales of the Justices of ye said Towne for the time being, which AsseBsors are hereby required equally, duly and Impartially to AssesB & rate the said Freeholdere & Inhabitants for their respective proportiona being first sworne Equally, doely and Impartially to make such AaBessm.ent before any the Justices of the peace of the said I'owne wliich Assessment being so made shalbe delivered to the respective Oollectors of the said Towne & adjacent places thereto belonging who are Impowered to Col- lect and pay Such Sums of money raised as aforesaid, to such person as the Justices of the said Towne shall appoint Treas- urer to receive the Same, and if any person or persons shall refuse delay or negleut to pay the sold Assessment or rate of nuDney & firewood as aforesaid, it shall and may he I^wfull for the Collectors aforesaid to Ocrflect & Levy the said money so assessed as aforesaid, & three EdiUlings for each sleed or Wag- gon Ixiad of firewood by distress on ye Goods & Chatties of the defaulters by Warrant under the hand & Seale ot ye said Jus- tices or either cf them.

And be it further Enacted by the Auth^Kity aforesaid fliat if the said Justices or either of them the Assessor or Asseesors Collector or Collectors or Treasurer as aforesaid shall Deny, refuse delay or faile to perf<«m & Execute all & every or any

Clause or Article required In this Act they & each of them so Denying, n^Iecting, refusing or failing as aforesaid, shall forfeit five pounds Currant money of the said Colony, for every such offence, to be recovered by any person who shall, sue for the same; in any Court of Record In the said Colony, and this Act to Continue for and dutlng the terme of three yearee to Commence the first Tuesday In Aprill last and Continue nntill the first Tuesday Tn Aprill Seventeen hundred & Nine any thing herein Contaiined to the Contrary hereof in any wise notwithstanding

Digi-jzedbyGoOgiC

[CHAPTER 163.]

[Chapter 163, Livlngaton & Smltb and Van Schaacl^ where the act ia printed la full. The act la not printed In any edition of Bradford, BaBkett]

AN ACT for the better raising, Levj- ' ing and defraying ye necessai^ Charge of, the Mauuor of Bensiaerwick in the Couaty; of Albajiy.

[Paseed October 21, ITOa.]

BE it Enacted by ye Govp Council & ABsembly & by ye Authority -of the Same, that ye Supen-isor for ye Manaor of Eenelaerwick in ye County of Albany for ye time beiog shall yearly & every year with ye other SuperviBOTB of the said County (a« according to ye late Aet of General Assembly ought to be done) compute all such necessary & Contingent charge as he & tbey shall find the said C^nrnty properly Chai^eably with, & also shall bimself Compute and ascertain the necessary & Conrtingent Charge that peculiarly haith been, now is, "and Annually hereafier shall or may be, in the said Manner, & the same transmltt under his hand & Seal to the Assessors for the said Mannor & that ye same be Collected, Levr'd and paid in Buch methods as by an Act of General Assembly Entituled an Act for the better ex.plaining & more effeotuall putting in Execu- con an Act of General Assembly made in the third year of the

reigne of the late King "William and Queen Mury, Entituled, an Act for defraying ye publick and necessary Charge through out this Province & for maintaining ye poor and preventing Vaga- bonds, and one other Act Entituled an Act for defraying the Comon and necessary Charge of the mannor of Eenslaerwick in the County of Albany is Enacted, directed and provided.

And be it further Enacted by the Aifthority nforeeald that the Inhabitants of the said Mannor being Prerfiolders shall yearly and every year elect and Chuse by Majority of ^'oices three Assessors and three Colleetors to serve for ye Mannor aforesaid who shall have the same power Authority, office and Function and do performe. Execute and Serve and be lyahle to the same pnins and penalties as other Assessors and Collpctors by the Laws of this Colony ought or are intended to have, do performe and are lyable to.

And be It further Enacted by the same authority that for the preventing of all shifts and tri-'liR Contrvved to evade the force of this or any former Act. it Ir hereby Declar'd that the Mannor aforesaid can hv no reasonable ConBtruction be intended to be

Lc;-,:uJbyC00gIC

Divided fr(Mn the said County, nor that the Charge for killing of Wolves can be laid on the said Mannor only, but is- properly Chargeably on the whoU County of Albany otoreBaid.

[CHAPTER 164.]

[Chapter 1«, LlTlngstoD & Smith and Van S<'baack, where the tlUe only Is prluted. The act is not printed In auy edition of Bradford, Baskett)

A BILL to enable the Mayor, Becorder, Aldermen and Comonalty of the City of Albany for the time being to raise moneys for defraying their public and neccBsary Charges Annually

[Paused October 21. 1706.1

IN order that the City of Albany may be enabled to defray the public necessary ("harges thereof. Be it Enacted by the GoYer- nor, t\)uneil & Assembly & it is hereby Enacted by the Author- ity aforesaid. That it shall & maybe Lawtull for the Mayor, Becorder, Aldennen & Comonalty of the said City for the time being in C<nnon. Council, Conven'd & Assembled or Such Mem- bers of them as do make up a Comon Council, once in e\ery Year or oftener, if there shall be occasion during the time and Space of three Yeares to Conience from the fourteenth day of October Instant at such time and times In ithe month of June in every Year they shall think fit to order the raising such Sum and Sums of money not exceeding the Sum of Sixty pounds in every year by a Tax upon the Fi-eeholders, Inhabitants, Rt-aidents & Sojourners of & in the said City as they or the Major part of them shall agree to be nt^'essary for defraying the public Charge of the said City, as also to Tax for raising new Stocadoes for the said City and repairing the same as Occasion shall require together wiith firewood for the Militia Guards of the said CSty, for the terme of three Yeares as aforesaid pursuant to which order the Mayor or Becorder of the said City for the said Oty for the time beiug shall forthwitii thereupon issue his War- rants to the Assessors and Collectors for the time being of each Ward respectively, requiring thero. to make such Assment and Collections and to pay the some to the Treasurer of the said City for the time being in Such Convenient times respeetively for the Assessment and payment thereof as shalbe agreed npon' by the said Mayor, Recorder, Aldermen and Oomon Conncil or the major part of them which said Pum or Sums of money shall by the said Trwisurer be paid to the uses aforesaid and accounted for in Such manner & forme, as o^her public moneys have been

Id the hands of other former Treaenrers of the said City. [And be it further Enacted by the authoiitv aforesaid that if any per- aon or persons shall neglect or refiise to pa; any Sum or Bums of money whereat he or they are rated or Assessed by virtue of this Act that It shall be LawfuU for the Collector thereof to Collect & Lery the same by distress and Bale trf their gooda & Chatties with reasonable Charges of distraining returning the overplus to the ovnier. And be it further Enacted by the Authority aforesaid that the Treasurer and the CoUectnre herein menooned shall each have and receive Six pence in th«! pound out of the moneys Collected and paid by them respectively by virtue of

this Act And be it further Enacted by the Authority aforesaid, that the said Assessors, and the Supervisors and AsBessors for the Ciity and County of Albany for the time being shall be and are hereby Obliged to do and perfonne their respective dutys gratis.

[CHAPTER 166.]

[Chapter 16S, Livingston & Smith and Van Schaack, where tbe tllle only is printed. The act Is not printed In any edition of Bradford, Basfeett It expired October 24, 1T09.]

AN ACT for regulating the Inner Fences of Land in the County of Altmny.

IPaaaed October 21, 1706.]

For preventing of the disputes that do often happen in the Conntj of Albany between the lohabitants conceraing the dam- ages done by Cattle and horses Occasioned by the insufficienoy of Fences between their respective Lands, And whereas some persons in the said County do wholly refuse to make such fences and others do neglect to mend the same on their respective part thereof. Be it Enacted by the Governor, Council, & Assembly, and by the Authority of the same that all the Fences betwewi the peepectifve lands and fences within the County of Albany already made & frcan & after the first Day of May in the Year of oar Lord 1707 to be made or to be mended shall and are to be of the height of four foot and a half good & suffleient ai^ainst horse & other Comanable Cattle, Sheep, '& boggs only excepted for which the BespectiTe Owner or" Owners are to make good & suffi- cient Fences att their proper Cost and Chaises as if this Act had not been made any thing herein contained to the Contrary hereof in any wise notwithstanding and be it further Enacted by the Anthority aforesaid that all and every the Inhabitants of the said County of Albany reapeotively in the several! parts of the •aid Coonty where their Lands & Plantations do ly And where

jdbyGoOgic

Buch fence and fences as b; tbis Act are directed are not made

are hereby permitted to gire Notice thereof onto aucft of his or their respective Neighbour or Neighbours who border or jojTi upon him or them to make or mendOiIs or their Proportion of the fence or fences 'necefi8ai7 & requisite between him or them According to the Quantity of Lands so bordering or Jojning together to make up or mend hi<a or their proporcon thereof (m or before the first Day of May in the Year 1707 aioresaid pro- vided Buoh Notice be given in the presence of One or more Wilt- neasea at any Day in the Last Weet of the month of DecHnber now next Ensuing And if any person or persona npon such notice as aforesaid stiall and do not on or before the said first day of May aforesaid make or cause to be made mended or canse to be mended his her or their proporcon of the Inner fences aforesaid in manner aforesaid he or they shall forfeit for every such offence the Sum of fourty Sliillings Currant mony of this Province to be Recovered Employed and Levyed as in this Act is hereafter declared And be it further Enacted by the Authority aforesaid that if any pei-son or persons who ahaJl ait any time hweafter be convicted of the ofTeuce aforesaid, & shall & do not within four- teen Days next & after such Conviction make or cause to be made mended or Oause to be mended his her or their proporcon of the fences aforesaid in manner aforesaid that then & in such Case upon Complaint & proof made thereof IjePore any two Justices of the peace of the said County One whereof to lie of the Quorum who are hereby Empowered by Warrant under their hands & Seals to Oommitt such party or partys to the Common Goal of the said County there to be & remaine without Bail or Mainprize untill such time his or their pw^rcon of the fence »w fences shall & be made or mended in manner afoiresd And be it further Enacted by the Authority aforesaid that ye same manner & Method for the making & mending of Inward fences be from Year to Year continued in the said County under the same forfeitures & pains & under the same directions as is hereinbefore declared Be it allways pnnnded that the forfeitures arising by this Act be levyed from time to time on the Offender or Offenders by the respective Tonatable Mannors Towns Jurisdictions & precincts of the sd County and be imi>loyed for the Defraying the neces- sary Charge of the Respec^ve Mannor Town Jurisdiction or precincts where tlie offence shall happen t»be committed, and if any doubt do arise concerning the sufficiency or insnfllciency of the Fences aforewiid it shall and may be Lawful! for any two of her Majestys Justices of the Peace by Warrant under their hands & Seales to apptrint two of the Neighbonrfiood to view the same

Digi-jzedbyGoOgiC

and make their report of the Matter within three Days then nest Ensuing which persons ava to receive euch Six Shillings 1' l>ieia to he paid bj the Offender wlioae fence shall be waniting or be insufficient or els be paid by the party making such Complaint PltO\'IDED that this Act sliall not debarr any person or persons in the County to bring bis or their Action or Actions at law for damages suffered and hereafter to be suffered and Sustained by the insufQciency or want of such Fence or Fences as aforesaid or by any unruly hoi«e8 or Cattle wtsoever And be it further Enacted hy the Authority aforesaid that the Court of quartr Sessions of the peace for the said County be and are hereby impowered and Directed at their next meeting at the Chaise of the said County to cause to be made at such place or places as to theui shall seem meet aa nnmy Pounds- as they shall think fitt for pounding of Cattle as shall be found doing of hui-t or Damage in the said County And cause e\'ery of them to be under the direction of a Constable who is to receive for his fees for every horse Mare or Colt three Shillings for every head of neat Cattie three BhilliogB for every Calf nine pence for every Sheep Eigh- teen pence for every hogg Eighteen pence to be paid by the party whose inner fence shall be found insufRoient According to this Act or els by the Complaint any Iaw Usage or Custom to the contrary hereof notwithstanding.

PROVIDED always that thia Aot shull be in force and con- tinne for three Years and no longer any thing herein contained to the Contrary hereof in any wise notwlthstainding.

THE ELEVENTH ASSEMBLY.

SKrsi Session.

(B^un Aog. 19, 1708, 7 Anne, Edward, Lord Oombury, Gorep-

nor.)

[CHAPTER 166.]

[Chapter 166, Livtnfrston & Smitb and Van Schaack, where the title only ts printed. Printed In mil In Brinlej's Bradford, p. 300. Title

Is printed in Baskett, p. 93.]

AN ACT for Baislng a Fund for presents to the five Nations and for the Drfence of tihe Frontiers.

CPassed September 18, 1708.]
Be it Enacted by the Govemour Council and Assembly, And by the Authority of the same That the sum of TweJve hundred potmds Currant money <d the Ccdony of New York be Laid,

. '.".ooglc

608 LAWS OF THE COLONY OF IsEW YORK.

Asseflsed, Collected aod Levyed on the Estate* Real and per-gonal of all and Singular the Freeholders, Inhabitants and Besi-denta in this Colony according lo the Kut«s and pw^wrtdona following (that is to Saj) For the City and County of >'ew Yorit Two hundred & Siity pounds four HUilllngB and three pence For the Olty add County of Albany Eighty One pounds Sixteen Shill-ings and Nine pence For Kings Ootinty One hundred and BcYpmy four pounds For Que^'us County Two hundred and three pounds Eighteen Shillings For the County of Suffolk Two hundred and three pounds Eighteen Shillings and one penny For the County of Ulster Ninety five pounds Nineteen ShUl in gs For the County of West ('hester Eighty four pounds One Shilling and ten p«ice For the Coiinty of Richmond fifty Six pounds One Shilling and thn-e penc* For the County of Orange Twenty four pounds For l>utcht'88 County Sixteen i>ounda and ten jx-nce.

And that the same be paid into the bands of Colonel Abrahsnt De Peyster nominated and appointed Treaaorer of this Colony on or before the Twenty fifth of March next Ensuing.

And be it furtlipr Bnat'ted by the Authority aforesaid, That the said Sum of T«'e!ve hundred pounds be and is hereby given and Granted to Her Jlajesty hep Heirs and Successors to be Pia-pofled paid and applied to the Sundry uses purposes and Imtents, expressed Limitted and appointed by this Act and to no other use and purposes whatsoever. That is to say four hundred & fifty pounds part thereof to be laid out in good goods Suitable and proper to be presented and given to the flBve Nations and

Schagkook Indians to Encoumge them to Continue their Obedi-
•once and Loyalty to Her Majesty her heirs and Successors and the
Sum of Two hundred pounds part thereof be paid by the said
■Treasurer to Colonel I'eter Schnyler Mr Evert Uanker, Mr John
Abeel, Mr ITendrick Hcnsen Tind Mr Hendriek Van Renslaer who
or The JIajor part of them are hereby appointed Commissioners
to IHrect tiiat the said Sum of four hundred & fifty pounds be
IMsposed and apply'd for prpfiertts as aforesaid and the said sum
of Two hundivd pounds be Diapoa'd and paid as the Major part
of thein shall appoint to the Sfrerall and Respective use and
uses of Spies and Incidentals relating tboreimto and to no other
use and purpose and to be issued by Warriints under the hands
and Seales of the snid Commissioners appointed by this Act, or
the Major part of them to every of wiiicli Warrants shall be
annexed a tme and perticuler Account of the Names of the Per-
son to whom, for wliat Ser\'ice, Oooda, provisions, Mnterials and
necessaries. And for the better Securing the Frontiers afore-
said the Sum of five hundred pounds is hereby appropriated for
the pay and Incidental Charge of Sixty Eifective men their

proper officers ihclnded Vizt Oae Captain two l^eititenantfl three
BerjeantB. tliree Corporalls and one Drum for fire Months to be
posted on the ffrontierB at or neer Albany from the Twentieth
Day of October next Ensuing untill the Twentieth Day of March
next followiDg and no Longer And that the said Sixty Men be
Detacht and drawn out of the Severall Counties within this Pro-
vince Except the Counties of Albany and Ulster in proportion
according to the Number of men in each County, Excepting that
his Excellency do please to appoint a Captain at Albany of the
said men And that the sum of fifty pounds being the Bemaining
part of the said Sum of Tn'elve hundred pounds be paid to
Colonel Peter Schuyier towards his Services and Extraordinary
Expenses to and about the Indian affairs relating to the Defence
of the Frontiers for the year Ensuing, whose Beceipt to the
Treasurer shall be his Warrant and Dischai^ for the Same.

And be it Enacted by the Authority aforesaid that on the
Detaching of any man oi the Militia in this Colony for the Ser-
vice before mentioned the Colonel or other Comission officer in
the Colony or precinct where any man or men shall be so Detacht
shall and is hereby Bequired gratis and without Delay at the
Bequest of the person or persons so Detacht to give under his

hand a Certificate of the time such man or men are Detacht, which Certificate and also a Certiflcnte from the Captain to be Commissioned by his Excellency for this Service and who Like- wise on the Bequest of such person or persons is hereby Bequired gratis and with out Delay to give the Same of the Duty and Ser- vice by this Act intendeii to be performed shall be a Sufficient Warrant and Authority To the Treasurer aforesaid to pay and Sattisfy the pay and moneys by this Act so raised and I#vyed for such Service and shall be to him a Sufficient Dischai^ for the snme. And that a Certificate from the OommissionerB aforesaid or the Major part of them shall be in like manner of the same- force for the payment of the Captain and two Leiutenants to be Commiseionated for the Comand of the men to be Baised and posted as aforesaid.

And be it further Enacted by the Authority aforesaid, That the said sum of Twelve hundred pounds shall be Laid Assessed, Baised, Collected, Levyed and paid in such manner by such ways and means, under such Eestrictions, Eegulations, pajnes, penal- ties and forfeitures, and with such advamttages, priviledges, and Exemptions as in and by one certain Act of Assembly, Entltuled an Act for raising the sum of Three thousand pounds towards defraying the Expence of ffortifying the City of New Yorit Is Enacted, Declared provided and Expressed to all Intents Oon-
77

Digi-jzedbyGoOgiC

Btructionfl and purposes whatsocTer, as if thef Severall ClaoBes Provises and Limittationa in the said Act were hereia fully and particulai'ly ineerted, inclnded and expresaed.

And moreorer He it Enacted by the Authority aforesaid that over and above the Respective Sums before Enacted and appointed to be paid by the Several] Citys and Countys in thia Colony before exprest they Shall by Virtue of this Aot be asses»'d Raised, Collected and Levyed the Sum of One Shilling and three pence per pound to be Disposed and applyed, Nine pence pw pound to the C<dlector RespectiTely and Six pence per pound to be paid into the Treasura" afopesaid.

[CHAPTER 167.]

[Cbapter 1S7, Livingston & Smith and Van Schaack, where the act U printed In full. Printed la full In Brluley'e Bradford, p. 2&4; Baak 88. LIvinicstoa & Smltlj and Van Rohaack, ant! Baiikott aUite that t was conflnned by the Crown, December 15, 1700. Revived by cbapter 3

AN ACT for Encouragement of T\Tialling.
[Passed September 18, 1708.J

BEE it Enacted by tbe Govemour Council and Qenerall Assembly And it is hereby Enacted by tbe Authority of the Same that hereafter any Indian that is Bound to go to Sea a "Whale fishing shall not at any time or times between the flrat "Daj of November and the fifteenth Day of Aprill f<rflowing yearly bee sued Arrested Molested Detained or kept out of that Employ- ment by any peraon or persons whatsoever pretending any Con- tract Bargain Debt or Dues unto him or them Except and only for or Concerning any Contract Debt or Bargain Relating tl» undertakt-ing and Dcsigne of the ^Vhale fishing and not other- wise under the Penalty of paying treble Costs to the Master of any such Indian or Indians so to be sued arrested Molested or Detained,

And be it further Enacted by the Authority aforesaid That if any person or persona shaJl purchase take to pawne or any ways gett or Receive any Cioathing G-un or other neeeesaries that his Master shall Lett him have from any such Indian or Indians or Suffer any such Indian to be Drinking or Drunk In and about their Houses, when they should bo at Sea or othw business belonging to that Designo of Whale fishing or shall Carry or Cause to be Carried any Drink to them whereby such Indiana are made nncapable of Doing their Labour and Doty in and about their masters Service between the flrart Day <rf November and the fifteenth of Aprill following He She or they so offending besides Restoring to such master such doathii^

J by Google

OuQ or other necessaries Bhall forfeit and pay to the master of such Indian or Indians the Sum of Thirty SbillingB, Current

money of New York to be Becovered before any Jiutice of the Peace in the Oaun^ where such offence Shall be Gonunitted who is hereby Authorized and raupowered to hear and Determine the Sajne and therenpon to award Execution the one half of such fforfeitures to be to tihe master of such Indian or Indians and the other haJfe to the use of the County where such Prosecution shall be made This JVct tc Continue and be of force for and Dureing the Space and Tenn of ■Seavepn years from the Publican tion hereof.

[CHAPTER 168.]

[Chapter 168, Llrlngston &. Smltb a.aa Van Scliaack, where the tlUe only is printed. Printed in full in Brinler's Bradford, p. 307. Titl oaly is printed lo Baskett, p. 83. See chapter 157. Revived by ctia 193.1

AN ACT for Reviving an Act of General ABsembly Entituled an Act for the better Setling the Militia of this Pro^nce & making it more usefuJl for the Security and Defence thereof.

[Passed September 18, 170a]

BE IT Enacted by the Gorernour Council and Assembly and it is hereby Enacted by the Authority of the same. That one Acfof General Assembly, EnBtuled, an Act for the better Selling the Militia of this Province & "making it more UsefuU for the Security & Defence thereof made in the first Year of the Reign of her present Maty eipir'd by its own IJmittation, shall be & is hereby Enacted by the Authority aforesaid to he of force for & during the Space & terme of one Year from the first day of September in this present Year, One thousand Seven hundred & Eight and no longer.

BE it further Enacted, & it is hereby Enacted by the Authority aforesaid, That for & during the time aforesaid, All persons by the said Act Exempted from being listed tn the Militia Com- panies of the City of Albany and aJl other person or persons who have heretofore born any ODBce Civil or military within the flaid City (the Justices of the Peace for the time being only Excepted) be with all speed Listed into one Company under the Commanil of such Ofiicer and Ofltcers as his Excellency shall think fitt to appoint, which said Company is hereby ordered &

directed to take its respective turn in mounting and keeping the Night Guards In the said City, and all persons to be listed therein, are hereby made lyable to the same, & like Fines '& Forfeitures as other the Militia Companies In the said City &

. '.iooglc

Oomitj by the said Act are made Lyabte unto, tiiey yet remaining Free & IMacharged ol all other Milltaiy Services Ceses of Alarms Excepted.

AXU be it further Enacled by the Authorlly aforesaid, That in Ciises of Alarm, the Juatict-s of the I'eai-e wilhln the said Ci & Counrty & not being military Offic'ers are to Join themselves to the said Company for the Comon defence of the said City Ss County on the I'enalty as for neglect of such Duty, aa by the said Act is appointed

ASD be it further Enacted, by the Authority aloresaid that every Militia Officer within the said City, who shall be absent from the Militia Watch in his respective turn, or shall not stay there all the Night (Sickness Excepted) shall for every such offence for- feit the Sum of Six Shillings Currant money of Xew York to be Levyed by Distress on the Offendora Goods & Chatties by War- rant under the hand & Seal of any one of the Field Officers within the CSty & County, to be applyed to- the uses in the eeld Act directed. The said Act or any other Law, T'sage or OuatMne to the Contrary hereof in any wise notwithstanding.

[OHArTER Ifift.]

[Chapter 169, LiTlDKSton & Sniltb and Van Scbaack, where title only la printed. Printed in full In BrInley'B Bradford, p. 289; Baakett p Expired, Septeniber 18. 1710. Llvln^ton & Smith and Van Schaack, state that It was supplied by an act of Parliament.]

AN ACT for ye Enoouragetnent of the P<wt Office within this Province.

[Passed September 18, 1708.]

WHEREAS the Publick PostOffice within this City of New

York hath been found by Several yeares experience to be very advantagious to this Province in the Carrying and BecartTing Letters and other Dispatches with Speed and Safety, whereby a Mutual Correspondency amongst all our Neighbouring Colonies and Plantations hath been maintained, and Trade and Com- merce been presented ; To the eud therefore that tiie Same may be so mannaged and Encouraged, that Speedy and Safe Dls- I>atches may be had, which is most Likely to be effected by Ascertaining and establishing such Rates and sums oi m<Hie7 upon Letters and parquets that shall be Received and Dis- patched by ye said Office, as may effectually encourage the Same, Be it therefore Enacted by the Governour, Council and Qeneral Assembly, and by ye Authority of the Same, That the said Gen- eral Post Office shall Remain, Continue and be in some Con- venient Place within the Citty of New Yorit, from wh«ice all

.., C A.>(.>glc

Letters and pacqaets whatsoever may be IMspatclied with Eipe- dition into any part of our Neighbouring Colonies and Planta- tions on this Main Land and Continent of America, or to an; other of her Majestys Kingdoms and Dominions beyondfthe Sees, att w'ch said office all Returns and answers may be Likewise Beceived; and that there ^lall be one post-Maater General of the said office, from time to time appointed or Deputed by her Majestys post-master General, for the time being, in the King- dom of Great Britain, which said Post-master General for the time being, his Deputy or Deputies, Servants and Agents by him thereunto Sufficiently Authorized, and no other person or persons whatsoever, shall froiu time to time have the Keceiving, takelng up, ordering. Dispatching, sending po^t or with Speed, and delivering of ali Letters and pacquets whatsoever, which shall from to time be sent to and from all and every the adjacent Colonies and Plantations on this main Land and Continent of America, or any other of her Majesties Kingdoms and Domin- ions beyond the Seas, where he the said Post-Master General shall Settle, or Cause to be Settled, Posts or Runing Messengers for that purpose, Except such Letters of Merchants and Masters which shall be sent by any masters of any Shippa, Barques or other Vessels of Merchandize, or by any other person Imployed by them, for the Carriage of such Letters aforesaid, according to

the Respective Directions, and also except Letters to be sent by any I'rivate ffriend or ffriends in their Ways and Journeys, or TraveljOrby any Messenger or Messengers sent on purpose for or ConcerningthePrivate Affairs of any person or persona And be it further Enacted by the Authority aforesaid. That it shall and may be Lawful to and for such Postmaster General to be Ooo- stituted and appointed, as aforesaid, and his Deputy or Deputies by him thereunto Suflficlently Authorized, to Demand, haTe^ Beoeive and take for the portage and Conveyance of all such Letters which he shall so Convey, Carry or send Post, as afore- said, according to the Several Rates and sums of Currant Money of this Oolony hereafter mentioned, not to exceed the same, that is to say, Por the port of every Letter, not Exceeding one Sheet, from Europe, the WcBt-Indies or elsewhere beyond the Seas, Four pence half penny Currant money aforesaid; All Merchants Accounts not above a Sheet, bills of Exchange, Invoices & bills of lading shall he allowed without Bate in the price of the Let- ters; and also, the Covers of the Letters, not Exceeding a Sheet of paper, from any places beyond the Seas. And for the port of every pa^qnet of T-etters, Nine pence. And for ye port of every Letter not Exceeding one Sheet from Boston to New-York, or from Mary Land to New- York, Nine pence Cnrrant

H;-,:.tll:yG00gIC

money aforesaid. And for the like port trf every Let- ter not Exceeding two Sheets, Eighteen pence. And for ye Like port of every pacqoet of Letters, or other thing whatsoever. Eighteen pence for every onnce Troy-wei^t. And for the port Ot every Letter not exceeding one Sheet, from Virginia to New- York, Twelve pence Cuirant money aforesaid. And for ye like port of every Letter not exceeding two Sheets, two Shillings Cnrrant money aforesaid. And for ye Like port of every pacquet of Letters, or otherthiag whatsoever, Two Shill- tngs for every Ounce Troy weight And for ye Port of every Letter not exceeding one Sheet to or from any plac«^ not exceed- ing Eight; Miles distant from New York, four pence half penny Currant Money aforesaid, and for the like port ot every Letter not eiceeeding two Sheets, Nine pence Currant Money aforesaid. And for ye Like port Of evMy pacquet of Letters, or other tiling whatsoever, Nine pence for every «ance Troy weight And for

the more effectual encouragement of ye said General Post oflce, Be it further Enacted by ye Authority aforesaid, That all ye Respective Post-masters that shall be Settled in ye Respective Stages for the purpose aforesaid^ throughout the Province, shall, during the Space and time that this Act shall be in force, be freed and exempted from Excise and all publick services what-soever, except the post-master of the City of New Yorii, who is only exempted from Publick Ser\icea And be it further Enacted by ye Authority aforesaid, That no person or persons whatso-ever, or body Politick or Corporate, other than the Post master General aforesaid, shall presume to Carry, He^oarry or deliver Letters for Eire, other thani aa before exi?epted, or to set up or imploy any foot Post, horse or pacquet, Boat whatsoever, for ye Carrying, Conveying and re-carr;\"ing of any Le<tteTs or Pacquets by Sea or Land within this Colony, or Shall pn«ide and main-tain horses and furniture for the Horsping of any through Posts, or persons Riding Post, with a Guide and Horn, aa ia usual in her Majestys E*^lm of England, nj)on pain of forfeiting the sum of one hundred pounds Currant money aforesaid for every Sev-erall offence against the Tenor of this present Act to be sued and ReiHwered in any Court of Record within this Province By Bill plaintt or Infonnation wherein no Essoyn protection or wager of Law shall be admitted one third of ye sd forfeiture to the Goveroour one third to the une of the Colony to be paid to ye TreasuTer for ye time being and the other third to the Infor- . mer who shall sue and prosecute the same. Be it further Enacted by ye Authority aforesaid that all Letters and Pacquetts that by any master of any Ship or A'essell or any of bis Cmupany or any Passengers therein shall or may be brought to this Portof

...C^ooglc

New Yorit other than such Letters as are before Excepted aliaJl by such master Passenger or other person be forthwith DeliYored unto the Post jnaster of New York for the time being or unto his Serrant or Servants and by him or them to be Delivered According to the Sei-erall and Bespective directions of the same. Provided that no Letters going up or eomeing down Hudsons Kiver and going to or from Long Island Shall be Carryed to the Post Office any thing herein Contained to the Contrary hereof notwithstanding. And be it further enacted by the Authority

aforesaid that no person or persons whatsoerer or body pollitick or Corporate other than such post master Generall as shall be nominated and appointed as aforesaid, his Deputy and Deputies or Assignee shall presume to Carry recarry and Delivet* Letters for Hire other than as before excepted or to sett up or Lnploy any foot post, horse post, Coach post, or pacquett boat whatsoever, for the Conveyance carrying and recan-ying of any Letters or pacquett by I^d or water within this her Majestya Colony of New York or shall provide and maintain Horses and ffumi-ture for Horseing of any through posts or persons ridd-ing in post with a Guide and home as usuall for hire, upon paine of forfeiting one hundred pounds , Currant money of this Colony for every Severall offence against the Tennor of this present Act and also for the for-feiture of the sura of Twenty pounds of like money for every weeks time any oftendor against this Act shall Imploy maintaine and Continue any such foot poet, horse post> Coach post or pacquett l>oat as aforesaid, which said Severall and Bespective fforfeitures shall and may be Sued for and Recovered by Action or Actions of Debt plaint or Information in any of her Majestjs Courts of Record within this I'rovince wherein no Essoine privi-ledge, protection, or wager of Law Shall be admitted, and the said Severall and respective forfeitures that Shall happen from time to time to be Recovered shall be and remalne one Third part to the Governour one Third pairt to the use of the Colony to be paid in to the Treasurer for the time being and the other third thereof to such person or persons who shall or will Informe against the Offender or Offenders against this present Act, and Shall or will sue for the said fforfeitures upon the same. Pro-vided always that this present Act Doe and Shall Continue in force frMn the publication hereof for and dureing the Space of two years and no Longer any thing to the Contrary hereof In any wise notwithstanding.

Digi-jzedbyGoOgiC

LAWS OP THE COLOXY OF KEW YOKE.

[CHAPTEE ITO.]

[Chapter 170, LlTln^ton & Smith aud Van Schaack, where the title only is priDted. Printed In full In Brlnley'a Bradford p. 291. Title

is printed in Baskett, p. 87. J>lYlugstoa & Smitli and Xaa Scbaack that the act was confirmed by the Crown, December 15, ITOd. Expired 1T13. EeTlTcd by chapter 277, Repealed by chapter &17,1

AS ACT to prevent Damages by Swine
in the Connty of West Chester, QueaisOoontjr
& the County of Bichmoiid.

[Passed September IS, 1708.]
BE It Enacted by the Governour Council and Assembly and by the Authority of the same, That within the County of West Chester, Queens County and the County of Biclunond, from and after the first day of March now next Ensuing, no Swine small or great shall or do run at' Liberty in the streets Meadows or undivided or Comon Land or within their Neighbours Feilds or EncloBurea upon any pretence or Execuse whatsoever under penalty, That it shall & may be Lawfull for any person or per-sons who shall find any Swine at Liberty as aforesaid after the first day of March either in the Streets ileadows Comon or undi-vided Lands, or the Feilds or Enclosures of any person except the Feilds and Enclosures of the Owners of the said Swine, to take the said Swine & theni to Juipound in any Pound in the said Town or Precinct where they shall be taken, there to remaine untill the Owners or Owners of such Swine shall pay and sat-tisfy for the fli-st Offence the Sum of Nine pence Lawfull money of this Colony for each Swine so found and Pounded to him who shall take impound & keep the same, & for the second offence & everj- offence after the sum of three shillings to be paid in man-ner aforesaid. And in case it shall so happen that after Eight & Forty hours notice of such Impounding the Owner or Owners of such Swine shall or will not redeem his or their Swine by paying the penalties aforesaid. That then it shall & may be Lawfull for the person & persons so taking & Impounding such Swine to expose the same to open Sale to the highest bidder & the money arriseing from such Sale to dispose of the one half to Ms own propper use, & the other to the Overseers for the use of the Poor of the Town or Precinct where Such Swine shall be taken & Impounded.

And be it further Enacted by Hie same Authority that it shall & may be Lawfull for every Man to make a Pound within & upon his own Grounds, & that this Act shall in no ways Barr or exclude any man from his Danuiges done by any Swine, but that

the same may be had & recoTered, as if thU Act had never heed ■ mada.

Provided always that every & all Act and Acts heretofore ' made to remedy Damages done by Swine be and continue in ' their fall force any thing in this Act notwithstanding, & tiat this Act shall remaine in force for the Space of Five Years frwn- the said first day of March only.

[CHAPTER 171.1

[Chapter ITl, Livln^ton & Smith and Van Scbaack, where the act Is printed la full. Printed In full In Brialey's Bradford, p. 296; p. 88; LlTtngston ft Smith and Van Schaack and Baakett state that, t act was confirmed by the Crown December 15, 1709.]

AJJ ACT for Suppressing of Immorality.
[Passed, September 18, 1708.]
Whereas Prophainness and Immorality have too much abounded within this Colony to ye Shame of Christianity, and the great grief of all good and Sober men, for the Suppressing whereof for the future. Be it Enacted by the Qovemour Council and Assembly now met and assembled, and by the Aathority of the Same, that all Christians whatsoever within, this Province, who shall be Convicted of Drunkenness, Cursing' or Swearing by the Information of Every Constable within their- Bespective precincts, or of any other person whatsoever before any one of her Majesties Justices of the Peace of the City or' Connty where such fact is Committed, by the Confession of the Offender, or the Oath or Attestation of one Credible Witness' {which every Justice of the Peace is hereby Authorized to Administer) every person so Convicted Shall be fined by the saJd Justice of the Peace for Drunkenness Cursing or Swearing, 'in the Sum of three Shillings money of the Province of New York for each offence, all which flues to be Immediately LevyediUpon the offenders Goods and Chatties by the Constable aforesd by warrant from the said Justice of the Peace, and for want of- Effects to make snch Distress the said Constable by Warrant from the said Justice of the Peace, shall Commit the offender^ to the Stocks for the Space of four hours, for Drunkenness, and; two hours for Cursing or Swearing And each Distress so made as' aiK>ve said to be by the said Constable Sold at a pubKc Out. Cry (unless Redeemed by paying the fine withinn three days) atad

after full payment of Said fine the Overplus if any be) shall be retnmed to the owner; and all such fines to be by the ConstabteBi aforesaid Immediately paid to the Overseers for the Poor of the| tfd City or County where such fact is Committed for the aae'ofi

78 ■ ■ ■■;

Lc;–,:.tll:yC00t^le

the Poor of that City or CouDty for all which fines the Overseers of the poor Shall be AccooDtable Yearly to the Justices in their Generall Quarter Sessions of the Peace And every Negro, Indian or other Slaves: That shall be found gillty of any of the above–said facts or talke Impudently to any Christian Bhall BnCfer So many Stripes at some publick place as the Jostice of the Peace ill Buch place where such offence is Committed Shall think fit: not exceeding forty Any Law Custome or usage to the Contrary: hereof in any ways not withstanding.

[CHAPTER 172.]

– [Chapter 172, Livingston & Smith and Van Schaack, where the act I printed In fuU. Printed in full in Srlnley'a Bradford, p. 292; Basli 87. Livingston & Smith and ^'an Schaatb. state that the act waa con firmed by the Crown. December 15, 1700. Repealed In part by chap. 26 Further provided for by chapter .116.]

AN ACT for the more Effettuall preser–
vation of Deer and other Game and ye
I>e8truction of Wolves Wild Catts and other
Vermin.

[Passed. September 18, 170&]

BEE it Enacted by the Govemour Councill and Generail Assembly and by the Authority of the Same That from and after the Publication hereof Whatsoever person or persons ffree Man or Slave Christian or Indian shall Destroy or kill any Wolve or Wolves, or their Whelp or Whelps, any Wild Catt or Wild Catts, their Catling or Catlings any Foi or Foxes their Puppy op Puppyes and Squerells Crowes and Black Birds or their young Ones in the Countyes of Suffolk Queens County and Kings County shall have and Receive as a Reward for each Wolfe so Destroyed

and Killed the Sum of fflve pounds Current money of this Colony; and for every such Whelp under a year Old so Destroyed and Killed the sum of ffifty Shillings Current money aforesaid; And for Each Wild Catt and Fox the Bum of three Shillings and for each their Catlings puppies or Cubs EightPen pence and for each Squerell three pence and for Each Crow three pence and for every their Young Ones two pence and for Black birds after the Rate of four pence half penny the Dozen and their Young ones three pence the Dozen And that in the County of Richmond for Killing Wild Catts. Foxes, Crows and black birds and their .Young Ones the like price and Reward above mentioned

And for ye more effectual payment of ye said Rewards Bee it Enacted by the Authority aforesaid that the samp Rules Courses and Methods fforfeitures and penalties be had and used in all and every Respect as are Enacted mentioned and Expresst in an Act made In the firet year of her Majpsties Reign Intituled An 'Act for Destroying of Wolves within this Colony

Lc;–,:.tll:yG00gIC

And for the preservation of Deer and other Game –within the' Countyea of Suffolk Queens Count and Kings County aforesaid' Be it Enacted by ye Authority aforesaid That whosoever within the Conntys last above men^med ChrlstiaD or Indian flreeman or Blave after the PublicacMi hereof shall kill or Destroy any Back Doe or flawne, or any sort fff Deer whatsoever, any Wild Turkeys, heath hens, Partriges or Quailes their Eggs or young Ones at any time of the year except the times and Seasons herein after mentioned and Expreet, That is to Say (or Deer between die first day of August and the first day of January and for Turkeys, Heath hens Partriges and Qnailes between the first day of August and the first day of Aprill shall fforfeit and pay, lor eveiy such Buck Doe ffawne or other Deer so Killed or Destroyed Bfl aforesaid the amn of Thfrty Shillings LawfuII money of New York or in default thereof Suffer Imprisonment fiw the Term and Space of Thirty Days without Bail or Mainprize, unless within that time he or they pay the forfeiture aforesaid, and for every Wild Turkey, Chicken or Egg killed or Destroyed as aforesaid the Sum of five shilHugB like Current money aforesaid or in Default thereof Suffer Imprisonment for the Space of five

days as abovesaid And for every Heathen, Partrige or Quail their Eggs or young Ones so Killed or Destroyed as abovesaid the Sum of two Shillings and Six pence or two Days and one halfes Imprisonduent as aforesaid; one half o^ all such {forfeit-ores shall be to him who shall prosecute and sue for the Same before any One of her Majestys Justices of the peace where such offence shall be Committed, who is hereby Authorized Impowered and Required to hear and Determine the same And the other halfe to the Poor of the Bespective County where any person or persons shall be of such offence Convicted,

And for t&e better Convicting of the Offenders in all or any the Cases abovesaid Bee it Enacted by the Authority aforesaid That whatsoever person or persons with whom shall be found or Shall Expose to Sale any green Deer Skins, ffresh Venison or Dears fflesh. Wild Turkeys, heath-hens, Partridges or Quailes, their Eggs or young Ones, at any other time oC the year than what ia before Excepted, shall be held, De«ned and Judged Guilty of the said oSence, and be thereof Convict, unless he or they ^all prosecute and Conviot some other p^^on to have done the same; and that the same green Deer skins, ffresh Venison or Deers fflesh, Wild Tni^eys, Heath-h«i% Partridges or Qnailes, their Eggs and young Ones, so found as aforesaid, or any other prob-able Circumstance, at the Discretion of the Justice before whom such offence shall be tryed, shall be held to be good Evidence in Qa Offences aforesaid.

Digi-jzedbyGoOglC

And Bw it ffarther Enacted b.v the Authority aioresaid tliat if any Justice of the Peace shall neglect or Refuse to hear and Determine any of ye Cases aforesaid according to the Rules an£ Directions before ntentinned every such Justices of ye Peace so Neglecting or Refusing as aboresaid shall fforfeit for every sucb Neglect or refusall the sum of Throe pounds LawfuU money of New York aforesaid to be Recovered in ^Vny Court of Record or other of her Majestys Courts within the same County where sucb Justice of the Peace doth belong the one half whereof to him who shall prosecute and sue for the Same and the other half to the Treasurer of the County where the said offence shall be C<Mn-mltted and prosecution made to and for the use of the Same

County Provided that Kothing herein Contained is intended or shall be Construed to R<^^eal or alter one Certain Act of Assembly ma4e for the preservation of Deer in ye year of our Lord 1705 Saving the fforfeiture for Destroying of Deer But the Same Act in every other part thereof is hereby Confirmed Provided always –that the whole Reward for Destroying of Wolves and their Whelps is Declared and Intended to be only five pounds for a grown Wolf and Fifty Shillijigs for each Whelp in the whole the said Act made in the first year of her Majestys Beign for Destroying of Wolves notwithstanding.

[CHAPTER 173.]

[Chapter 173, Livingston & Smitb aod Vac Schaack, wbere the title only Is printed. Printed lii full In Briuley's Bradford, p. 205. Tit In Baskett, p. SO. Llvlngeton & Smith, Van Schaack, and Bftikett sta that the act was repealed by the Queen. March 3, 1708. For copy of veto, see Doc, Eel. to Col. Hist, of N. Y., V, p. 71.] ,

AN ACT for the Regutating and pre–
venting the Corruption of the Currant Coyn.
[PasBed October 6, 17081
For Prevention of the Oorruptiion of the Coyn Usually Currant within this Colony. Be it Enacted by the Govemoiir Council and Assembly and by the Authority of the same That frtan and after the Publication of this Act none of the Severall Coyns herein after mentioned shall be paid Received or taken but at the Bates and Value herein Limitted and Exprest and no other–wise That is to say All Spanish half Ryals fair unclipt and no manner of way defac'd at four pence half penny each All Spanish Ryalls fair unclipt and in no manner of way defac'd at Nine pence. All Spanish Double Ryalls not Clipt nor in any manner of way Defac'd at Eighteen pence. All other Spanish money of the Coyns of Mexico Seevill and Pillar peices whatso–ever at Eight Shillings the Ounce Troy. All pieces of Eight and

H;–,:.tll:yG00gIC

half pieces of the Coyn of Perue at Six Shillicgs and Eight penoe the Ounce Troy. Lyon Dollars that are good and in no manner Befac'd at Ave Shillings and Six pence each and half

Dollars snch as before mentioned at Two Shillings 'and Nine pence each. And that from hence forth no person or persons in this Colony shall be bound or Compell'd to Receive in payment any of the Speices of money before mentioned at any higher or greater price or Rate than is before Sett forth any "Usage or abuse to the Contrary hereof notwithstanding.

[CHAPTER 174.]

[Chapter 174, of LlvlngBton & Smith and Van Scliaack, where tbe titl only Is printed. Printed in full In Brlnle^'s Bradford, p. 295. TiUe la printed In Baakett, p. 89. The act expired October 6, 1718. (See 124.)]

JlN act for Eerlving an Act of the Gen-
era] Assembly of this Province Intituled an Act against Forging Counterfeiting and Clipping of Forreign Coyn which is Currant (money in the Colony of New York.

[Passed October 6, 1708.]
WHEREAS an Act of the General Assembly of this ProTiuce made Ln the First Year of her present Majesties Reign Intituled an Act Against Forging Counterfeiting and Clipping of Foreign Coin which is Currant money in the Colony of New- York is expired by its own Lymittation.

BE it therefore Enacted by his Excellency the Governour Coun-
cil and General Assembly of this Colony, and by the Authority of the same, That the said Act, and every Article Clause and thing therein contain'd be Beviv'd, and Continued and the same Act is hereby Revived, Continued and to remaine in Force for and during the Term of Ton Yeares from and after the Publica-
tion of this Act and no Longer.

[CHAPTER 175.]

[Chapter 175, of I.lvlcffston & Smith and Van Schaack, where the tit only Is printed. Printed in full in Brinley's Bradford, p. 305. Titl l9 printed In Baskett. p. &3. Livingston & Smith and Van Scbaack, s that this act wae confirmed by the Crown, December 15, 1709.)

A2:i ACT to Enable the Supervisors of Queens County to Repaire or to Rebuild a County Hall and Common Goal for tbe said

County.

[Passed Octotier 6, 1708.]

Whereas Divers of the Principal Freeholders and Inhabitants of Queens County have by their Petition Bet forth That the

.ilc

CouDt; Hall and Common Qoal of the said County are InBof-flclent, which have also been lately presented as sach by a Grand Inqueflt o< the same Count;.

Be it Sherefore Enacted by his Excellency the GoTernonr Council .and BepresentatiTes of this Province, in Greneral Assembly met and Assembled and by the Authority of the same that for and Dureing the Space of three years from and after the Fub-]icati<m of this Act it ^all and may be Lawfull for the Supervisors of the said County for the Time being or Major part ot them (who are hereby obliged and Beqnired to Do the same^ at any Thne at Times, within the said Term of three years to Kaise such Sum and sums of money not Exceeding four hundred pounds nor less than one hundred and fifty pounds dureing the said Term upon the Freeholders and Inhabitants of the said County for the Repairing or New Building of a Sufficient Goal and County Hall, and other things needfull for the Administration of Justice In the said County, which Sum and sums of money shall be Raised Assessed, Collected and paid In the same manner and fonn and under the same Bestrictions, pains, penalties and ffor-feltures as is Directed by one Certain Act of Generall Assembly of this Province Entituled an Act foe the better Explaining and more Effectual puting in Execution an Act of Generall Assembly made in the third year of the Beign of the Late King William and Queen Mary Entituled an Act for the Defraying of the Publick and Necessary Charge throughout this Province and for maintaining the Poor and Preventing Vagabonds, save that the penalty for every Supervisor who shall Eefuse or Neglect hla Duty therein, to be Twenty pounds and the Treasurer of the aald County unto whom the said sum and sums of money is to be paid shall keep a Distinct Just and true Account thereof and make payment of the same to and for the Uses aforesaid and tO' no other use or uses whatsoever.

[OHAPTEB 176.]
[Chapter 178. of Livingston &. Smith and Van Scbaack, where the dU» only Is printed. Printed In full In Brlnley's Bradford, p. 2ft4. Tit Is printed In Baskett, p. 88. Livingston &, Smith and Van Schaack, that this act was repealed by Ihe Queen December 15, 1700. See Lett of rx>rda of Trade to Gov. Hunter, Doc. Bel. to Col. HlBt., of N. p. 157.1

AN ACT to Relieve this Colony from
Divers Irregularitys and Extortions.

[Passed October 6. 1708.]

Her Majesties most Loyall Subjects Inhabiting the Colony and

Plantation of New YoA in America deeply Senclble of many

irregularities introduced and Eztortiona which fnnn time to time

to their Extream grief and Loss they hare laboured nnder most

1 1., Google

Humbly and earnestly pray your Eicellency that it may be Enacted and IJee it Enacted by the Qovemour Council and As0em.bly and by the Authority of the same.

That hereafter no Coroner or Coroners may bp appointed in the SeveraJl Citys and Countys in this Colony withoat Her Majes- tiea Writt To Elect a Coroner be issued and Directed to the Severall and Eespective Sheriffs for the ffreeholdere to Chooee and elect such Coroners as is ajid erer has been the Common Law practice and Usage of Her Majeetiies Realm of England.

And in Begard itt is allways has been the UnquestiooBble Bight of every ffreeman in this Colony to have a perfect and eiitire jHOpert? In Ma goods and Sbtate KotivithstaiKMng wbloh many great Unreusonable and ezoeesive tdums ot money have been Ezaoted and Levyed on hee Majesties Bnbjects here not only l^ tbe Collectors of the Dutys and Cnstomes on goods

Import^ and Exported and their under ofBcerB and Servants but also by Bbetiffs bailys and their men, Olerks and many other officers and Ministers as w^l by Land as by Water under the ' Colour ct Port CSiarges, ffees, and perqui^ts very Extravagant without Reason or lindtatiou, unlawfull, and tending not Less to the Great Diacouragement of Trade and Settlement of People among us, Then lo the Driving away great Num^bers <rf the Inhabi-tants and Impoverishing of those who Remain, a Viola.tion of the Peoples property, and the Itestniction of the whole Otrfoi^.

Be it therefore Enacted and declar'd by the Authority afore-said that no sum or sums of money be shall or ought to be Imposed Levyed or Exacted from any person or peraoms in this Colony or their goods or Estates Seized tBkenr or detained under pretence of ffees port enlarges perqulslts tx other pretext or Colour whatsoever oor amy Tax or impoeltiloK laid unlen by Oon-sent of the People Oonven'd in General! Assembly and Some positive Law or Statute so Enacted agreed to and Established to justi^ and Autboriee the Same.

And be it also Enacted bv the Same Anthoritv That where any person or persons within this Colony sball'iiappen to be sued or prosecuted for any Suposed Orime, OfFence^ Tre^ass or Hisde-meanior and sliaJl be thereafter Cleared and Discharged by Verdict of a Jury of Twelve men or otherwise such person or persons shall not be bound or Compelled to pay any ffees for or Relating to his Prosecution or any thing whatsoever unless the ffeee of ye Officers Respectively, whom he does or shall tmploy, for, and in order to his Necessary Defence and Discharge.

Digi-jzedbyGoOgiC

LAWS OP THE COLONY OP NEW YORK.

[CHAPTER 177.]

[Chapter* 177, 'of ~LiTln^ton & Smith aod Von Schaack, where the title 01U7 la printed. Prloted la full In Brtnley's Bradford, p. 302. TlUe Is.Siinted.ln^Baskett, p. 93.]

AN ACT for Baiftiiig Two huadxed and fifty Three pounds Sixteen Sbillings to

Discharge the Lord Combmy from his Contract with Mister Hansan. '

[Passed October 16, 1708.1

ffor the Discharge of his Excellency tne Lord CombxipyB Coo- tract with mister Hendrick Hansen.

Be itt Enacted by the Goveroour Council and Assembly and by the Authority of the same that the sum of Two hundred and-flfty Three pounds Sixteen Shillings Lawfull money of New Yoit be Lay'd assessed, Lery'd and Raised upon all and every the Inhab- itants, Residents, Sojurners and Freeholders ot and in this Colony of New York according to the Bates and Frc^rUoDB following (that is to ya^') For the City and County at New York fifty four pounds Eighteen Shillings. Por the Ci^ and Oou)% of liUbaay Seaventeen pounds Six Shillings. Por Kings Ccontiy Thirty Six pounds fifteen ShillingB. For Queens County forty Three pounds and Six pence. For the County of Suffolk forty three potmds and Six pence. Por the County of West Chester Seaventeen poonds fifteen Shillings. For the Counl^ of Richmond Elearen pounds Seaventeen Shillings. For the County of Ulster Twenty pounds Six Shillings. Por the Coonty of Orange four pounds JSfbie Shillings. For Dutchess County foyr pounds Nine Shillings.

And that the same he paid into Colonel! Abraham DeP^vter the Tpeflflurer of thia Colony on or beSore the Twaity fifth daj of March next Ensuing.

And be It further Enacted by the Authority af«»e8aid. That the said Sam of Two hundred and fifty three poiinds Sixteen Shillings be and is hereby given and granted unto hep Majesty her Heirs and SuccesBws to be Disposed paid out and apply'd to the use aforesaid and to no other use or purpose whatsoever. And that the said Sum of Two hundred and fifty three poimds Sixteen Shil- lings shall be paid by the said Treasurer unto the said Hendrick Hansen his order or Assignes whose Receipt shall be a SufBcient Warrant and Discharge to the said Treasurer for the same and the Lord Cornbury is hereby exonerated and Discharged from his Contract and obligation to mister Hansen.

And more over be it Enacted by the Authority aforesaid that over and above the respective Sums before Enacted and appointed

to be paid by the Several Citjs and Countj-s in thia Colony before ABeeased raJBed Collected and Levy'd the Hum of one Shillings and three pence per pound to be Llispoe'd and appU'd Nine pence per pound to the Collectora respectively and Six pence per pound to be paid into the Treasurer aforesaid.

And be it further Enacted by the Authority aforesaid That the Baid sum of Two hundred and fifty three pounds Sixteen Shillings shall be Laid, AssesB'd rais'd Collected and paid in such inann«> and under Such Restrictions and BegulatiouB, pains penalties and Forfeitures as are mentioned and Expressed in An Act of General! Assembly made in ye fifth year of her Majeetys Beigne Entitnled an Act for raising the Sum of Three thodsand pounds towards defraying the Expence of ffortifjing the City of New York is Enacted Declared provided and Express'd to all Intents Construction and purposes whatsoever as if the Severall Clauses, provisions and Limitations in that Act were at large herein Recited and Sett Down.

{CHAPTER 178.}

[Gtiapter 178, of Livingston & Smith and Van Bch&aclE, Where the title only Is printed. Printed In fuU In Brinley's Bradford, p. 303. Title onlj Is printed in Baskett, p. 93. Livingston & Smith, Van Sc and Baskett state that the act was repealed by the Queen, December IS, 1709.]

An Act to Enable the Mayor Aldermen and OommonaJty of the City of New York to Raise the Sum of Six hundred pounds in Two years for the usee therein mmtioned.

[Passed, October 16. 1T0S.1
WHEREAS the Pnblick Rents Revenues and yearly InoomeB of the City of New York are at present so small that they are not SufDcient for paying the Debts and defraying the Publick and Necessary Charges thereof.

Be it therefore Enacted by the Govemour Council and Gener- all Assembly of this Colony and it is hereby Eiiacted by the Authority of the same That it Shall and may be Lawfnll for the Mayor Aldermen and Commtmalty of the said City for the time being in C-onunon Council Convened (whereof the Number of Nine

may or flhall Consent and agree thereunto) to order the Raising the' Sum of Six hundred pounds Currant money of this Colony by a Tax upon the Freeholders and Inhabitants of the said City and County within the Term of Two years from and after the Pnblication hereof in mannelr hereafter mentioned That is to say three hundred pounds thereof to be assessed Collected and paid on or before the first day of September next Ensuing the Date 7»

Cn,–,:.tll:yG00gIC

hereof, and three hundred poondB other part thereof to be assessed Ck^llected and paid on or before ihe first day of Beptem- ber which wUl be in the year (rf our Lord one Thousand Seaven hundred and Ten Pursuant to which order or Orders of Common OouncU to be made as aforesaid the Maym" (rf the said City ftM- the Time being shall forthwith thereupon Issue his Warranta to the Assessors and Collectors of each Respective Ward within the said City and County Requiring them tc make such Assess- me>nt and Collection and to pay the same to TTie Treasurer of the same Oity for the Time being in such Convenient Times Respec- tively for the Assessing Collecting and paying thereof as Shall be agreed upon by the said Mayor Aldermen, and Comon Council or any Nine of them which said Sum of Six hundred pounds and every part thereof sliall by the Treasurer of the said City for the Time being be paid to the uses herein after mentioned and Expressed and to no other use whatsoever and Accounted for in such manner and form as other publick moneys in the hands of former Treasurers of the said City have or Ought to be Accounted for.

And be it further Enacted by the Authority aforesaid that the said sum of Six hundred pounds Currant money of this Oolony to be Raised by Virtue ot tliis Act shall be and is hereby appropriated to the uses herein after mentioned and to no other use or purpose whatsoerer (that is to Say) one hundred and fifty pounds thereof to l<e used Applyed and appropriated to Repaire the Common Gketls and the City Hall of the said CSty of New Yoi* and for Rfroovine the Prison from over the Chamber where the Qen«all Assembly of this Oolony now Sitteth to some other place; One hundred and fifty pounds more part thereof to

be used applyed and appronriiated towards the Repairing the Publick Bridges by the wel^ House and the Stairs aiid Laiiding places of the said City of New York and three hundred pounds more Residue thereof to be used Applyed and Appropriated for the payment of the just Debts of the saild Oity of New York.

And be it further Enacted by the Authoiirty aforesaid that if any person or persons shall neglect or refuse to pay any Sum or sums of money whereat he or they are Rated or Assessed by Viri:ue of this Act. That it Shall be Lawfull for the Collector thereof to Collect and Levy tlie same by distress and Sale of his or their goods and Chatties with Reasonable Chai^fes of dis- training Hestoring to the Owner the Overplna

"And it is hereby farther Enacted by the Authority aforesaid That the said sum of Six hundred pounds or any part thereof shall not be used applyed Appropriated or paid to the usee aforesaid without the Consent and Approbation of Nine of the members of the Owmnon Council of the saM CSty of New YoA

any thing io tbU Act or an; Law veage or Custom of the said Corporation of New Yoit to the Contrary hereof in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid that the Assessor and Collector of the Bowery Diyiaiion of the Out Ward of the City of New York for the Time being are hereby Appointed to be the Assefleor and CoJIeotor of that part of the Oountj of New York without the Umitts and Jurisdlctioii ot the City of New York for the AsBessing and Collecting that part ot the «aid Cotmrty of New York for the proportionable part of the afwesaid 6ix hundred pounds to be Raised by VMne of this Act

[CHAPTER 179.]

[Chapter 179, of Livingston & Smith and Van Schaack, where the title only Is printed. Printed In full In Brinley's Bradfoi^, p. 306. Titl la printed In Baskett, p. 93. Repealed by a clause In chapter 256

AN A<7r for Refunding Seven hundred ft Eleven powids ten shUlings and Ave pence misapply'd in the Eighteen hundred pound Tax.

[Pasaed October 16, 1708.]

For as much as among many other sums tlie Sum of Seaven Hundred and Eleaven pounds ten ebillings and five pence half' penny be^g part of a Certain Tax of Eighteen hundred poonds formerly Rais'd by an Act made in the first year of her {H'esent Majtles Reign Entlltuled An Act fOr the Levying & Orilecting tbe Bmne of Eighteen hundred pounds for ye Taising paying & maSntalniug one hundred & fifty fu^leers with their proper ofQcere for five mionths & thirty men with their proper ofQcerB" to be imployed as Scouts for Stety two days for the Defence of the Frontiers was not apply'd to that use but made use ot for those Services for which her Majesties Berenue was BaJsed by Occasions where<rf a Certain Debt Due to Colonell William Pear- tree amounting the third of December next with the Interest tO' Six hundred and forty Six pomnda thirteen Shiilings and four pence borrowed on the CredUtt of that Tax remaJnes unpaid and whereas it is reasonable that her MiajesHe« Revenue Should mtake good what has been Borrowed out of That Tax and Dis- bnrst for the ordinary Charges of the Government Be it Enacted by the Govemour Council and Asaembly and by the Authority of tbe same That the Collector and Receiver Generall for this Colony or Such peroon or persone as for the time being shall Execute that office shall pay o"* of tbe first monev That shall Come fn to Us hands on any Branch of her Majesties Revenue whatEtoever, the said Snm ot Six hmndred and forty Bfx ponndv

- ,!lc

thirteen Shilltngs and four pence Ooarant money of this C(^ODj to Coilcaien William Feartree according to the true inteM and meaning of the Act aforesaid for Raising Eighteon hundred pounds tinder Penalty of Sea-ven hundred poDnds to be Recovered by hia Excellency Edward iVlscoont Corn- bury Oerrord Bedonan Esqr and Caleb Heathcote Esqnire or Either of them his or their Executors or AdministratofB by Action oif Debt in any of her Majestiea Ooui^ of Justice in this Colony to be apply'd part thereof for the Discharging the said Debt to Colonell reartree and the Oven^us to be paid into the Treasurer of the Colony for the Time being for such Usea aa the GoTernonr Council and Assembly shall appoint and Direct

Provided aJwa^-s That this Act nor any thing therein Con-
tained shall not be Construed nor extend to Release or Discharge
any person or persons who have or haa ReceJTed and misappl/d
any of the said Tax or any other Taxes save-only for bo much aa
by Virtue hereof shall be paid in manner before exprest any
thing herein Contained to the Contrary hereof DOtwithstanding.

And be it further Enacted by the Authority aforesaid That
in Oaee it Bhall bo happen that the said sum <^6ix hundred and
forty Six pounds thirteen Shillings and four pence be not paid
and Satisfyed to the said Colonell Peartree-cm or before the said
third day of December next according to the true intent and
n>eani£ng of tMs Act then and in such Case it shaJl end may be
Lawfoll for the said Lord Viscount OombuTy, Oerrard Beekman
and Caleb Heathcote or Either of them his or their Ezecntors
and Admin&trators by Virtue of this Act to have an Action
agalnet Colonell Thomes Wenham airi Peter Fanconnier Esqr
their Executors and Administrators fw the said Sam of Six hun-
dred and forty Six pounds thirteen shillings and four pence
haveing been Commiaaloners and Reoeived the money ariseing
by the Eighteem hundred pound Tax aforesaid.

Provided always and it is the true Intent and meaning of this
Act that there shall be but one reoovery of the said Seven hun-
dred poimds and no nwre

rCHAPTER ISff.]

[Chapter 180, of Livingston & Smith and Tan Schaack, wbere tbe title
only la printed. Printed In full lu Brlnley'B Bradford, p. 304. Titl
Is printed in Baskett, p. 93.]

AN ACT for raising a Fund for defray-
ing some extraordinary Charges that have
happened in this Colony.

[Passed October 30, 170S.1
Whereas Several persons upon extraordinary Emergency for
Ithe Defence of the Sronteers and other occaraons have advanced

Money and done Services, and it being higlily reasonable that

aacb persons should be duly paid, Be it therefore Enacted by the Cror Council & Assemhly & by the Autbority of the Same, That ye Sum of Seren hundred flft^ Six Pounds & four ahilliugs cur- rent Money of this Colony be laid assessed levyed and raised upon all and every the Inhabitanta Besidents ScqoumerB & Pre^olders of and in this Colony of New York according to ye Bates & Pro- portions following vizt

For the Citty & County of New York one hundred Sixty three Pounds nineteen Shillings & seven pence

For ye City & County of Albany Fifty one Pound eleven ^lls &6d

For Kings County one hundred & nine Pounds thirteen shills &2d

For Queens County one hundred twenty eight Pounds nine ehills & lid

For Suffolk County one hundred twenty eight Pounds nine shillB & lid

For Ulster Conrnty Sixty pounds nine Stdllings & five pence
For West Chester County fifty two pouuds nineteen shilliogs & nine poice

For Blchmond County Thirty five pounds Six shills & 7 pence
For Orange County Twelve pounds twelve shillings & eleven pence

For Dutches County Twelve pounds Twelve Shillings & eleven pence

And that the Same be paid in to Coll Abraham DTeyater the Treasurer of the Colony on or before the First Day of December in the year of our Lord one Thousand Seven hundred & nine

And be it further Enacted by the Authority aforesaid That the Said Sum of Seven hundred fifty Six Pounds & four Shills be and is hereby given and granted unto her Majesty her Heirs and Successors, To be disposed paid out and applyed to the Several uses Intents and purposes in this Act mentioned, and to no other Use or Uses wlmtsoever That is to Say, the Sum of One hundred Pounds to John Cuyler being the Sum the Commissioners for the

Indian affairs at Albany and others borrowed last Winter of Coll Abraham D'Peyster for the use of Spyes and other Incideutals towards Securing the Fronteers: Which Sum of One hundred Pounds shall be paid by ye Treasurer to the said John Cuyler, whose Becoipt sliall be a sufftcient Warrant and Discharge for the same. And the sum of Two hundred and Twenty Pounds five Shillings and Six Pence half Fenny shall be paid to the Several persons hereafter named, to wit.
To John van Home five Pounds
To Peter van llllbnrgh four Pounds

DgizedbyGoOgiC

To IlionLaa Ives Two Pounds Six SbilliDga &, Six pence
To Adolph Phillipse Esqr Thirty one Poundg fourteen ehilliiigv and Six pence

To Thomaa Roberts Sixteen Ponnd IViirteen Shillings
To John Burger Ten Pound four ShillingB
To George Norton one Pound Ten Shillinga
To Borth. Feurt Ten Pound Ten Shillings
To Robert Walters Eighty Two Pounds twelve Shillings
To William Sells fBve Pounds

To Coll Thomaa Wenham Twenty Three Pounds one Shilliiig and three half pence

To John Ellison Three Pound seventeen Shillings & nine pence
To Adrian Beekman Six Pounds

To Wm. Bradford Three Pounds Seventeen Shllls and three pence
To Lancaster Syms Three Pounds four Shills and Six pence
To Wm. Perse, Carmaji, Three shillings
To Wm, Chambers Eighteen shillings & nine Praice
To John Stevens Twelve Shillings
To Nanninf! Hannensen Three Pounds
To Ellas Peltro Three Pounds Eight Shilla & two p«ice
To Robert Lurting Two Pounds & thirteen Shillings
To defray the Charge of the Expedition under Coll William. Pear-tree in the year One Thousand seven hundred and Five against Privateers that were upon ye Coast

And the Sum of Two hundred Fifty Two Pounds and Eighteen ShillingB to William Bradford Printer And the Sum of One hun- dred Twenty Five Pounds to Gabreil Ludlow Clerk And the Sum of Forty Two Pounds Ten Shillings to Oabill Luff, late Door- keeper to ye Assembly. And the Sum of Fifteen Pounds and Ten Shillings to William Churchill for Services done for the Assembly

And moreover Be it Enacted by the Authority aforesaid. That over and above the respective Sums before Enacted and appointed to be paid by ye Several Cities and Counties in this Colony before eiprest, there shall by Virtue of this Act be assesaed liaised collected and levied the Sum of One Shilling and Three Pence P Pound to be disposed and applyed, nine pence P Pound to the Collectors respectively, and Six Pence P Pound to be paid imto the Treasurer aforesaid

And be it further Enacted by the Authority aforesaid That the said Sum of Seven hundred Fifty Six Pounds and four ShillingB shall be laid Assessed raised collected and paid in Such maimer and under such Restrictions and Regulations Pitins Penalties and Forfeitures as are mentioned & ^pressed in an Act of Genera! Assembly made in the Fifth Tear of her Majesties Reign Entituled An Act for Raising the Sum of Three Thousand Pounds towards defraying the Expeoce of Fortifying ye Citty <rf New

York, is Enacted Dedfired PFovided and expressed, to all Intents coQstractionB and purposes whatsoeyer, as if the Several Clauses Proviso's and Limitations in that Act were at IJarge herein Becited and Bet down

And Lastly be it Enacted by the Authority aforesaid That the Beceipts of the SereraJl persfwe hereinbefore mentioned shall be a Sufficient Discharge to the Treasurer for title respective Sums liereiu express'd.

[CHAPTER 181.]

[Chapter ISl, of Livingstou & Smitb and Van Scbaack, where the title onl7 Is printed. Printed In full la Brlnley'a Bradford, p. 297; Baek Kk. Livingston & Smith and Van Schaack and Baskett, state tbat tbe act was confirmed by tbe Queen, December IS. 1700. Repealed br

chapter 560.]

An Act for ppeventing the Conspiracy of Slaves.

[rassed October 30, 1708.]

BEE it Enacted by the Govemr OoiMieill and Assembly and ft is hereby Enacted by the Authority of the same, that all and every Xegpo Indian or other Slave or Slaves within this Colwiy ■who at any tim« after the Execrable and Barberous Murder oomitted on the Person and family of Williani Hallet Junr late of New Town in Queens County GentJeman Deceased have has or shall Murder or otherwise Kill unles by Misadventure or in Ezecntion of Justice or Conspire or attempt the Death of his her or their Master or Mistress or any other of her Maj(>8tiea Leige Peoi)le not being K^roes Mulattos or Slaves within this Colony and shall thereof be Lawfully Convicted before three or more of her Majesties Justices of the Peace One whereof to be of the Quorum who are hereby authorised and Empowered to hear and determine the same and put their Judgments in Execution acco[*ding to this Act or before any Cowrt of Oyer and Terminer or Gewerall Goal Delivery he she or they so offending shall Puffer the paines of Death in such manner and with such Cir- comstances as the aggrevation and Enormity ot their Crime in the Judpnent of the Justices aforesaid of those Courts shall merrit and require AND be It further Enacted by the Authority aforesaid that the Owner or Owners of Such Negro or Indian Blave or Slaves to be Executed by Virtue of this Act shall be paid for the same in the like manner and nnder the same Regu- lations as is declared in and by an Act of the Generall Assembly of this Colony made In the fourth year of her Jfajettties Bei>gn, Entitiiled an Act to Prevent the running awnv of Negrw Slaven ont of the Citty and Connty of Albany to the French at Canada Provided the Value of such Slaves shall not exceed the price of Twenty five Pounds Lawfull monev of this Colony, nor the Charges of prosecution above five Pounds

Coogic

LA^WS OP TSE GDLOIIY OF NEW YORK.

[OHAPTEB ISe.]

[Chapter 182 of LWlngston & Smith and Van Schaack, where the tWe only Is printed. Printed In full in Brlnlcy'B Bradford, p. 288; Basl 83. Livingston & Smith, and Van St^aack and Baskett, state that this &ct was confirmed by the Queen, December Ifi, 1709. See chaptera 151 and 270.1

AK ACT for the Eiplaining An Act Entitaled An Act for the Laying out Regulating Cheering and preserving Pnblick CanmoD' Highways thro'ont ttiis Colooy.

[Passed October 30, 1706.]
(far the better Expluining and rendering effectuall One Act <rf Oenerall Aflsembiy Eutituled an Act tor the Laying out B^nlating Qeering and preeerving Fublick Common HighwajB tiirougfaout this Colony made in the year of our Lord One thousand Seven hundred and three and since by one another Act of Assembly Continued and stUl in force.

Be it Enacted by the GovernourCouncil and Assembly and by the Authority of the aame. That the ffreeholders and Inhabitants of the Sererall Towns precincts by and thn/ which lands any Common High Ways have Used to Run or have been asce^ tained and Lay'd out are and Shall be hereby bound and obliged to Ote«- preserve and maSntain the same High Ways 1^ cutting up the brush pulling up all Stones great and &nall that Can be raised & Carried off the bredth of a Bod and tlie Limbs of all Trees hanging over the said rodes to be Lc^t and Carried off and ao often as they or any of them ^all have Notice from the Commiasioners or Surveyors or OverBeers of the High Ways for the time "being throughout this Colony Respectively by themselves or their ' Servants shall work and Labour for the Cleering levelling and amending the same High Ways not exceeding Six days in the y«iir under the Penalty of three shillings for each Day every p^wm shall neglect <Mr refuse such Service to be Levyed by the OouHtable in each Town and precinct by Distress and Sale of the offenders goods and Chatties bj Warrant from the ComnuBBioners Surveyors or overseers of the High Ways for the time being in every Comity or town or the Major pa.rt of them Keepectively, Returning the Over^ns erf soch Bale to the Owner.

And Be it Enacted by the Authority aforesaid Tliat where

any Hiph Way from Any Town or Plantation to any Meadows Mills Watering Places or Common Landing Places shall I^v adjacent by or thro any particular persons Orounds it Shall and may be Lawf ull for any such person op pereoais to place end Idmg

gooda eaaj Swin^g Gates on encb high ways antl the 8ame Uatea make Bet up amJ keep at his her or their own proper OostB, Labour Chai^ea and Eipence and the Severall Gates all-ready allow'd Directed and appointed by the Oommisacaierfl aboreBaid are Batlfyed approv'd and Oonflrm'd by Virtue of this Act and the same Highways shall he amended, Cleer'd and Maintained by the Inhabitants of ea(A' tiowne whea^ such ways may Bun.

And be itt also Enacted hy the AuthfH^ty aforesaid that in Case any person or persons where such Swinging Gatea are made and Sett up eh^l Stake Shore or blodc up any such Gate or Gates such person or persons shall be Lyable and Chargeehle to make good and pay all the Damages with Cofits the Owner of the Soyl or his tenant or Lessee shall or may Suiter by the OcasioD at Btakeing Shoreing or blocking up such Gate or Gates by an action on the Case lo be grounded on this Act hereby giren and to be brought by hfan her or tham who shall Sustain such Damages to he Recovered in any of her Majesties Courts of Justice in this Colony.

And be it further Enacted by the same Authcprtty that the InhaMtants" of The Towne of Hariem shall not be obliged to mend Eepaire or Levell any High Ways beyond or without the •bounds or Limitts of thedr own Lands any Law Custome or Statute to the Contrary hereof in any wise not with Standing

And whereas Peverall peroons in the Oowntr of West Chester have been formerly refractory and have wholly Refused to assist in Bepalring the High Ways.

Be it Enacted by the Authority aforesaid that all such persons having so Refused as aforesaid shall be obliged either to make Rattisfactioin by Iialwuring in repairing the said High Ways the full time that they have formerly neglected or else be Lyable to pay the Sum of three Shillings per day to be recovered aa la provided by others offending or Refusing as In and by this Act

Is Declared.

[CHAPTER 183.]

[Chapter 183, of LlvlnifBlon & Smith and Van Hchfiack, where the tit only la printed. Prlntpd In full In Brlnley's Brflilford, p. 297; Ba SI. I.lvlnfnton & Rmtth and Vhd fichaack state that the act was con firmed by the Queen December l.l, 1709. Expired In 1715. Continued by chapter 310.]

An Act for the .easier Partition of

T^unda in Joint Tennancy or in Comon

[Paased October 80, 1708.]

WHEBEAS there are divers large Tracts of Lands granted at

Severall times to Severall Companies of good and well meaning

. '.".oog Ic

Subjects, bj Letter's ratt«ntfl uoder the Great Si'alfi- of this J»er Majts ColIODy, wch yotwithstauding Several! Clauses^ and Pro- visos, in Said Letter'a Tattenta, whereby those to whMn the I^nda were Soe granted were within a Oertaine titae ta Settle and Improve the same, or Some Part or Parcell thereof; in Order that Setleing Iraproveing and I'eopleing might be promoted thereby, and Contribute one to each other, Yet the Same bring held by Virtue of said Letter's Pattenta, by diver's Persons as Joyute Tennants or tenants in Omumon with other's of any Estate of Inheritance whereof Seme dying, and Some otier's being Call'd out of the Province, by their owne Private Affaires before any dividend made the rest Could not divixje to this day, nor Conse- quently Improve the Said Tract of land without taking out Writ's of Partition wch Method's being both tedious and Ezpensire, not to be Brought to an end but by Such Charges and Ezpences, wch if Spar'd would have made the Person's Conserned therein and here liveing able to make good Settlements; on Said Lands, to the Encouragement of themselves & Other's; but if Spent in Such prosecution would have left and Should Still leave them

uncapable vi reaping theonselves or procuring to her Majty or Other's that Certaine Advantage Accrueing by Settlements, and Improrements, in a good and large (but yet for the most part uninhabited Country. For remedying whereof and for Mateing Partition in such Lands Easier, and leaat Chargable, BE IT ENACTED, by the Governour, Councile, and Assembly, and by the Authority of the Sam^ that from the time of Passing this Act all Joynt Tennants, and Tennants, in Comon that now be or hereafter shall be of any Estate, or Estates, of Inherittance in tlieir owno rights, or the right of their Wifes, of any I^nds Tennants or hereditajnents within this Collony, Shall and may by Virtue of this present Act make Partition between themselves, by the Consent of the Major part of tliose here Living; of all Snc lands Tenemts and hCT-editaments as they now hold or hereafter shall hold as Joynt Tennants or tennants in Comon; or of any part or parts thereof and Shall or may at any timt and times by Virtue hereof with the Consent aforesaid lay out and Allott each persons Share, or Shares, lott or Letts, % proportions of all Snch Lands, Tennaits, & hereditamts, or of any part or parts thereof till they think Convenient to have the Whole divided and leave nothing in Ctnnon amongst th«n; and all Such Partitions that Shall be soe made Shall be as good &Effectuall to all intents and purposes, and Soe taken and to hold in Law, as if the Some had been made by and with the Will Consent & Concurrence of all the Persons Originally Concerned therein, the Very day the

Digi-jzedbyGoOgiC

Said Lands TeDnamtB & bereditamte were granted trnto them aa if the Same had been [soe divided b; a Pticular Clause in Said Grant, or if the Same had been] made by Writt of Ptitlon in a due Course of the Law; and it is hereby likewise Enacted that all Person or Persons, Concern'd in Such petitions as well liveing Abroad as here Shall be Bound thereby any Law Usage or CuBtfHne to the Contrary in any wise Notwithstanding.

PBOVIDEI) alwayes and the true intent OondicoD and mean- ing: ff this Act is thnt to prevent any fraud deceit or Collusion t may in Private be made between a few of the parties therein Con- ceraed, to the I'rejudice of the rest, no I'artition Soe to- be mad shall be repealed Valid or LawfuUe except it hath been pub-

liekly declared and Affixed in Wrighting, for the Space of three MoDths at least on the Sessions house or moat Publicque place in the County where Such Lands, Tennamts or Hereditaments are, at ; likewise On the Citty hall «C New Yorke; that Such a day, at sach a place, such a Tract of Land, Tenements, or Hereditaments, or such part thereof mentioning by whom granted, when, to whom, and where lying, is to be Surveyed in order to a Division; wch is to be made at such another day at the request of such one, and Such one naming the Pardes Solicting Said Divission.

ASD IT IS HEREBY further Enacted by the Anthority aftsre-said, that Sncb divission as is before directed be made by draw-ing of lotfcs in the presence of three Indifferent peons at the least, who are in noe wise Ooncem'd in the right or Interest of the Lands Tennamts or Hereditamts Soe to be ditided, and to be named by the Majority of the Dividers, and that the Kames of Such Persons in whose Preeeoce the Said Lotte are to be drawne Shall be Incerted. in the Publicke notice herein before directed to be given ; to the end that any person Concerned may hav« liberty to Make any Objection against any or either of the Persons Soe to be named, and that the persons who shall be Appointed to See the drawing of the lotte aforesaid shall have and receive after the rate of Five Shillings Each, p each day, for their trouble had in tlie making of the Said division, after the manner and forme liere above, and under Expressed and limitted; and no more.

And it is hereby further Ena^^ted by the Authority aforesaid, that the survey made of the lands, Tonnamts. and Heredita-mpnts, or of any part or parcoll tliere^^f. intended to be Divided Shall be made by the Surveyor Generail. or Some other Swome snrvpyor or by any three Xeighbours Men of knowne Intelligence and Integrity, to t>e Ellected and Named by the Majority of the DividoTB who shall upon Oath lay out and divide the Same in as

Digi-jzedbyGoOglc

many lotts as there are Persons Concem'd therein; and as Equall as possible Id legard both to Quantity, and QaaUity, which Lotts so made ahull be Nuiubefed of niarkt gradually from ono, ifi the number ot the Di\idors or Parties Concem'd in the

division; and the ISaid^Lotts Soe Numbered Shail be drawne fairly and I'ublickly in the preeence of Such persons to be Appointed as Afort«aid in Such manner & by Bucb peram or person's as the Said Overseer's Soe to be Appointed as aforesaid Shall direct and Apfxant they being first Bwome to do Justice to all Person's Concem'd in the premisses to the best of their knowledge and understanding, woh Oath any Jastice at the Peace is here-by Impow'd to Administer

ASD BE IT FURTHER Enacted by the Authority aforesaid, that the Several! and respective lotts Soe drawne, Shall be the Share and division, of the Lands, Tennamts, & Hereditamenta, of each and e\'ery of the Said perwms EHiidors Severally, and respectively, as the Same lotts to them Shall Severally and respectively happen; and they and e\'ery of them the Said divi-ders shall hold in Severall one from the other and to tiieir Severall and respective heirs, and Assignes, their Severall and Respective lotts, and di%i88ion8, of the lands, tennaments, and Hereditaments, Soe to them happenning in manner aforesaid to all intents and purposes as if the same division had been made by Wrltt of Partition prosecuted In any Court (rf Judicature Within this OoUony any law Usage or Oustome to the Contrary Notwithstanding, this Act to be of fforce for Seven Years and noe longer. And for the preventing Any dispute that may hap-pen about the Chnrge of Dividing Any Tract of Land Be it fur-ther Enacted by the Authority aforesaid that at the time of the Division of any Such Tract of Land to be made in manner afore-said there shall be Laid out of the whole Tract of Land before any Division be made thereof by the persons bo as afo«wud to be named by the Majority of the Dividers for the Diviedon of Such Tract of Land Such parts thereof as they Shall Judge reasonable for the defraying the Charge of Dividing the Whole Tract to be Bold by the Majority of the said TMvidors for that purpose whose Conveyance thereof shall be good and EfFectuall in the Law to all intents and purposes whatsoever.

Digi-jzedbyGoOgiC

JOHN LORD LOVELACE, GOVERNOR

IKo acts were passed during tbe administration of Lord Lovelace.]

THE TWELFTH ASSEMBLY.

^irst Session.

(Began Apr. 6, 1709, 8 Ajine, Richard Ingoldesby, Lieutenant

Governor.)

[CH,\PTER 184.]

[Chapter ISl, of Livingston & Smltb and Van Scbaacb, where tbe title odIj Is printed. Title only is printed In Bradford's 1709 ed., pp. Baekett, p. 95. The act expired October 1. J70&.1

AN" ACT to prevent the Transportation
of Provisions

[Passed May 24, 1709.]

The present necessity of Affairs requiring, BE it Enacted by tlie Lieut Govemr, Council & General Aaaembly, and by the Authority of the Same, That no person or persons, shall direotly or Indirectly, Transport oc Cause to be Transported by I-and or Water, or put on Board any Boat, Canoe or Vessell whatsoever, {q order to Transport any Sort of Provision out of tliis Colony, (Flower & Bread Excepted) before the first daj of October next, under the penalty of Forfeiting the provision, or value thereof so transported; to be recovered in any of the Courts of Record, within this Colony, on the Oath of one or more Credible Witness, wherein no Essoign, protection or Wager <rf Law shall be allowed; the one half of the said Forfeitures shall be paid to the Treasurer of this Colony, for & towards the Charge of the present Expedi- tion to Canada, & the other half to the Informer or he that will sue tor the same.

PROVIDED, necessary Provisions for the Sea Store of any of Her Ma'tles Ships of Warr, or any merchants vessel Sailing from this Port, or any Vessel! to be Laden with Proviraons for tbis Present Expedition, may be Shipt on Board and Exported, by Ijcence under the hands and Seal's of the four CommisBioners appointed for New Yorke, by Act of Genii: Aaaranbly for managing the Expedition to Canada.

D,g,;,zeclbyG00gIC

hAWS OF THE COLONY OF NEW YOBK.

[CHAPTER 185.]

[Chapter 185, of LlringBton & Smitb and Van Schaack, where the tide only is printed. Printed In full In Bradford's 1709 ed.. Immediately p. 114. Tide only Is printed In Baekett, p. 123. LivlngBton & Smith Schaack and Baskett, state that this act was repealed by the Qneen. December 15, 170», See Letter of Lorda oP Trade to Gov. Hnnter, Doc EeL to CoL HIbL of N. I., V, p. 157.1

AN ACT for Regulating and Establi^ng
feee:

[Passed May 24, 1709.]

Be it Enacted b; ye L^u't Qovemour Oouncil And ABsembl?
and bj tbe Authority at the same l^iat no FerBOo or PerBO&s for any Service or Services b; him or them to be done and perfonned, Bhall ask, dfaoand Receive or Take any greats' ov other Fee or Pees, Sran or Smna of money for his or Tlieir Reward and IKscliarging his or Their Duty or Dntys in Their Respective OfQces Than herein after mentioned Viz:

FOB THE OOT:eBirOB.

For the Great Seal to every Pattent for and under one huildred

Acres for vacant and Unappropriated Laud Twelve Shilling

For the Great Seal to e^'ery Pattent upwards of one hundred

Acres of the Like Land Each hundred Acres Ten Shillings:

For the Great Seal to a Confirmation for Renewing a Patent

Twelve Shillings:

For every Lisence of Marriage Ten Shillings

For bis hand and Seal to Letters of Administration Ten Shillings

For every Certificate under his hand and Seol to go beyond Sea

Ten Shillings;

For a Lisence to pnrchase Land of ye Indians Twaity Slullings

THE BZCBETABT'S 7ES8.
For a Confirmation of a Patent for A House and Lott of Laud foitnerly Posaesst'd, Viz: —

For InproBsinfr fiitt Sealinp; and Recording Eighteen Shillings:
For A Pattent for New Land for or under one Thousand Acres Viz: for Ingrossing flat Sealing and Recording Thirty Shillings
For a pattent for new land for above one Thousand Acres Vis: for IngTOflsing fiat Sealing and Recording Thirty Six Shillings;
For an Exemplifli-ation of a Pattent Viz; for Ingrossing flat and Sealing Eighteen ShUlings

For a pattent for A new Township Three pounds
For A Confii-mation of a new Township or manner one pound Ten ShillingB

For A Oonflrmation of a Patent for Lend for or under one Tboos- and Acres one pound

For a Oonflrmatlon o(a Pattent for I&nd for above one ThouBand

Acres one poimd foor SMIinga

For drawing ye Depoeiiions of Witneaaee to a. will Ingrosaing

the will and I'robate &o: — and recording tlie same F every Sheet

Each siieet Containing l^'our and Twenty Linea And Eight woraa

in a Line one Shilling

(Sweating the Witnefisea and Executor, for Each one Shilling

For drawing every flat or order for adminiBtration and for

Swearing the Administrator Three Shillings

For drawing Ingroesing and Recording the Administration Six Bhil lings

For drawing the AuminiBtration Bond Three Shillings

For A Conuniasion to take the Probatt of A Will or to Swear an Administraitoi' Sis Shillings

FUling the Original Will and affixing the Seal for Each Nine penoa

Filling the fflat for AdministratilOQ and affixing the Seal for Each K!ne pence

Recording an Inventory p Sheet each Sheet Containing Four and Twenty Lines And Eight words in A Line one Shilling

Filling the Inventory and Swearing the Executor or AdmtniBtra– tor for Each –one Shilling

Becording Deeds Mortgages Conveyances and other writings P Sheet Each Sheet Cimtalning Four and Tnenty Lines and Eight words in A Line one Shilling

¥oT Copy's of I>eed9 Heoorded or other papers or writings P Sheet Containing as aforesaid One Shilling

For a Search for the first year one Shilling and for Every year Back four pence halfe penny

For A Liscence of marriage and Bond Nine Shillings

For A Tickett for a Person to Depart the Pmfince one Shilling

and Six pence

For an order under the Govemours Hand Three Shillings

Entring a Car^t one Shilling

For A Commission under the Broad Seal for A Place of Pr<tfttt

Eighteen Shillings

For A CommiseJon under the GovemourB Hand, & Seal for A

Place of Pmfitt Twelve Shillings

For Drawing a Certificate to paBS under ye Broad .Seal or any

other Seal and for Ingrossing the same P Sheet Containing as

aforesaid Two Shillings and Tliree Pence

For attending the Courts or Elsewhere with an originall will or

Record for Each day Three Shillings

Every Oommlarioo of a place of no Frofitt Gratis.

Digi-jzedbyGoOJ^Ic

XEB CIdBRK OV tHB COUKOIUS ZEES

The Eeading A Petition in Council /(w money, to be Gratis

Beading a Petition in Council for any other matter' one Shilling

and ^z pence

For filling A Petition Six pence

An order of Council one Shilling and Six pence

Fillingnany other paper hy ordei or on Bequeat Six pence

Coppy of an order of Council one Shilllnfr and Six pence.

For Attendbig the Oonuuittee c^ the Oonncil on. A Bef^rencg four Shillings and 6ix pence

For Drawing np a Beport of A Committee of the Council Three BhillingH

For A Coppy of A Report of A Committee of the Council one Shilling and Six pence

For Beading a Eeport> of a Committee attthe Council Board 'Sine pence.

For filling a Keport Three pence

For A Copy of a Petition one Siilling

For a copy of other Papers or writings P Sheet Each Sheet C<m- tainlng four and Twenty Lines And Eight' words in A lane one Shilling

For Beading Writings op Evidences for Each, Nine pence

For swearing Persons for Each, Six pence

For Drawing a Licence to Purchase lisnd from the Indians, writing the same fair And Entring the same in tiie Book Six Shillings

For Drawing a Warrant of Survey writing the same fair and Entringit in the Book Six Shillings

For Drawing a Warrant for the Attorney Generall to- Prepare a

Pattent writing The same Fair and Entring it in the Book Three ShiJJlngB

For A Warrant for Payment of money Nine pence

For reading A Private BUI the first Time <me Shilling and Sx pence

For Beading it A Second Time one Shilling and Six pence

For reading it A third Time one Shilling and Six pence

For Entring the Agreement of the Council to the Bill one Shilling and Six pence

For Entring the GoTernours Assent Kine pence

For Ingroseing three parts thereof if Eequired and Parchment and a flat for Each Twelve Shillings

For affixing Three Seals and wax if Bequired for Each, ^rniree fiUIlingsi

Digi-jzedbyGoOgiC

XBES FOB. THE COTTBT OV FOBTT SHUJJINaS OB, nin}EB
For the SunuaoiiB Nine pence

For Serving the Smmoons for one milec Bideing or under Ntoe pence for every Mile imare Three Pence
For the JiKlgp[ient one Shilling

For the SummonB for Evidence, four pence halfe penny
For Serving the flame Nine pence
For the Jury for the same, foor BhllUngs and Six pence

FEES FOB THE JXTbTICES IK OB OUT OF SESSIONS.

For every warrant of appearance one Shilling and Six pence
For the Justices Clerk for A Bond one Shilling and Six pence
For takeing Bail in or out of Court one Shilling and Six pence
For Acknowledging a Iteed of Sale one Shilling and Six pence
For a Lisence to Sell Drinck one Shilling and Six penoe
For the Clerk for A Bond for the some one Shilling and Six pence

THE JUDQE ANS JUSTIOES FEES FOB THE COITBT OT OOKHON

For all Actions from Forty Shillings to Twenty poarnds one Shil-
ling and Six pence

From Twenty pounds and upwards Three Shillings
For Every Judgement of Court Nine Pence
For Signing of an Execution four pence halfe penny
For admittance of A Guardian one Shilling and Six pence
For Bwearing the Wittnesses to A Will one Shilling and Six pence
For A Certificate for the same to the Secretarys ofQce att (New
York one Shilling and Six pence

For acknowledging Satisfaction upon Record Nine pence
For Signing A Bill at Cost four pence halfe penny

TEES FOB THE CLEBEE OF THE SESSIONS AND COUON FLEAS

For Drawing Every Warrant to Search for Stolen Ooods or to
Game Befor the JnsticeB to he Examined upon any Case Orlm-
inall one Shilling and Six pence

For Drawing afBdavit or takeing Examinations each one Shilling
and Six pence

For Takeing A Iteoogui«ance and Drawing up in form one Shill-
ing and Kx pence

For every Mittimus one Shilling and Sixpence
Far Drawing Every Indictment and Ingroesing the same in Parch-
ment Three ShlllingB

For BeceiTcdng filling and Bee.dlDg the same four pence halfe
penny

For Snpena for Each Evidence four pence halfe penny
For a venire facias or other writt one Shilling and Six pence
81

.., Google

B4a . LAWS OF THE OOLOIfY OF NEW YOEK.

For Entring the Gefendanta appeerajice foor pence halfe penny

£W EDtrlng his Plea and flletng Kine penoa

For Entring the pauell and tiwearing the Jury one 8hllliug and

^x pence

For swearing Each' Eridenee four pence halfe penny

For Beading Efloh ErideiHies Fetltloa &c: In Godrt foor pence

halfe poinj

For Swearing A Constable four pence halfe penny

For Takeing and Entring Verdict Nine pence

For Entring Jadgment and fine one Shilling

For Entring CoufesBion of the Defendant one Shilling

For An Ezecntion one Shilling and Six pence

For maJteing np the Record and filing the same Hiree Shillings

For Every order or Rule of Cooirt Nine pence

For Entring a Noli proceqni or Ceesatt processus Three Shilling^

For A venire for A Jury to Inquire into BiottB forciable Entry'a

Detainers &c: one Shilling And Six pence

For Drawing and Ingrossing the Inquisition and Betnmlng the

same Three Shillings

For Eeeeiving Reading and filling every Town order tvonght to

be allowed att the Court of SesdoQS and Entring the CiHifirma-

tion and Recording ttie same as in other Ca«e8 Twenty four lines

to A Sheet and Eight words In a JSne ooe Shilling P. Page

nr TEE COKXON PLEAS
For Every Writt of Capias one Shilling and Six pence
For Entring the Action four pence halfe penny
For Bond for Costs given for the Plaintifl when he is not a known ffreeholder one Shilling and Six pence
For Drawing Declaration Three Shlllinga
For filing the same Three pence
For Discontinuance or Retraxit Nine pence

For Altering the Declaration and admitting the Defendant In A Declaration ot Ejectment one Shilling

For Entring every moti(»i and the Rule thereou Nine pence
For mtrtng the Defendants appeamnoe Four pence halfe penny;
Fw Takedng Special Baile in Court or out one Shilling and Six pence

For Drawing every Plea R^lication Rejoynder &c: and filing the same one Shilling And Six pence
For A venire Nine pence

For Beceiving and Entring the Pannell and swearing the Jury one Shilling and six pence
For Habeas Corpora Juratomm one Shilling
For Supena for every Evidence four pence halfe penny

Lc;-,:.tll:yG00gIC

For Beading every Evidence in Court lour pence halfe penny

For Bringing a Particular Becord into Court Nine peooe

For swearing every Evidence four pence halfe penny

For swearing A. Constable four pence halfe penny

For Receiving and Entring verdict Nine pence

For Entring Sattisifa^^tiou on Becord Nine pence

For Entring Judgment Nine pence

For Beiading and Entring Allowance of Every Habeas Corpn«

writt of Error or Certiorari And for the Betum Two Shillings

and Three pence

For Coppying the Eeoord and Betuming it with the Writt onej

SbiJIing and Six pence

For An Ezeouticni one BhiUiitg and Six pence

For Takeing Becognisanoes in Court whett a Oanse is put to

[^bitration and pntting the same ilnto forme tot Deliver to tbfl

Partye one Shilling and 8a. pence

For Drawing up a Justices Beoordl upon the Statute of Tree^

passes one Shilling and Six pence

For attending opmi the Sheriffe upon a writt of Liqulry for

Djunages swearing The Jury &c: Ttiree Shillings

For every writt of Inquiry Two Shillings and Three pence

For Drawing and Ingrossing the Inqoisition one Shilling and

Six pence

For Eeoording Deeds and other Writings not Exceeding Four

and Twenty Unes And Eight words to A Line one Shilling P

Sheelt]

For makeing A Record and filing in the office Three Shillings

For Indorsing the Probatt or acknowledgement of any publldc

Instroment In Court, or Out one Shilling

For Searching the Records within one year Nine pence for every

year Bai&wards Three pence

For A Copy <rf the Records P Sheet Twenty four liuea in A Sheet

and Eight words in A Line one Shilling

THE SEEBrFFS TEES FOR THE STJPREAKE OOUHT, OOJTBH OW

SESSIONS ASJ> COMKON PLEAS
For Serving A writt and taking into Custody ITiree Shillings
For Every Mile from his Abode Three pence
For Every Bail Bond one Shilling and Six pence
For Returning A writt Nine pence
For A Venire Three Shillings
For Betuming the same Nine Pence

For serving an Execntion under fifty Pounds one Shilling P
pound
For every Pound more Six penccS

DgizedbyGoOgiC

For Serving A Wrltt of I'OBsee^on Biz ShilUngB

For Serving A Soire f&das & Betarn Two Shillings and Ttiree

pence

For Erer; peraou Committed into the ConmuH) FriBCm Three

Shillings

TKB CBTXKS FEES FOB THE COUBT OT BSfWTOHfl AMD COK-
JCOH PISAB.

For Calling A. Jury Each Cause Nine pence

For Calling Every Witness four pence halfe penny

For erery Verdiet Nine pence

For Calling Eech Action Nine pence

For the PeraoD Hiat shall Bing the Bell or Be»t the Bnunm

eaoh AotiOD Bep^iding in Court Nine pence

THE JUBY'S 7EBB FOB THE STTPBEAXB OOUBT
For Every Jury Man Etudi Action one Bhilling

THE LAWTEBS FFEES FOB TE BTTPBEAltB COUBI
For A Retaining Fee Six Shillings
For Drawing Writt Three Shillings
For Drawing a. DeclaratJcm Six Shillings
For Drawing A Plea Iliree Shillings
For A Pleading Fee upon Tryall Ten SMllhigs
For Every Terme not Exceeding Three Courts Sx ShiIUng»
The Lawyers Fees for the Court of Sessions Mayors Coart and Oonrt of Common Fleas in Every City and County throughont this Colony for the prosevuttng any Action To A Judgment in the whole shall not Exceed Fifteen Shillings

THE JITDaEB FEES OF THE StTPBEAME COVET
For Allowance of A writt of Error Two Shillings
For taking Bail Two Shillings
For filing the same Six pence
For Every Recognizance Two Shillings
For filing thereof Six pence
For Habeas Corpus Three Shillings
Fop Cerciorari Three shillings
For Prohibition one Shilling and Six pence
For A Procedendo one Shilling and Six pence
For Supersedeas one Shilling

For Discontinuance one Shilling

For Taxing A Bill of Cost by any Judge or the Clerk of the Oooif one Shilling
For Acknowledging A Deed Two Shillings

DgizedbyGoOgiC

For every Cause in Court unless Criminail Six ShiUings

Fw Admittlog an Attorney to Practice in Court one pound Teo killings

TH M CLEBKB PXK8 OP THB SUPS£AJIS COUST

For Sealing A writt Entring the same and filing the Tickett one Shilling and Six pence

For filing a I>eclaration Sis pence

For Entring An appearance Six pence

For A Coppy of Declaration cue Shilling and Six penoe

For filling all other pleadiags for Each Six pence

For Copy's thereof for Each Nine Pence

For Eotring A Bule Six pence

For A Sabpena for Wituesaee for four, or under one Shilling and Six pence

For Each Witness Above four, four pence halfe penny

For taking an affldavit in Court Nine pence

For A Copy of A Rule of Court Nine pence

For swearing and Impanelling A Jury one Shilling and Six pence.

For the Betume of A Writt and filing the same four pence halfe penny

For swearing Each Witness four pence halfe penny

For Reading Each Writing or Evidence four pence halfe penny

For Swearing A Connstable four pence halfe penny

For filling &c; the Roll Nine pence

For Takeing the Jurj-'s verdict Entring the same in the Minnits one Shilling And Six pence

For "Entring Judgment Nine pence

For A Retraxit or Discontinuance Nine pence

For Ct^pys of the Records or Pleadings &c: of ye said Coart C«rtifyed under the hand of the Secretary P Sheet Each Sheet Omtainiiig Twenty fom lines and Eight Tfords to A lAae me Shilling

For Drawing A Special verdict F Sheet as aforesaid one Bhilling

For A Snmmons to Attend, to Strike A Speciall Jury Nine penoe

Tot attending and Striking a Special Jury and delivereing A| Copy thereof to Each party for Each one Shilling and Six pence

For filing an affidavit or other paper on Request four pence halfe penny

For Entring Satisfaction on Record Nine pence

For Indorsing the Probatt of any Deed in Court Nine penoe

For Searching the Records within a year one Shilling and for

every year Backwards four pence halfe i)enny

For Beading A Warrant of Attorney in Court fonr pence halfe

penny

For Takeing Bpeclall Bail In Conrt one Shilling and Six pence

., Coogic

IN CTtnfTWIAL CAUSES.
For A Copj of every Indictment in Felony trespass, ajsaaolt Battery Force Riott One tSbilling and Six pence
For Every Aj^arance to an Indictnient four pence balfe penny
For Every appearance to an Liformadon four pence halfe pennj'
Fop the Discharge of any person upon, Bail Nine pence
For Every imparliance upon an iBdictment Nine pence
For Frooeee against A Person an Information Nine pence
Fop a Liaence to Oompound with an Informer Nine pence
For The Plea not Guilty to an Indictment or Infonnation four pence half penny

For Drawing all pJeadings P Sheet Oopywiae «ne Siilliag Twenty four Lines to A Sheet and Eight words to A line
For Dopy thereof P Sheet coipy wise one Shilling
For Bidinguishing A Pleft Nine peocB
For A SubmissiiHi Nine penoe
For Judgment Thereon Nine pence
For A Oopy of the Traverse one Shilling

For Every Subpena for four WitneBaes or nnder one Shilling and Slxpraioe

For Every Witness more four pence halfe penny
For Every appearance upon a Becognizance four pence halfe penny

For Beadmg the Indictment Informatlou or Record four pence halfe penny

For swearing Every Evidence on Tryall four pence halfe penny–
Fop Entring Judgment on E^ery Infommtioa one Shilling
For Evepy writt of Bestitntlon to restore Stolen Goods one Shilling and Six pence

For the Respiting of Evepy Recognizance four pence half penny
Fop taking A Becognizance one Sbilllng and Six pence
Fop taking Security by bond for paym«)t of Ooets upon Indlat–ment of forcible Entry Btott and Battery one ShUllng and Sx pence

For Every Scire facias upon A Rect^nizance one Shilling and ^x pence

For Every order or Rule of Oourt Nine pence
For A Coppy of Every such order or Eiule Nine pence
Fop Every Capias to fine one ShilHng and Six pence
For takeing and Drnwlng np every Special verdict P Sheet Oopy vrisG Twenty four lines and Eight Words to A Line one Shilling
For Coppy therenf P Sheet one Shilling Twenlj ftrar lines and M^t WordB to a line

Digi–jzedbyGoOgiC

THE 0BTEB8 FFEES IN THE SUPBBAH COUBT
For Calling Each Action Nine pence
For Calling Jnrj Nine pence
For Bwearing A WittnesB four pence halfe penny
For Every VenJict Nine pence

For Discharging every Person by Proclamation Four pence haile penny

For Calling a nonsuit four pence lialfe penny
For Calling A Record four pence halfe penny
For Calling A Default four pence halfe penny
For Takeing A Private verdict (our pence halfe penny

THE KATOBS TEES
For takeing Every Affidavit Nine pence
For Every Special Bail Two Shillings
Pop Taxing every Bill of Cost four pence halfe penny
For Takeing Every Recognizance Two Shillings
Fop swearing Evwy Person upon Examination four pence halfe penny

THE BECOBDEBS FEE FOB THE GITT OF NEW TOBK

For Every Action In Court Six Shillings

THE OLEBKS FEES OF THE HAT0B8 C01TBT
For Entering Every Action witli A writt of Summons or Capiat and Seal one Shilling and Six pence
For filling every Declaracon four pence halfe penny
For A Ooppy thereof if Required one Shilling and Six pence
For Entring Eetnme of Every Writt four pence halfe penny '
For Entring every appearance four pence halfe penny
For Every Common Rule of Court four pence half penny
Fop Entring every motion (or A Speciall Rule and the Rule Nine Pence

For A Coppy thereof if Required four pence halfe penny
For takeing Speciall Bail in Court Nine pence
For takeing Speciall Bail out of Court and Drawing the Recog- nizance one Shilling and Six pence

For filling every Plea Replication Rejoinder or other Pleadings four pence halfe penny

For A Coppy of Each if Required Nine pence
For A venire facias One Shilling and Si pence
For Swearing Jury one Shilling and Six pence
For Each Evidence Sworn or Read on Tryall four pence haW» penny

Digi-jzedbyGoOgiC

Fop Swearing A Constable to keep a Jury four pence halfe penn;

For Betopding A verdict Nine pence

For Entrtng Judgement Nine pence

For A Coppy thereof if Required Nine pence

Fop Entring Sattisfaction on Record Nine pence

For makeing up a Record in form and Entring tlie same io tbe Book Six Shillings

For A Retraxit or Discontinuance Nine pence

For A Coppy of tlie Records 1' Slieet Twenty four Lines and Eight words in A lAoe one i^billing

For Reading Every Habeas Corpus writt of Error and Certiorari, Entring the Allowance and Role of the Returne Two SbillingB and Three pence

For malceing Return of the Record With the Certificate and Seal one Shilling And Six pence

For every Scire facias or writt of Enqniry Hree Shillings

For A Supena for Evidence four pence halfe penny

For An Execution one Shilling

For Indorsing the Probatt of any Deed or other Inatmment in Court or out Nine pence

For searching Records within one year one Shilling

For Every years Backwards more four pence halfe penny

For Reading Each Warrant of Attorney in Court four Pence halfe penny

For A Bond to Prosecute one Shilling and Six pence

For Recording Deeds Mortgages Conveyances and other Writings

at Twenty Four Lines P. Page and i^ght words In A Une oae

Shilling

THE CLEBKS PEES OF THE COUBT OP SESSIONS HI NSW TOBZ

For Drawing Every Indictmenf and Ingrosaing Three Shillings

For Reading Every Indictment or presentment in Court four

pence halfe penny

For filling the same and Entring the Minnits four pence halfe

penny

For A Coppy thereof if Required one Shilling and Six pence

For Every Order or Rule of Court Nine pence

For A Capias or any other writt one Shilling and Six pence

For Entring the Returne four pence halfe penny

For Entring appearance four pence halfe penny

For Entring or filling Plea four pence halfe penny

For A Coppy if Required Nine pence ^

For A venire facias one Shilling and Six pence

For swearing Jury one Shilling and Six pence

DigiMzedbyGoOgle

For Bupena Eacli Evidence four peoce balfe penny
For Each Evidence Bwom on Tryall four pence halfe penny
For Swearing A Constable to keep A Jury four pence lialfe penn^
For Recording Verdict Nine pence
For Entriag Judgment one Shilling
For a Copy if Required Nine pence

For makeing up Becord in form and Entring the same Six Shillings

For a Copy of Every order or Rule of Court Nine pence
For takeing Each Examination out of Court Nine pence
For takeing and Drawing Each Recognizance in or out of Court one Slulllng And Six pence
For Every MittimuB one Shilling and Six pence
For Every Warrant to search or other Warrant one Shilling and Six pence

For Bespiting every Beoognizance from one Sestdon to an other Nine pence

For the Allowance and Recording a Wammt of Noli proeeqnfl from the Attorney General against every PerBOn in every Indict- ment Two Shillings

Fr the Allowance of eveiy Ceseat prooeaenH from the Attorney Qenera] and Recording the same in every Indictment Two Biiillings

For the Allowance of Every Certiorari Two killings
For the Eetume thereof Two Shillingft

THX BBLL BXNaSBS OB MABSHALLS VXB8 IV THE JCAY0B8 COUBT, COUBT OF SBSSIONS, AND STTPBBAII OOUBT

For Every Action in Court, every Court Day Nine pence

For Swearing Every Evidence on Tryall four pence balfe penny

For Every Person Committed

For Discharging Erery Perw» hy Proclamatfon four pence halfe

penny

For Ringing the Bell for the Saprceme Coart, for every Cause

Depending Nine pence

For Every Cause in the Mayors Court and In the Inferior Conrt of Cnnmon Pleas one Shilling

THE ATTOBinBT aBKXBAUS TSBB

For Special pleas ConfesBed by the Attorney (JeneraH on Scire

facias and Extents Nine Shillings

For Pleas of Out Lawry CSonfessed Nine SMlllngt

DgizedbyGoOgiC

JB60 LAWS OP THE COLONY OF NEW YOBK.

For the I>raft of A Pattent CoDfirmation Grant or Charter ODe

pound Ten BhilliogB

EV>r Entring Erery Ceaeatt proceeaua or noli proaeqiu for Each

Defendants name Ten Btalllinga

For his flat for A writt of Error Kine ShillingB

For his Oat for A writt of adqood Dam Nine Bhlllingg

For his Warrant to acknowledge Satisfaction upon Becord on.

Discharging Pines Six BhilHnge

7BB8 TO BE BECEIVED IN THE CUSTOKE-HOITSH ST HEB HAJBSTrBS COLLBCTOB TOB NEW TOBS

For Entry of Every Ship or other Vessel bnr&en Sixty Tuns or

upwards inwards Or Outwards one Bhilling and Six pence

tE\>r liacence to Load or unload One Shilling and Six pence

For Every Bill of Store one Shilling end Six pence

For Every Certificate of gooda Landed where Bond 1∗ given

Abroad one Shilling And Six pence

For A Oorqnet after Clearing one Shilling and Six pence

For A Clearing Six Bhillings

SHIPS OB OTHEB VESSELS BUBTHBN ITITOBB SIXT7 TUirS
Aim MOKE THAIT TWENTT TBADIKO IXrTO OB OUT OP THIS
FBOVINOE

For Every Entry in or Out, Kine pence

For Lisence to Load or unload four pence half penny

For A Bill of Store one Shilling and Six pence

For Every Bond Nine pence

For A Certificate Nine pence

For Clearing the aame in or Out Two Shillings

For A Oorquet after Clearing one Shilling and Three half pence

SLOOPS OB VESSELS OF TWENTY TITNB OB 1TNDEB COHINa OB
OOINQ OUT OF THIS PBOVINCE

For Every Entry in or Out Nine pence

For Liacence to Load or unload four pence halfe penny

For A Bill of Store one Shilling and Six pence

For A Bond Nine pence

TV>r A Clearing one Shilling and Six pence

For A Corqnet after Clearing Nine pence

SLOOPS ftc: TBADING WITHIN THIS PBOVINCE T0WABD8

;thb sonzTD coNNscTicirr so fab as bhose-island and

TO THE JEBSETS

For An Entry in or out four pence halfe pttnny

For Usence to Load or unload four pence halfe penny

For A paaa and Clearing Nine pence

Coogic

LA.WB OF THE COLOlJfY OF NEW YORK. 651

VTBSR FEES TAKEN IN THE CVSTOHE HOUSE
For the Sight of every Certificate of Bond given and Eotiriug the saine in The Queens BooI^b Nine pence

For Cancelling A Bond filling A Certificate and makeing it Betnrned In the Queens Booths Nine pence

THE NAVAI. OFTIOEBS PEES

For Begistering A Veteel In Parchment the whole (^large thereof not To Amount to above Eight Shillings

For Every Indorsement for A new Master or upon Changing LesBeniog or Adding Ownera^ Nine pence
For Every Certificate of Goods Landed where Bond is Given abroad one Shilling and Biz pence

For Every Bond for enumerated Oooda one Shilling and Six pence

E^vided always That no other Fees shall be Taken for or Con-cerning the Naval office, Tonnage or the enumerated Comoditiee or 007 otiier thing which Belates to Shipping upon any pre-tense whatsoever

THE CLAEH OF THE AS8EHBLIBS FEES
For Beading and Entring every Petition or other bistnuneots or Writings One Shilling and Six pence

For Entring an Answer thereof ooe Shilling and Six pence
For Becording sd Petion if Required Three Shillings
For the darks attendance on the House on all Committees and Drawing up Resolves &o: P Diem Tea Shillings
For the purusal <Mr any A«t or EiEioh Bays ADnutes one Sbillisg and Six pence

For A Coppy of Each Days Minutes Two Shillings and Six penco
For An order of the House to the Serjeant at Arms to Bring any person before the House Three Shillings
For Entring sd Order one Shilling and Six pence
For filing A Petition or any other papers Six pence
For A Copy of an order of the House one Shilling and Six pence
For Attending A Committee of the House four Shillings and Six pence

For Drawing A Report of A Committee of the House and Entry
For Entring an order of the House one Shilling and Six pence
Three Shillings

For A Coppy thereof one Shilling and Six pence
For Reeding A Report of the Committee to the House Nine pence
For Entring the Report in the Journals one Shilling and Six penoe
For A Coppy of a Petition One Shilling

DgizedbyGoOgiC

iSM LAWS OF THE COLONY OP NEW YORK,

For Beading A private Bill the first time one Shilling and Six pence

For Entring the same in the Journals one Shilling and Six pence
For Reading A private Bill the Second Time one Shilling and Six pence

For Entring the same &c: one Shilling and Six pence
For Beading the same Bill a Third Time one Shilling and Six pence

For Entring the same &c: one Shilling and Six pence >

For Entring the Sesolve of ye House that the Bill pass one Shil-
ling and Six pence

For the Subscription to the Bill and Resolve for master Speaker
to sign it one Shilling and Six pence

For Entring the Order for the Bill to be Carried to the Council
one Shilling and Six pence

For Endorsing said order on the back of the Bill one Shilling
and Six pence
For Beading and Engrossing all Private bills Twelve Shillings

THB SEKTBANT AT ABICS FBXS
For an Arrest in The Town Ave Shillings

In the Countr; for the firat Ten Miles going and Coming Tea
Shillings

For Every Mile more Six pence

For Every Day a I'riaoner undischarged one Shilling
For the Returne of an order Nine pence

THE DOOR-KHEFEBiS PEEB

For Every days Attendance four Shillings
For Every Petition Nine pence

THE SUBVETOBS FEES
For a peice of Land if under one hundred Acres Fifteen Bhillings
If more for every day he Servcys Ten shillings
If he Imploys any person to Assist him P Diem Three Shillings
For Every Lot of Ground in the City within the ffortifications not
Exceeding three Acres Six Shillings
If more than Three Acres, Two Shillings P Acre
For Travelling Charges when he does not Survey Ten Shillings

THE PUBLICK N0TABT8 FEES
For Protesting a Bill of Exchange Six Shillings
For Alt other Protests Twelve Shillings
For Noting A Bill for non-acceptance Three Shillings

BE it further Enacted by the Authority aforesaid that what
Ever other services Or Business shall be Requisite to be Done

In any Cause or Action in the Supream Court by the Lawyer or

Attorney he ehall perform the same, always Provided That Upon Aay Bill of Coats The Supreame Court Shall tax no more then Fifty BhillingB for lawyers Fees

And be it further Enacted by the Aathority aforesaid that if any Lawyer Or Attorney shall take or Exact any more or other ffees then is Limitted in This Act or Refuse to Serve any person for the aforesaid Fees not being Retained by the adverse party Shall (forfeit Fifty pounjda Currant money of this Colony and for Ever be Debarred from Practising in any Court within Thin Colony The one halfe of which ffofeiture to be paid for her Majesties use For the Support of the Government to be Disposed of as the Governonr and Council and Assembly Shall think fit and the other halfe to any person That will Sue for the aarnQ to be Recovered in any of her Majesties Courts of Justice within this Colony.

And be it further Enacted by the Authority aforesaid That if any person whatsoever shall Exact or take any other Fees of any persons or persons For his or Their Service in the Execution of his or their office Respectively Then if Ascertained in this Act all or any Such person or persons so offending Shall For Every Snch offence Forfeit Fifty pounds Currant money of this Colony The One halfe of All which Forfeitures Shall be for her Majestic TTse for the Support of the Government to be Di^wsed of as the Govemour Council and Asaanbly Shall Think fit And the other halfe of All such forfeitures To Any person that will sue for the same to be Recovered in any of her Majesties Courts of Justice in this Colony.

Provided always that Kothing Contained in the Abovesaid Act for Regulateing Fees shall be Construed to hinder or obstruct the Mayor Aldermen and Commonality of the Citys of New York and Albany To take such Fees and Perquisites for Lycenses Free-domes or other Things Incerted in their Respective Charters, as They heretofore usually Have done, or by Virtue of their said Charters might have Done, Any Law Custome or usage to the Contrary in any wise notwithstanding

And be it further Enacted by the Authority aforesaid That

the Fees or Perquisites herein mentioned to be for the Use of the Govemour Shall From Time to Time be Received by the Secretary of the Colony For the Time being who is and Shall be Accountable for the same to the Governour when he shall please to Require it

Provided always That this Act and Every Article and Clause herein mentioned shall be in full Force and Effect to all intents and purposes until the first Day of May which shall be in the Year of our Lord One Thousand Seven hundred & Twelve & no longer.

Digi-jzedbyGoOgle

LAWS OF THE COLONY OF NEW TOBK.

[OHAPTEB 186.]

[Chapter 186, of Livingston & Smith and Van Schaack, where the title only iB printed. Printed In full In Bradfotd'B 170& ed.. pp. 83, 85 only Is printed In Baakett p. %. The act expired In 1710.]

AN ACT (or Levying Sii thousand pounds
. [Passed Mar 24, 1709.]

For and towards drfraying the charge ol the Expedition to Canada, Be it Enacted by the Leiut GoTernour Council and Gen-eral AaBanbly, and by the Authority of the same, That the sum of Six ThouBand pounds be laid, Asseaa'd, raia'd and Le\-y'd upon the Estates, real and perwmal, of all and Every the Inhabitants, Residents, SojoumerB And Free-holdere of and in this Colony of New York, to be paid to^ and Issued by Colonel Abraham De Peywter, the Treasurer of this Colony, according to the Value of UHmey mentioned in an Act of Oenerall Assembly made in the Seventh year of Her Majesties RfAga, Enlituled, an Act for the Begulateing and prerenting the Corruption of £he Current Coin, in manner following, That is to say, Two Thousand poundi) part thereof, on or before the last I>ay erf November next Ensuing ; Two thousands pounds, other part thereof, on or before the last day of May then next following, and two Thousand poands, the remainder thereof, on or before the last day of November, which shall be in the year of our Lord one thousand Se^'en hundred

and Ten, according to the Bates and proptu^ions herein express'd, that is to say.

For the C3ty and County of New York, Twelve hundred pounds
For the City and County of Albany, Six hundred pounds
For Kings County, Seven hundred and Twenty pounds
For Queens County, Eleven hundred and forty pounds
For the County of Suffolk, Ten hundred and thirty Two pounds
For the County of Ulster, four hundred and Eighty pounds
For the County of West-Chester, Three haudred and Sixty pounds
For the County of Richmond, Two hundred and forty {wnnds
For the Connty of Orange, Ninety Six pounds
For Dutchess County, one hundred and thirty Two pounds

And be it furUier Enacted by the Authority aforesaid, That the said Sum of Six Thousand pounds be and is hereby given and Granted to her Majesty, her Heirs and Successors, to be IMsposed and applyed towards Defraying the Chaise of the Expedition to Canada, and to no other use, intent or purpose whatsoever, to be Issued and paid by the said Treasurer, by Warrants under ye hands of Oapt Robt Walters, Capt. Lawrence Beade, Capt John

DgizedbyGoOgiC

DePejRter, aod Oai>t. BobtLnrting (or ot any three of them) who are hereby appointed CoDunladoiiera (and Mr. John Walters to be tbeJr Clei±j for mannaging the aoid Expedition, in relation to purchasing and procuring proalsloufl and other necessarfs for Viotnelling the forces to be KeJBed in this Colony, and Building the Store Houses near the Lake leading to Canwiy, and boats and Canoes for the watter passage, and traJisporting men and materialB over the said Lake; the said Warrants to Express to whom, for what Service, or for what Materials, in about, and Belating to the said Expedition; wch said Warrants shall be to the said Treasurer a good and Sufficient Discharge for so much Expressed in the same warrants, .to be paid by Virtue thereof, as also for the payment of any moneys that rtiall be advanced toward the Charge of the said Expedition, out of any publick money the said Treasurer has or shall have im his Custody, w'ch he is hereby Required, authorized and enabled to do, not exceed-ing the sum of one thousand pounds.

And be it farther Bjnacted by the Authority aforesaid. That the said Sum of Six tbou'sand pounds shall be laid. Assessed raised. Collected and paid in such manner and under such Bestrictions and regulations, pains, penalties And forfeitures as are mentioned and expressed in an Act of General Assembly, Entituled, an Act for raising the Sum of three thousand pounds towards defraying the Expence of fortifying the City of New York, made In the fifth year of Her Majesties Reign, is Enacted, Deelar'd, provided and Expressed, to all Intents, Oonstructifl«8 and purposes whatsoever, as if the Several Clauses, provisors and limlttations in that Act were at large herein redted and Incerted.

And be it further Enacted by the Authority aforesaid. That over and abor? the Respective smna before Enacted to be paid by the Several Citys and Counties in this Colony, the sum of Nine pence per pound be assessed, raised and paid to the respect-ive Collectors, and Six pence P pound be paid to the Treasurer aforesaid.

Provided, and be it further Enacted by the Authority afore-said. That Colonel Killian van Renslaer, Major Derick Wessells and Capt Myndert Schuyler are hereby appointed Commissioners for managing the affairs relating to the provisions and all other Necessarys for the said Expedition, and that they or any one of them do Receive such provisions and necessarys as shall be sent up to them at Albany from New York, and to purchase and pro-cure such other necessarys as Shall be wanting on the said Expe-dition, and to be Distributed among the Forces, as it Shall be ordered by the Comanding Officer thereof; and that the provla-

1 1., Google

ions and all neeeaearya Shall from thenee by water or by Land be Bent up as far as to the Carrying-place, and so to be Trana-ported till the a'd forces shall receive the same in their Beftpect-ive Canoes or otlier Vessels they shall Eobark with; and that the aeid CammiBsioners, or any two of them, Do and may appoint as many other persons as they Shall thiiricfltt.towardsthepCTfonn-ance of tlie premiBes; and that the said Conimissioners, or any

under ttiem, shall have power to order and Comand, and Impress all sadi person or persons, Waggons, horses and Canoes, and other necessarys, as to them shall seem meet, to be aBsiBtant in the said Expedition; and further, that the said CommisBioners do keep or cause to be kept a distinct Account of their proceed- ings in the premisses, and may for that purpose choose and employ a Clerk, and that for the payment of such persons, goods, mat- terlals and other neceasarys, they or any two of them, shall Draw Warrants upon the Treasurer, aforesaid, for the paymrat there<^, who ia to pay them Accordingly; which warrants, he takeing Beceita thereon, Shall be his BufBcient DiBcharge for the Bamo

And be it further Enacted by the Authority aforesaid. That the said Treaaurer ^all keep a true and Exact Accott of all Such Sum and Sums of monegr as Shall be by liim so reed and paid, and auch Accott give and render at all times, when required, to ye Governonr, Council and Assembly for the time b^ng, when Sitting and Bequiring the same; and Shall also, and is hereby required and enabled to advance and pay auch publick moaty he now hath in his hands towards forwarding the said Expe- dition, by warrants under the hands and Seals of the said Cam- mtesionera, in manner as herein i>efore is expressed, and to ram- burse himBelf or pay the same out of the first money that shall cmie into his hands from any Tax whatsoever, laid find raiaed by Act of General Assembly

And be it further Enacted by the Authority aforesaid, ^lat the ComiBsioners herein before named, or any one or more of them, are hereby fully Authoris'd and Impowered, if occadon shall require, to break open and Search all Houses, Ships or Yea- selB, or any place they Shall think fit, for ye finding And pnnnu*- ing Such provisions and necessaries they Shall want for the said Expedition, and Call to their aid and Assistance, and C<HniaaDd any Sherriff or Sheriffs, Constable or Conatables, w any other publick officer, to take, Seize upon, detect, Impress by Land or by watter, and Carry away all or any provisions or Sodi materials they Shall find, and Judge necessary for the Exi>edttion aforesaid, and pay such reasonable rates and pricM they shall think Equitable, for any Labour, provisions ot

D,g,;,zeclbyG00gIe

bire of men, horses and Carte, waggtms and Vessels for transportation, what shall be so taken and Beized, as aforesaid; and such officer or officers that shall Refuse or deny their aid and Asaistance to the said Commis^ODers, when required, as aforesaid, shall be by an; Two of th^n, Conunitted to Jaile, there to remain for ye Space c«t three moneths, without Bail for every such offence.

Provided always, and it is hereby declared and Enacted by the Antbority aforesaid, That do Justice or Justices of ye peace shall have power or jurisdiction to Inspect, talce Cognisance, hear or determine of any Assessment or rate to be made by virtue of this Act, or to fine or Imprison any assessor or Assessws for unequally And partially asseesing any mens estates, to be rated and Tait by Virtue of this Act, unless Such Assessor or Assessors shall be duely Convicted before th«n, by the preeenbnent and Verdict of good and lawfoU men of the Neighbourhood, in the due and orderly Course of the Law, and not otherwise, any thing in the before mentioned Act or Oenerall Assembly, or any other Act or Law to the Contrary hereof in any wise not wtlistanding.

And be it further Enacted by the Authority aforesaid. That the said Cmnrs and their Clerks, for the Severall Services to them intrusted and Expected to be done and performed by Virtue of this Act, Shall be allowed Such just and honourable Reward, as upon their representing to this House, or any Subsequent Assembly, their Respective Sen-ices shall be Sattisfaetory and reasMiable, and that they, and every at them Are hereby rightly Entituled to Demand the same accordingly, parsnant to the true intent and meaning of this Act.

[CHAPTER 187.]

[Gbspter 187, of Livingston & Smith and Van Scbaack where the title only la printed. Printed In full in Bradford's 1709 ed., pp. 86, 88 only U printed In Baskett, p. 95. Hevlved b^ ch. 201.]

AN ACT to prevent Belling or giveing of Rumm or other Strong liquors to the Indians in the County of Albany

. [Passed May 24, 1709.]

WHEREAS it hath been found by Experience that the Sell-

ing or giveing mm to the Indians hath been very Prejudicial in time of Warr & other Services for Preventing the like for the future Be It Enacted by ye Leiut Oovr Councill and Genii assem- bly & by the authority of the same that if any Person or Persons wtsoever wthiu the County of Albany shall

DgizedbyGoOgiC

from and after the firet day of June & before tike flrat day <rf Septembr next give Sell or other ways dispose of any Bum Brandy Spirritts Wine beer Ale Syder or any other Btrcmg liquors wteoerer to any Indian or Indians wthin in ye County being thereof Convicted by the oath of any one Christian or affermation of one Indian before ye Mayor or recordr of Albany or any two Justioes of the Peace of sd Town or County of Albany shall for every such offence forfeit the Sum of three Pounds one haK thereof for the use of the Informer & the other half to the u of the Corporation of Albany to be Levy'd by distress & seal of the offenders goodB by warrt nndr ye Hand & Seal of the Person or Persons before whom such Conviction was & where such destrese can not be made yt then the Pers<Mi or Persons so offend- ing shall by the ed Mayor Becordr or Justices be Committed to Prison & Closely confined for ye apace of Twenty days & be it further Enacted by the authority aforesd yt it shall & may be lawful] for ye sd Mayor Kecordr op any two Justices of the Peace of the Town or County of Albany who shall Suspect any Perwn or Persona whatsoever to have offended Contrary to ye Intenrions of this Act, to send for him Her or them so Suspected & to tendr unto such Person or Persons on oath whether he She or they hath Sold given or other ways dispoaed of any of ye liqutm before mentioned to an Indian or Indians wtbin ye sd C<wntT of Albany between ye sd first day of June & ye sd first day of Septwnbr & such Person or Persons not appearing being duly Summond or Confessing upon ye sd oath or refuaeing to take ye same shall be thereby Convicted of yie offence & be subject to & S fer ye same painesA Penalty as if the same had been proovcd by oath or afflrmation as before mentioned provided yt nothing in this Act Conteined shall be eeteem'd or Constructed to Extend to Prohibltt or debar the Commlsstoners for managoing the Indian affaire any Justice of ye Peace or Commissione officer of the degree of a Capt for glveing or permitting to be given to any

Indian or Indians a small quantity of mm or other Strong liquor for their refreshmt Any thing Contained in this Act in any ways notwithstandilng.

Digi-jzedbyGoOgiC

JAWS OF THE COLONY QF NEW TORE.

[OHAPTEB IS&l

[Cliapter 18S. of LlvlngstoD & Smith and Van Schaack, wbere the titl aotf Is printed. Title only la printed In Bradford's 1709 ed.. pp. Baakett, p. 05. Livingston & Smith and Van Scfaaack, give the date passage as June 6, 1T09. Tbe Minutes of the Council and the origina bill Indicate that tbe act was signed by the GoTernor, June T, 1709 Joornato of LeglslatlTe ConncU, p. 283.)]

AN" ACT to Detach four hundred & Eighty Seven Men their Offloers included out of this CO'louy

[Passed June 7, 1709.1

BE It Enacted by ye Lieut Govt Council and General Asswnbly of thia Colony And by the Authority of ye Same, That four hun-dred Eighty Seven Men shall be Detacht out of this Colony on or before the 15th Day of this Instant June to be ready to Embarque for Albany at Such Time and Times as the Lieut Govr shall direct and appoint in order to march on the Expedition to Canada. Which Men shall be levyed in the Manner following, Tist

From the Citty of New York fifty five Men, the Carpenters and other Men detacht to assist the Ecgincef Iteing part of their Quota

Tbe Citty & County of Albany Ninety Men the Carpentere being part of their Quota

The County of Ulster forty six Men

The County of Suffolk Ninety Two Men

Queens'County Ninety Six Men;

Kings County Thirty four Men

Tbe County of Richmond Twenty Hen

The County of Westchester forty five Men

The County of Orange four Men

Dutches County five Men—

And for the more effectual raising the Said Men according to the Quota's and Proportions herein Expressed, Be it Enacted by the Authority aforesaid That the Colonel of each Respective (Htty and County, or the next Fielff or Gomanding Officer for the Counties where there is no Colonel, shall and are hereby Required and Comanded immediately after the Poblicacon of this Act to Issue out their Warrants to their respective Captains or other Commission Officer both oi Horse and Foot under their Gomand Who are hfereby directed to Obey the Same requiring them to issue forth their Warrants to tfieir Serjeants or Corporals to warn all their Male Inhabitants Residents & Sojourners in each respective Town whereto they belong, from Sixteen to Sixty to

.., Google

appear at Such a certain time and place as the respective CI^>> tain or other Officer Shall appoint within the mme above limited. Which Said Captaina or Comajiding OWcera are hereby Beqaind then and there to take an exact List of all and every the Names of the Appcarers, and the person or PersoDB so refusing or neglecting to make his appearance aa above said, shall forfeit and pay to their respective Captain Six poands current money of this Colony to be Imployed and paid equally among Sach per son or persons that shall go upon the Said Expedition, to be levyed by Warrant under the hand and Sea) ot the Captain or CiHuanding Officer of the said Company op Troop, under wch the said Defaulters properly belong or are inlisted, directed to any Serjeant or Corporall of that Cwnpany or Troop who is hereby

required to execute and levy the Baid Forfritnre <hi the Ooodi & Chatties of all and every such Offender and Offenders. And in case such Serjeant or Serjeants Corporall or Corporalls Shall neglect or refuse to execute the said Warrant he or they shall forfeit respectively for each Offence the Sum of Twelve Pounds current Money aforesaid, to be levyed and applyed as aforesaid; And where no Effects of the person or persons refusing or neglecting to appear as aforesaid, can be found, he or they shall suffer Six Months Imprisonment there to r^nain without Bail or Mainprizo unless he or they shall pay or Satisfy the Forfeiture abovesaid

And bo it further Enacted by tlie Authority aforesaid, That for the more equal Detaching the Men hereby appointed to go on the Said Expedition the Captain or other OflScers Shall and are hereby Impowered respoctively to Detach what nnmber he shall thinkfit of the wealthiest or able Bodied Men in every the CitiM and Connties aforesaid; Out of wch Number So Impressed or Detatcbed, the Said Captain op other Officers as aforesaid Shall Betnm 10 his Colonel or other Superior Officer hiB equal Quota, or pn^or tion as shall be appointed out of his said CMupanv to go npMi the said Expedition to Canada, And those whom ye said Captain or other Officer shall return to go, shall be paid and 'allowed nin pence P Day and their provisions, to be duly paid to them thdr Executors or Admininititrators from the time they are Detachtw long as they shall be upon that service. And for enconpagemeJit of I'ersons to list tliemselves to go as Vollantiers on said Serrice every Such Terson shall be punctually allowed and paid Eighteen pence P Day and their proHsions, besides the Qneen* Bounty, to be paid to them their Executors or Adininistrators. from the Time they are listed bo long as they shall be on fte Service.

:yGoOt^lc

And be it further Enacted by the Authority aforesaid, That such Person or Persona as shall be returned by the Captain or other Officer to go as aforesaid, Shall deny or Delay to go on the Said Expedition, or neglect or refuse to find and provide Such an able and effective Man as the Captain he is to go under shall approve and accept of, well equipt according to the Act entltuled

An act For Settling the Militia of this Province, Shall forfeit and pay Forty Founds current Money of this Colony, To be immediately levyed by Distress and Sale of bis and th«r Ocods and Chatties by Warrant as aforesaid To be paid and applyed as aforesaid And where no Effects can be found the i»erson and persons so Offending Shall be Oomitted to Goal there to remain Twelve Monetfas without Bail or Mainprise or until he or they shall pay or Satisfy the Penalty afore«eld; by warrant from ye respectiye Captains or Comanding Officer.

And be it further Enacted by the Authority afores'd That all and every the person or persons as aforesaid which are absented OP gone out of the Colony as aforesaid, or are absconded from their abode or Habitation so that the Serjeant or C<vporal do go to their abode in order to give them Notice of their appearing, shall be respectively liable to the forfeiture of Sir Pounds as above-said. All which forfeitures being distrained by the Said Serjeants or Corporals of the Companjs or Troops Shall be exposed to Sale by way of publick out-Cry the forfeitures and Charges thereof being paid and Satisfied the over-plus shall be Betumed to the Owner

Provided aJwayes, and it is the true intent and meaning of this act That none of the Members of her Majestya Council, nor the Members of the General Assembly for the time being, their Sons, the Officers of the Council and General Assembly, the Clergy, nor any in Commission of the Peace, nor any of the Commissioners appointed in an Act entitulPd, An Act for levying of Six Thousand Pounds, nor ye Clerks of any Court of Record within this Colony Shall be understood to appear, be detacht, listed or be obliged to go on the said Expedition or required to send or find any person in his or their stead, or be lyable to be fined or forfeit Sum or Sumes of Money thereon, or be chargeable with any default herein before mentioned, any thing herein or in any other Act contained to the Contrary hereof notwithstanding.

And be it further Enacted by ye Same Authority That ye Supervisors of Kings County are hereby required and impowered to raise and levy the Sum of One hundred Pounds upon all and every the Inhabitants and Residents of the Said County, and Twelve Shillings upon all and every the Male Tnhabitants thereof from Sixteen to Sixty years <^ age and upwards to be equally

Digi-jzedbyGoOgiC

divided among Sacli persoos as shall voluntarily go oat ct tbe Bald Count; in the service (ft the eaid Expedition.

And bo it further Enacted by ye same Authority That ye Supervisors of Sichmond County are hereby required and Impovrered to levy the Sum of Stxty Pounds on the Inhabitants of ye sd County in Such manner & form as other pnbliek County Bates are raiaed, and to be imployed and paid Three Ponnds to each peraon that shall go aa Volunteer on the Said Expedition out of the Said County

Always provided, And it is the tme intent and meaning of this Act That BO many as ahall list themselveB as Volunteers in each respective Company thro'out this Colmiy shall be accounted and taken for the Quota's of that C<«npai^ so far as they amount to in Number any thing MHitained in this act to the contraryi thereof in any wise notwitlistanding. As also, if any person or persons as abovesaid shall happen to be disabled or loose a Limb in the said Expedition Shall receive and be paid the Sum of Twelve pence P Day after he or they shall return from ye Said Expedition ho long as he or they shall remain in this Colony. And allBO if any Person or Persons Soe Inlisting themselves as aforesaid ^all Loose his Life in the Said Expedition his Widdow or Children Shall be paid the Sum of Money pr Diem which he was Intltnled to receive by Virtue of this Act till the Said Expedition is Ended.

And be It further Enacted by the Authority aforesaid That If any Collonele or other Officer as aforesaid Shall refuse Delay or Neglect to put this Act in Execution according to the True Intent and Meaning thereof, Every Such Collonele or other OfBcer Shall for every Such Offence Respectively forfeit the Sum of fifty pounds, to be Levyed on their Severall and Respective goods and Chatties by Warrant under the hands and Seal of the Uent Qovemonr or Commander in Cheife for the time being in Councill to be applyed to the uses last aforementioned.

[CHAPTER 189.]

[Chapter 189, of LIvtuRBton A Smith and Van Scbaack, where the title only iB printed. Title onlj la primed In Bradford's 1715 ed., p. 81

ed. p. 76; Basket, p. 05. LlvlnfCBton & Smltb and Van Scbaack, stat the act was passed Jnne 6, The Minutes of the Connpll. and tbe ori bill Indicate that It was slitned by the Governor, June 8, 1709. (S Jounutla ol Ijeglslatlve Council, p. 2S1.) Provided (or by chapter

AN ACT for Layftig an Excise on all liquors Retailed in this Coiony.

(Passed Jnne 8, 1709.1
Be it Enacted bythe Lelnt Govr Cooncil and General Assembly! and by the Authority of the Bame,That there shall be raU'd, Levy'd

..C'Ooglc

Ocrflected & paid, nuto Her Ma'ty, Her H«irs & Buccessors from the publkacon hereof, untill the firat day of June in the Year of our Lord BereDteen hundred & Ten, fiH- and towards the Support of the QtiTemment, an Excise upon all liquors, retail'd thrt^ out this Colony, under the Quantity of Five Gallons, To witt, The Sum of Twdve pence, Current money of this. 0<A>nj for each Gallon BO retail'd (Beer and Syder only Excepted) and like wise the Sum of Six Shillings for every Barrel of Beer and Syder.

And be it further Enacted by the Authority aforesaid, That the Mayor & Aldermen of the City of New York the Mayor & Aldermen and Justices of the Peace of the City & County hf Albany, & the Justices of the Peace of the other Counties within this Colony, to which they belong, or the Major part of them are hereby required, Author^'d & Impowered to lett to Farme the Bead Excise, in their respective Cities and Counties by publick Outcry Auction or Vendue, & each City & every Town in the said Counties to be lett by the Mayor, Aldermen and Justices of Peace, respectively in wch they Bertde to the highest bidder, they giving notice thereof by advertisement, to be Sett up in Writr ing in the most public places in the Cities Towns and Counties, Ten days before ye time it is to be lett, Kgnifying, that at Such times & places the Excise of Such Cities & Countes or Towns in the said Counties are to be let to the highest bidder.

And be it further Enacted, by the seme Authority that If It shall so happen that none shall appear to bid for the aforesaid

Excise, in any of the Cities, Towns, or Oounties, on the dayes appointed, on which they are to be leti^ That then it shall & may be lawful! for the said Maj-o^rs and Aldermen and Justices of the Peace as aforesaid to 3Jet to Fana the aforesaid Excise, at any other times as they riiall appoint, and the said Mayors, Alder-men & Justices <rf the Pence as aforesaid, are hereby required to take good Securities by Recognizance with SuJBcient Sureties of all and every person and persons that Shall Panne the Excise as aforesaid, with Cooditlcvi, that they pay the same Quarterly, by eqnal and even payments, into the hands of Colcaiel Abraham DePeyster Treasurer of this Oolony, who is hereby appointed to receive the same.

AND be it further Enacted by the Authority aforesaid. That if any «» either of the saH Mayors, Aldermen or Justices of Peace as aforesaid, shall neglect deoy or Befose to let to Farme the aforesaid Excise In manner aboT'esaid or to put this Act in Execution so far as they are requir'd and ImpoweHd according to the true Intent & meaning hereof, Thiat then he or they so offending shall each of them respectively forfeit unto Her Ma'ty -Her Heires A Successors, the full and Just Sum of Tweir^

LuizcdbyGoOglC

pounds Cui-ifnt luouey of JJew York to be recovei-ed in any of her Ma'tys Ooui'ts witbis this Ctdony by any person or persons, who will and shall Inform and Sue tor the tiame, by Action of Debt or Information, the one half of which forfeitures to be to Eer Ma'ty Her Heires and ISucoeeeors to be paid into the said Treaa^ urer and apply'd towards the Hu|^rt of this Qoremment & the other half to the Informer.

And be it further Enacted by the Authoiity aforesaid, That where there shall be no Farmer of the Excise in Manner baFore expresB'd, the Mayors & Aldermen & Juatites -of the I'eace, of the sererall Cities & Coanties, respectively, shall and may either agree with the Retailers, whom they re^»ectively shall Lycence, at the least for the highest ot 8nch Hum or Sums by the Year as Such Betailer or Betailers at any time formerly hath or have paid, to be paid into the Treasurer Quarterly as aforesaid, or other wise malte Such Retailer or BetaiJers^ enter into Recogni-

sance with SufBoient Sureties for the true & due payment of the Excise, hereiu before appointed to t>e paid and granted, accord-ing to the true meaning hereof.

And for the due and orderly Collecting the Excise hereby giren & granted. Be it further Ena-cted by the Auttiority afore-said. That all retailers at Strong liquors within this Ocriony, shall upon the receipt of all such Liquors before Exprese'd and Ezciseable come to the Farmer of the Excise in each Town, City and County, where Such Retailer ^all dwell and make entry <rf all Such liquor or Liquors as they shall buy, or receive, and pay Such Duties as are hereby appointed, within Twenty Four hours, or at Such Convenient time, as the I>armer of Excise shall appoint, and on Default thereof, all such liquom a^i shall be found in any Retailers house or Warehouse; Cellar, or other place belonging nnto him or her within this Colony, and have not been duely entred and paicl the Duties of Excise, 'as aforesaid, then and In such Case upon Conviction by Oath, of one or more Credible Witness, before any Justice of the Peace within this Oolony, the said Retailer or B«rt»i)ers, bo offending in the prem-ises, shall forfeit all such Liquors and three times the value thereof, the cue Moiety to her Ma'ty, Her belres and Bucceasors, to be paid to the Treasurer of this Oolooy fw the time being for and to be apply'd toward the Support of this Government, and the other half to the Farmer that will Sue for the same, before any Juatioe of the Peace In this Ooltmy, who is and every of them, are hereby requir'd and Impower'd Summarily and at his discretion. Solely to hear and Determine the Same, and to Issue his Warrant for Seizing all such liquors to be forfeited as afore-said and for comlttlng to the Comon Jaile all Such BetaiI«B of

1 1., Google

Uqnors, who hare not «itred and paid the Duties aforesaid, and ehall be BO Convict thereof, there to reinuin without Uaile or Mainprize untlll the; shall i!^attisfy and ma^ pajweuf^ of three times the Value of t^ch liquors Seized & forfeited aa aforesaid, as also for the Arresting, and causing to be brought before him any person or persons inform'd against, for retailing without Ljcence Pro^'ided, that he her or they hare Liberty to AppeaJ, to the next Seasons of the Peace giving Sufficient Security to

answer the Same.

And be it further Enacted by the Authority aforesaid, That if any person or persona within thla Colony, not being dnely Lycenc'd shall either by Land or by Water, at any time presume to Sell by Retail any Strong liquiors, that is to say any quantity under five Gallons as afwesaid the person or persons bo offending shall forfeit and pay the Sum of Ten pounds Current money aforesaid for every Such offence being thereof Convicted in manner aforesaid, to be Apply'd and paid aa aforesaid.

And be it also Enacted by the sajme Authority, and it Ib the true Intent & meaning of this Act, That no retailers of Liquors under five Gallons, or any other, that shall sell any Strong Liquors shall receive any such into their Houses, Cellars or Warehouses or into any other place in the Oitys of New York and Albany, but by the hands of the Sworn Porters under the penalty aforessiid, to be recovered for the uses aforesaid, in manner & forme aforesaid, to the intent the said Porters shall BO often as there unto requir'd, by the Farmer or propper officer of Excise, give and render upon his or their Corporall Oaths, a true & Just Accot to the best of thcdr knowledge of all such Liquors delivered by them to any such retailer under the penalty of being tum'd out of his place and Office.

And whereas the Duty Granted to their Ma'tys King William & Queen Mary of happy and Glorious Memory arriselng by the Weigh house in the Qty of New York, expir'd by the Demise of their said Ma'tys, and nevertheless has been rec'd by ThctnaB Byerly Esqr and other Collectors in this Colony or those Excercising that Office. Be it Enacted by the Same authority that the Duty aforesaid untill the said first day of June, shall hereafter be paid into the Treasurer of this Colony, for the time being, & be apply'd towards defraying the Charg of this Governmpnt & the said Thomas Ryerly Esqr & the other Collectors, & those who have Excercia'd that Office, do accot to the present Treasurer, for the Sums of money by him & them receiv'd, anBing from that Duty, who is hereby requir'd & authoris'd to demand, Sue for recover & receive the same.
U

Lq-,:.tll:yG00gIC

And be it farther Enacted, by the Authority aforeeaid, Hiat no retailer of Strong Liqucn^ within this Colony shall Bell any Strong Liquors whatsoever to any Negro, or Indian Slave nnder the penalty of Forty Shillings to be Recovered l>efore any one of Her Ma'tys Justice of the peace by him or her, that shall sne for the same, and to be apply'd in manner & forme aforesaid

And further be it Enacted by the Authority afwesaid, that ye said Treasurer aball pay out and apply the money by this Act to be rais'd in Snch Manner & to Such uses only as b; Act of General Assembly, hereafter to be made for that purpose, shall be Limitted appointed and Express'd & not otherwise.

[CHATTER 190.]

[Chapter 190. of LlvloKSton & Smltli, wbere tbe act Is printed In f Chapter 190, of Van Scbnack, where the Utle only Is printed. Printed full In Bradford's 170d ed., pp. 85, 87. Title only is ptlnted In p. 90.1

AN ACT for the Currency of Bills of Credit for five thousand pounds

[Paesed June 6, 170&.I

Be it Enacted by the Leiut Governour Council and General 'Assembly and by the Authority of the same That Bills of Credit shall be Issued forth to the value of five thousand pounds and no more pursuant to the Currency of money Specified in An Act pass'd this Sessions for the raising of Six thousand pounds ^hich Bills shall be in the manner and form following Viz:

This Indented Bill of Shillings due from the Colony of New York to the possessor thereof shall be in value equal to money and Shall Be accordinly accepted by the Treasurer of this Colony for the time being in all publick payments and for any fund at any time in the Treasury Dated, New York Thirty first crfmay one thousand Seven hundred and Nine By order of the Leiut Governour Council and General Assembly of the said Colony which Bill shall be Signed by Lawrence Reade, Robert Walters John Depeyster and Robert Lurting or any three of them who are hereby appointed and directed to Sign and Issue the said Bills for And towards the discharging of Such provisions and neces-

saries bought for the said Expedition wch Bills shall be received and taken for the same Value and equal to the Current Coin passing in this Colony for goods bought or Sold, or in any payment to be made for Debts Contracted, or yt shall be Contracted, and the tender of the said Bills for the paj-ment And Dieeharge of any Debt or Debts, Bargains, Sales, Bonds, Bills, Mortgages And Specialties, whatsoever shall fe as good and Effectuall in the Law to all Intents Construction and purposes, as if the CuiTent

Coin of this Colon; had been offered and tendered to any perBon or persons whatsoever for the Discharge of the same or any part thereof.

And be it farther Enacted by the Authority aforesaidi, That the said Bills of Credit shall be printed and numbered, espressin); in everyof them, the sum of money they shall be Current for, and lo prevent the Counterfeiting any of the said Bills they shall be Dated, and Indented on the top thereof with the Arms of the City of New York Stamp'd or printed on the left Side thereon, towards the bottom of eveiy ot the said Bills, and the Indent ahall pair with and Suit a Counterpart thereof, bound in A hook for that purpose, and Subscribed by the parties herein appointed to do the same, to be k^t by thenn of the same tenor and Date and so neer In Similitude in all Circumstances as posBible nmy t>e, to such Bills of Credit that are Issued and made Current in paym^it as aforesaid four hundred of which said Billa shall be for five pounds each Bill, Six hundred of them for forty Shillings each, Six hundred of them for Twenty Shillings each, one thousand of them for ten Shilliags each and Two thousand Eight hundred of them for Ave Shillings each Bill amounting to in all fire thousand pounds and Delivered by the Bignee as soon as Conveniently may be to the Treasurer of the Colony for the time being to be byi him paid for such proviaLons and neoessarys purchased towards the said Expedition pursuant to the Warrtts of the Conunisuoaers mentioned in an Act Entiituled An Act for Levying Six thousand pounds

Provided always, and it is the true injtent and meaning of this Act that the said Signees shall not sign a greater number of the said Bills of Credit than what Shall amount to, or pass, or be Current, for more than five thousand pounds Cur-

rent money of this Colony.

And be it further Enacted by the Authority aforeaaid, That for the better Currency of the said Bills the Treasurer of this Colony for the time being shall and is hereby required and directed to take and receive all and erery the said Bills accord-ing to the Value therein Express'd with the proportionable advance of Two and a halfe P cent on all and every of the Bills that Shall l>e offered and tendred to bhn the aSJd Treas-urer for any money due for the first payment of the said Six thousand pounds tax And five V cent, on all and every the Bills that shall be offered and tendered to the said Treas-urer for money due for the Second payment of the said Six thousand pounds tax and Seven and a halfe per cent on all and every the said Bills that shall be offered and tendered to

. L^t>ogle

the aaid Treasurer for money due for the third and last pay-ment of the Said Six thonaand poaad» Tax and on Ma receipt of eveir; Two ^ousanid pounda of the Said ^x Thousand pounds Tax he shall appoint the CorumisBioiiers that wgn'd the aaid Hills to met^t him the sajd Treasurer who are hereb; required and directed to meet aod Join with him to Examine and Compare the aaid Bills and Cancel the same taking an Account 4rf the Number and Vallue of the aaid Bills so to be Cancelled as aioreseid, and keep the same on A File in ord^* to be further Examined, by the UoverDOur Council or G«ieral Assembly for the time being, or such as they sbail appoint when Sitting and requiring the same.

And be it further Enacted by the Authority aforeBaid, that the aaid Commiasioners or ISignees shall take an Oaith before the Miajx)ir of the City of Kew York for the time being in the words following, I, L; B: do on the Holy ErangeliBt Sincerely Bware that I will to the best of my knoiniedge and Sldll truely, honestly and faithfully Discharge the trust reposed in me relating to and Cunceming the Signing and Issuing Bills M Credit mentioned in, and punsuant to the true Intent and meaning of this Act so help me God;

And be it further Enacted by the Authority aforesaid Iliat such person or persona as Shall be Convicted of Counterfritfng any of the said Bills of Credit shall inourr the pains and penalties of Felony without benefit of OleixJ and BuB.ee accordingly.

And be it further Enacted by the Authority aforesaid, that the said Bills of Credit shall be Current as aforesaid between man and man the Treasurer ^Excepted on«4y untill the last day of February which wUl be in the year of our Lord one thoo- sand Seven hundred and ten aiccording to the Engli^ Account and Shall and may be received by the Treasurer untill the last day of May then next following and no longer.

And he it further Enacted by the Authority aforesaid, fHiat five thousand pounds of the Six thousand pounds to be rais'd by an Act for Levying Six thousand poimds, paes'd this Sesskns, Shall be paid to the said Treasurer in the aaid BUIs of Credit and in no other Specie wtsoev«T,

DgizedbyGoOgiC

LAWS OF THE COLONY OF NEW YORK.
[CHAPTER 191.]

Aif ACT foe he-vying Foar Thousand PoundB
(Paaaed. June 21, 1709]

BE it Enacted by the Leiut Qoremr Gouncil & Qeneral Assem- bly and by the Authority <rf the same, That the Bum of four thouBand pounds, be laid, assess'd raia'd & Levyed upon the Estates, real & Personal of all & every the Inliabitauts, Residents, Sojourners & ffreeholders of & in this Colony of New York, to be paid to & Issued by Colonel Abraham Depeyster, the Treasurer of this Colony, According to the Value of money mentioned in an Act of General Assembly of this Colony, made in the Seavcnth year of her Majestys Reign, Entituled an Act for the regulating & preventing the corruption of the Currant Coin, in manner fol- lowing, that Is to say, Two thousand Founds part thereof, at or before the Last Day of May, which will be in tlie Year of our Lord One l^ousand Beaven hundred and twelve and Jbn other Two Thousand Pounds, remainder thereof, at or before the Last

Day of November then next following, according to the Quotas & proportions herein expreBs'd, Viz.

For the City and County of New Yorii, Eight hundred Eighty Ave pounds

For the City & County of Albany, One hundred Seaventy five Pounds Ten Bhillings

Kings County, Beaven hundred & thirty Pounds
Queens County, Biz hundred fonrty four pounds ten ShilliDgs
The County of Suffolk, Biz hundred Eighty pounds ten Bhillings
The County of Ulster, Three hundred Eleaven pounds ten Bhillings

The County of West Chester, Tvo hundred & forty pounds
The County of Richmond, Two hundred twenty Biz pounds thir- teen Bhillings & four pence
The County of Orange, Bixty pounds
Dutches County, forty Biz pounds Six shillings & Eight pence

And be it further Enacted by the Authority aforesaid, That said Sum of Four Thousand Pounds be, & is hereby given & Granted to her Majesty, her heirs & Successors, to be applied for the payment of such Of the four hundred Eighty Seven Men of the Militia of this Colony appmnted to Serve in the Expedition to Reduce Canada, as shall appear, on the return of the forces, to have Berved, & to & for no other use, intent or purpose what- soever. That is to Bay, A Colonel at twenty Bhillings P Day, a

LiOOgic

Major at Ten Shillings P Day, Sii Captains at Eight Shillings P Day Each, Sixteen Lieuts at four Shillings P Day Each, Twenty four Serjts at two SbillingB P Day Each, Twenty four Corpoi-alls at Eighteen pence P Day Each, Eight Drums at Eighteen pence P Day Each, four Surgeons at Six Shillings P day Each, & tour hundred & three private Sentinels at Eighteen pence P Day to every of them, above their provisions.

And be it further Enacted, by the authority aforesaid, That

a Muster-Boll of the names of all the Volunteirs, ex-
pressing when lasted, & yt those Impreas'd when
detached, be transmitted to the said Treasurer by the
principal Officer of the Militia of every Citty & County, Signed by
him, & by that Officer who shall make such detachmt or Enter the
Volunteirs, as aforesd, witliin a month after such Listing or
Detachmt, to remain with the Treasurer for the better
regulating the payment of the forces to Serve on this Expedi-
tion, under the penalty of ten pounds on Each Officer who shall
make default herein, to be recovered by Action of
debt or informaoon in any of her Majesties Courts, the one
half to her Majesty, to be paid to the Treasurer towards
the Support of the Government, & the other half to the Informer
who shall Inform & Sue for the same. AND for the better
paymt of the same forces to be raised fw the same Service, a
CevtlfiQate of the Captain, of the Service of the Men under
their Conunands, respectively shall be a Sufficient Warrant &
discharge to the Treasurer for the paym't of such men; & that
a Certificate of the OcHmnissioners for mannageing the Afi'airs
relating to the provision & all other necessarys for the sd Ezpedi-
ti(m at Albany of the Service of any Comission Officer on the
same Service, shall in like manner be a Warrant & discharge
for the paymt of those officers, according to the meaning &
regulacou of this Act, wch sd Certificates the sd Captains &
Oomissioners are hereby required & Enjoyned to give, in man-
ner before Express'd.

And be it further Enacted &o Timt for the better Aaseflsing,
raising, Collecting & receiving the said Bum of Four Thousand
Pounds, the Mayor & Aldermen of the C5ty of New York, the
Mayor & Aldermen of the City of Albany, with the Justices of
■ the peace, for the time being, for the Several & respective
Cities & Counties within thia Colony, for whl«h thep shall be
Justices of the peace do within forty days after the publica-
coo hereof assemble & meet together in the Oourt-housea fOr
the several & respective Qtys -and Countys, or such other place
or places as they shall agree among themeelves, & there shall
order yt the assessors and Collectors for the several & respec-
tive Citys, Towns, Mannors Liberties & precincts within their

Bereral Juri«dictionB for the Asseeaing & Collecting of the pub-
lick Bates for the defraying the publick & aecessat? Charge

of Each tespectlTe City & County afora^d, be the Aaeeaaors & (MlectoTB for the ABaesBing & Oollecting the said four Thoa- Band pOTtodB, according to the ppoponxms before Ezpre^'d, in like manner as tbe publl^k Bates are usuall; laid, Aeseesed and Collected.

And in Case any mannoT Town, Liberty or preduct within the respective Conn^a do or «hall refuse, neglect, omitt or not annually Elect or once in the Year chuse assessors or CoHectors, whereby the intent of this Act may be Eluded, or that the Assessors or Collectors Chosen, as aforesd, shall dye remove out of Any Citj or County, it is hereby Enacted by the sd Authority, lliat then & in such case, the Justices of the peaces or any two ot them, for the Countys where such Town^ Maninors, Uber^ ties or precincts are, are hereby required, Impowered & Author- ized to nominate & appoint assessors & Collectors for sucb Towns, MannoTS Liberticis & jH-ecinets, wch Assessors & Col- lectors shall, to all intentB & purposes, Obeerre the IMrections of this Act, as any other Assessors & ColIectrB are by this AcQ Obliged & Enjoyned to do

And if any Assessor or Assessors Chosen or Nominated and appointed in manner & fonn aioiresd, shall unequally & pai*- tially assess any persons Estate, to be rated & tax'd by Virtue of this Act, and shall thereof be Convict by the due course of the Law, such ABsessor & AsBessors shall be Cotnitted to the com- mon Ooal, liiere to remain without bail or mainprise until he & they ehall fine & Bansom for such their OtFence, the one half of such flues to be to her Majesty, her heirs & Successors, to B paid Into tbe Treasnrer ol this Oolony, for the time being, towards the Support of this Govemmt, & the other half to the Informer that ahall prosecute the same

And be it further Enacted &c That the said Mayors, Alders men & Justices of the Peace for the peapective CSties & Ooun- ilea, have, & shall have power & Authtw^ty, by Virtue of this Act, & are required, any two or more of them, or each of them by hfmsdf, to administer an Oath to the said Assessors, & any or every of them, well, truly. Equally and inipaFttally, & In due proporoon, as it shall appear to theim according to their best understanding, to assess & rate the Inhabitants, Sojourners, Bccrfdents & freAolders of the respectlTe places for w'ch they shall be chosen Assessora

And be it further Enacted, &c by the Authority aforesd That if

any Person or persons, who shall be Chosen assessors or Col-
lectni in manner aloresd, shall deny neglect or refuse to make

. Google

suet aaseasmt as by this Act is required, or shall deny, neglect M
refuse to Collect any Sum' or Sums of money, in fonne before men-
tioned laid, Taxed & assesaed, & thereof be Convict before anj
two JuBtieeB of the peace ot the Citys & CountyB where snch
ofTeudors shall happen to dwell or reside (who are hereby
required & Impowered to hear, determine & do the same) shall
by Warranta under the hands & Seals of such two Justices of the
peace, be Comitted to the Comon Qoal, there to remain withont
bail or maioprize till he or they shall fine & ransom fop such
contempt, as aforesaid. And if any person or persons, of what
degree or Quality soever within this Colony, shall refuse, neglect
or delay to pay the several Sum & Soma of Money assessed, is
manner aforesd, upon demand made by the Collectr of the place
where such person or persons shall dwell, inhabit or reside, it
shall & may be Lawful to & for such Collectr, for nonpajmt
thereof, to distrain such person or persons so refusing, delaying
or neglecting, his or their Goods & Chatties, & the distress bo
taken to keep by the space of four Days, at the Cost & Cliari;e0
of the owner thereof, & if the owner do not pay the sd Smn or
Siuna of Money, so distrained for, within the sd four days, thra
the sd Distress to be publickly Sold by the Collectrs, for the
paymt of the sd money, &, the overplus coming by the said Sale (if
any there be) over and aboive the Charge of taking, keeping &
Selling the said distress, to be Inunediately restored to the owno*
thereof.

And also, be it Enacted by the Authority afores'd. That if
any Mayr, Aldermen or Justice of the peace within this Colony,
who are hereby required Bnpowered & authorized to take effectn-
all care yt this Act be duly Executed, according to the true intent
& meaning thereof, shall deny, refuse, neglect or delay to do,
perform & Execute all or any of the powers, Dutys & Authorities
by this Act required by him or them to be done, & shall thereof
be lawfully convict before any of her Majties Courts of Becwd
within this Colony, he or they shall suffer such pains, by fines A
Imprisonment, fts by the discretion of the Justices of the sd

Courts shall be Adjudged, to be Sued tor, paid & applyed as aforesd.

And be it further Enacted &c By the Authority aforesd, Tbat • if any Action, Bili, plaint, informacMi or Indictmt shall be brought, moved or prosecuted at any time hereaft^" against any person or persons, for any matter Cause or thing done or Exe- cuted in pursuance or Execucon ot this Act, such person w persons so sued or prosecuted in any Court, whatsoever, shall & may plead the Generall Issue, Not guilty, and g^ve this Act ft the special matter in Evidence, & if the plaintiff or prosecutor

shall be non-suited, or fwbear further prosecucoD, suffer dls- continuance or Verdict to pass against him, the defendant or defendants shall have trebble Oosts, for which they shall have likp Beinedy, as in case where Costs by I^w are given to Defendants.

PROVIDED ALWAYS, That no Mayor, Aldermen nor Jnstices of the peace, shall be Sued, prosecated, troobled or molested for any amission, offence, neglect or mistake [of or against this Act but within the space of one year after such omission, offence, neglect, or mistake] comitted, & not any time hereafter, any thing herein contained to the contrary notwithstanding.

And be it further Enacted &c, by the Authority aforesd That over & above the respective Sums before Enacted to be paid by the Several Citys & Countye in this Colony, the Sum of Nine pence P pound be Assessed, raised, & paid to the reiq>ectiTe CcA- lect'rs, & six pence P pound be paid to the Treasurer aforesd, & that the sd Treasurer shall keep a tme and exact Account of all Such Sam & Sums M Money aa shall be by him so received & paid, & such account give & render, at all times when required, to the Oovemr, Council & Assembly for the time being, when sitting & requiring the same.

And for ye bettr uudr standing & ^plaining of a certain Clause in an Act, Entituled, an Act for the laying an Excise on all Liquors retailed in this Colony, Be it Enacted by ye same Authority yt no Collectr nor Commissiour in yt Act menconed, jt hath already accounted to ye Qovernr & Councill, or other Law- ful authority, for any Sum of mony by him or them, received, &

arising from ye Beam or weigh-house, shall be any further liable to any paymt or Account, any thing in ye sd Act, w any other Law, to ye contrary hereof in any wise notwithstanding.

And be it further Enacted &c by the authority aforesaid That the Comimissioners appointed for managing the present ExpedJ> tion to Canada, in relati<Hi to purchasing &. procuring ProvisiMUl, & all other Kecessarys for Victualling the forces to be raised in this Colony, and bnilding the Store-houses near the Lake leading to Canada, & Boats & Canoes for the water passage & transport- ing Men & Materials over the said Lake, shall & do Issue their Warrants to the Treasurer of this Colony for the Advancing & paying of one hundred pounds to Colonel Peter Schuyler ftor hla Incouragement towards the said Expiditlon, on the Credit of an Act passed this Sessions, entitnled, as Act for Levying Six Thousand pounds, which Sum the said Treasurer ts hereby Impower'd & directed to pay accordingly.

And be it Enacted &c ty the Authority aforesaid, That all & every the Carpenters Impressed out of the said Ci^s of New

.., Google

York and Albany, to Serve on the aald Expedition, shall not be Obligd to go further tlian the place wbere the forces, de4a4^ for the said Expedition, rtiall Embarii, and having finished the work for them desigo'd, shall have Libert; to return to their respective abodes; and that fourtieeD Men are hereby reqnir'd to be detacht in their Stead, out of the said City of New Tort, and Biz men out of the City of Albany aforesaid, to march with the Baid forces to Canada.

[CHAPTER 192.]

[Chapter 192, oC LiTingatoti &, Smith and Van Bchaack, where tlw act l8 printed In full. Printed In fuU In Bradford's 1709 ed.. p. Baskett, p. 100. See cbapter JS8J

iAN ACT to relieve Assessors

[Passed June 21, 1709.]

BE tt Enacted by the Lieutenant Govemour Council and General Aasembly, and by the Authority of the same. That all and every Clause and ClauseB matter and thing mentioned Express'd and Imply'd in one Act of General Assembly entitnl'd, AN ACT for raising the Sum of Three ThousHod Pounds, towards defraying the Expence of Fortifying the City of Kew York, made in the fifth year of Her Mattes Reign in any precedent or Sub- sequent Act or Acts of General Assembly hitherto past, Impower- ing or giving Jurisdiction to any Justice or Justices of the Peace to Inspect, take C(^nizance, hear or Determine of any Assessm^t or Rate made by any Assessor, or Assessors, Elected and Chosen by the People, and Sworn for the Rating and Assessing, the Estates Real and Personall of the Inhabitants of this Colony, in any City, 'Pown or Precinct, within the same, or to Fine or Imprison any Such Assessor or AsBessors under Colour or pre- text of any undue or Partial Aasesament op rat*-, are and is hereby from and after the fifth day of April in this present Tear, Seventeen hundred and Nine Reppaled Abrogated and Declard Null and Void any Custome or Usage to the Contrary hereof in any wise notwithstanding.

:yGoOt^lc

ia.WS OP THE COLOXY OF NEW TOBK.

ITHB TWELFTH ASSEMBLY.

Second Seasion.

(Begun Sept. 8, 1709, 8 Anne, Biohard Ingoldesby, lient Gover- nor.)

[CHAPTEB 193.]

[Cb^ter 193, of Livingston & Smith and Van Schaack, wbere the tttle 01U7 Is printed. Printed In full in Bradford's 1709 ed., p. 03; Bas p. 99. See cbapter 16& Revised bj chapter 213.]

AN ACT for Beviving an Act of General Asaemljly, entituled an Act for the better setling the Militia of this Province ft

mailing it more naefuli for the Security &
Defence thereof.

[Passed September 20. 1709.]
BE it Enacted by the Lient Govr Council & Assoublj, & it ie hereby Enacted by the Authority of the Same, That one Act of General Assembly, entituled an Act (or the better Setling the]Ui]itia of this Province ft mailing it more useful] for the securit and defence thereof made in the first Year of Her Maties Beign, Expired by its own Limittation Shalbe and is hereby Enacted by the Authority aforesaid to be of force from tlie Publication hereof for and nntill the first day of October web shall be in the year of our Lord Seventeen hundred & Ten & no Longer.

[CHAPTER 194.]

[Chapter 194, of Livingston & Smith and Van Schaack, where the title onl7 la printed. Printed In fall in Bradford's 1709 ed., p. 00; Baa p. 07. Continued by cbapter 2\%.\

An Act for Lao^g a Duty on the Ton-
nage of Vessels and Slaves.

[Passed September 24, 1709.]
Be it Enacted by the Leiot. Qmv Council & General Assem-
bly and by the Authority of the same. That every Master or Oommander of any Ship or Vessel, the one half of which Ship or Veseel at least, does not belong to the Inhabitants in this Colony, Coasting Sloths belonging to the UassachusetSn Boad Island, Conneticut and the Jerseys Excepted, who Shall Enter or Cleer in or out of this Colony shall pay Two Shillings Cur-
rent mooy of tills Colony per Ton, for every Ton (according to the Tonnage of his Ship or Vessel) within Six days after the Arrival of such Ship or Vessel upon i>enalty & Forfeiture of Twenty Founds Current mony of this Cdooy, to be forthwiOi

Ac

paid b; the said Master or Commander upon C<HiTicti<ni b^ore the Mayor of the City o* New York for the time being, by the Oath of one Credible WitmesB, that he op they have not paid or refusing to pay the same, according to the Tenour of this

Act. And on hia or thdr refusall to pay the Baid penalty, to be Committed by Warrant from the said Mayor untlll be or they shall pay the same to the Treasurer <rf thia Colony for the time being, the one half of the said Forfeiture' to be for and towards the t^upport of this Ooremment, & the other half thereof to him that will prosecute the same to be recovered io manner aforesaid.

And be it further Enacted by the Authority aforesaid That all Ships & Vessles liable to pay the Duty by this Act Impos'd shall be Keportod od Oath or Gaged by the Length of the Keel taken wthin Board (so much as she treads upon the Ground) and the breadth to be taken within board by the Midship beam from Plank to Plank, and the depth of the hold from the Plank below the Kelsey to the underpart of the Deck plank, & for a two Deck Ship or Vessel, the depth of her hold to be taken from the Plank below the Kelsey, to* the under part of the upper Deck Plank, and the Length and Depth as hereinbefore mentioned, the Length of every Ship & Vessel to be Multiplyed by the breadth, and the product thereof by the Depth, the whoU to be Divided by Ninety five, & the Quotient of auch Divi^on shall be the true Contents of the Tonnage of every Ship & Ves- sel measured as aforesaid, according to the said method & Rule all Vessels shalbe Measured and the Duty computed and paid accordingly by the Master or owner.

And be it further Enacted by the Authority aforesaid, That the Officer herein appointed for Collecting the said Duty Is hereby appointed to keep a f.iir Register of all Entries upon Oath in a Well bound Book or Boolis to be provided & kept for that purpose and shall give One thousand pounds Security to Her Maty for the true performance of the said Office by Recognizance before the Mayor of the City of New York for the time being. And the said Officer shall give to the Govr for the time being & the General Assembly of this Col<Hiy when Sitting & requiring, an Accoimt fairly written of the names of Such Master or person who hath so entred or Reported; with the names of Such Ships or Vessels tlieir Tonnage or Burthen, & faithfully account for mony received by him by Virtue of his Office. And in case the Officer herein appointed shall have rea- son to Suspect any Master or Commander who bath made a Short entry of the Tonnage of his Ship op Vessel, then & in Such Case the said Officer or Such Sworn Surveyor as a Gager as he Shall Imploy shall Immediately repair on board Such Ship or Ves-

sel by him So Suspected to take the true Burthen <rf his Vessel according to his best Judgment & make true entry thereof in the said Books, & if it be found that the entry of the said Ship or Veesel be short of Such Survey or Gage, made by the said Offlcer, the Master or Person making Such Short Entry shall for the Same forfeit & pay Six Bhilllnga Current money of tH« Colony, tor every Ton Short Entred, to the Offlcer hierebfy appointed to Collect the said Duty without any Free or other Charges.

AND be it further Enacted by the Same Authority, That Gabriel Ludlow, l>e and is hereby appointed the propper offlcer to receive the mony & the Duty hereinbefore menconed, & is hereby required & ImpoweHd to pay the said Sum and Sums of mony so received & Collected as aforesaid, to the Treasurer of this Colony, for the time l)eing and is hereby allowed & permitted to pay himself the Sum of Twenty five pounds a Year for & as his Sallary for doing the duty as aforesaid.

And be it further Enacted, by the Authority aforesaid, that there shalibe Collected & paid, to Her Ma'ty, Her Heirs & Succes-sors from and after the Publication hereot, the Duty & Imposition of Three pounds for every Negra that shall be Imported into this Colony not directly from Affrica, & Three Founds for ©very other Slave or Slaves that shall not be directly Imported into this Colony not directly from Affrica, & Three Dutys herein Imposed shall be collected by the Offlc* hereby named & appointed & who Is hereby required & directed to pay and account for the Same in manner before Expressed.

AND be it further Enacted by the Authority aforesaid. That the mony Imposed by this Act shall be applyed and paid iDy the Treasurer of this Colony to Such ITaes as shall be directed by the Govr Council and Assembly of this Colony for the time being & not otherwise:

PROVIDED, also that this Act shall be & Continue in force untill the first day of May One thousand Seven hundred & Eleven & no longer.

[CHAPTER 195.]

[Chapter 195. of LlvlnKston & Smith and Van Schaack, where the act Is printed in full. Printed in full In Bradford's 1709 ed., p. 94; p. 101. The original of this act doea not appear to be In the off the Secretary of State, bnt from the minutes of the Council, snch a was passed September 24, 1700. (See Joamals of Legislative ConncU, p. 288.)]

An ACT to enable the Justices of the Peace to nominate Assessors and Collectors, in Case of Death.

tPassed the 24th of September, 1709.1
BE IT ENACTED by the Lieutenant Governor, Council, and General Assembly, and by the Authority of the same, That when,

and AB often, or where the Asseaaora or Collectors shall die; €Tei7 Manor, Town, liberty or Precinct within the respective Coonties, are hereby required and directed, within ten Days after the Death of any Assessor or Collector, to chiise others in their Stead and Place; and on Befusal, Neglect, or Omission, the Justices of the Peaces or any Two of them, for the Counties where such Towns, Manors, Liberties, or Precincts are, are hereby required, impowered, and authorized to nominate and appoint Assessors and Collectors for such Towns, Manors, liberties, and Precincts; which Assessors and Collectors shall, to all Intents and Purposes, observe and do his and their Duties, as any other Assessors and Collector are required and enjoined to do.

[CHAPTER 196.]

[Obapter 190. of LWIngetos & Smith and V-an Scbaack, wbere the title onlr is printed. Printed In full in Bradford's 1709 ed., p. 95. Tit Is prlDted Id Baskett, p. 102. Expired, September 24. ITll. The port of the original law containing the signature la torn off, but from Minutes of the Council It appears that tbe act was passed September 1709. (See Journals of LegtalaUre Council, p. 289.)]

AN ACT to prevent the Exportation of the Gold and Solver Coin out of this Colony,

[Passed September 24, 1T09.]

BE it enacted by the Zieuteoaiit Govemr, Council & General ABsesnbly & by tils' Authority of the same that from & after the Publicatioo hereof no Peroon or I'ersons whatsoever within this Colony Dwellers, or StrangeTs shall Ship, Load, put on Board, Export or in any manner carry out of the same Colony by Land or by Water, any Spanish Coin, Cei-ill, Pillar, Mexico or Peru, Lyon Dollars, half Dollars or ony other Forrrfgn Coin, Gold, Silver or Bullion whatsoever, under the Ppualty of forfeit-inR Double the Value of all Such Gold or Silver or Bullion sldpt on Board any Ship or other Vessel Exjiorted or Carry'd out of thU Colony by Land or by Water to be recover'd in any* of Her Ma'ties Courts within this Colony, by Action of Debt, Bill, Plaint or Information, the one half of such Forfeitures to be to Her Ma'ty, Her Heires and Successors, to be paid in to the Treasurer of this Colony, & apprfy'd as tbe Governr Council & Assembly ^all direct, towards the Support of the Govern-ment, & the other half to any person or persons who sbalbe & are hereby authorized and Impowered to Informe and sue for the same in which no Essoin Protection Wager of Law, or non bult TTlteriufl prosequi shall be allow'd any law, Costom or Statute to the Contrary hereof notwithstanding.

H;-,:.tll:yG00gIC

And lor the more effectual prerenting of the Exportation aforesaid. Be it aJso Enacted b; the saime Authority That the Oaptain or Master or Captain & Master, where there are Such, of every Ship or other ^' easel, sailing out of this Port, shall before he or they take any Goods on Board their Ships or Ve»-aels make his Coiporal Oath before the Mayor or Recorder of the City of New York for the time being who are hereby Impower'd, Anthorii'd and requir'd Gratis, to Administer the same, That he hath not, nor shall directly, nor Indirectly at any time before the Departure of Such Ship or Vessel out of this Port, take, recfflve or Ship on Board, Export or carry out of this Colony, any of the Gold & Silver Coin, Plate or Bullion whatso-ever before mencon'd and shall also deliver into the Mayor or Recorder of the City of Sew York for the flitne being, if require'd, a frist of the names of all such who do or shall ship any Goods whatsoever, on Board them to the end that the said Mayor or Recorder at his Discretion may if he see Cause

Somons such person or pei^ons before him and Examiu him or them, on their Corporall oaths^ if they have Directly or Indirectly shipt on board such ship or other Ve^^, any Gold, Silver, Plate or Bullion as aforesaid, & in Case any such Cap't or master shall take oo board any Ship or other Vessel any goods whatso-ever before he make such oath, or shall deny, refuse op neglect, to deliver in Such List, or if any p'son or persona who shall ship any Buch Goods, shall upon Lawfull Summons, refuse to appear, or appearing, refuse 'to make such Oath, such Oaptain or Master person or persons shall by the said Mayor or Recorder be Comitted to the Common Goale there to remaine, untill he or they respectively, shall appear ddiver in such List, & make such Oath as aforesaid.

And be it further Enacted by the Authority aforesaid That in Case the Mayor or Recorder aforesaid or either of them upon Information given to either of them respectively, of any Silver or Gold, Ooyn, Plate or Bullion, Exported, or about to be earried out of this Colony, shall neglect or refuse to put this Act in Execution, According as in and by this act they are Author-ized Empowpr'd & requir'd, & pursuant to the true Intent & meaning hereof, Such Mayor or Recorder shall Loose & Forfeit ffifty pounds, to be sued for reeorer'd & dispo»'d of, in Manner before Enacted, mentioned and exprest.

And for the more easy Convicting of the offenders against this Act. Be it Enacted by the same Authority, That any two Credible Witness's, such as the Jury to whom any Issue upon this Act shall be Comitted shall Credit & believe; shall be allowed sufficient proof and Testimony in the Law, to Convict any per-son or persons whatsoever guilty of the breach of this Act

..Gooj^Ic

And as a further eucoaragement for the discovery of all oflenderB, & the rendring this Act more Effectual. BE it also Enacted by the Authority aforesaid, That whatsoever Oaptain, Master, Purser or other person who shall discover lafonu against or prosecute any person or persons guilty of the breach of thfe Act shalbe and is hereby disctiarg'd and Indemnified, from any Contract, made for the Freight Transportation or

Carriage of any Such Coin, money, Bullion and Plate before mentioned, and shall and may u[>on any Action, Comenced or brought against him or any of them, plead the Oenerall Issue, & bring this Act in Evidenfe for his Justification acquittance or discharge, any Bill or Bond Contract or matter thing Law Cu8-tome or Statute to the contrary here<rf notwithstanding.

Provided always notwithstanding, that this Ac^ shall not be Constru'd nor extend to the Exportation from this City, of ajiy wrought plate where proof shall be made before the Mayor or Recorder of this City for the time being, by ome Credible Witness, that so mnch Gold or Silver Coin or Bullion hath been before that. Bona fide. Imported into this C<Jony, on purposes to be here wrought np, into such Plate or Vessels of Gold or Sil-ver, nM* to any Traveller orPassenger by Land or by Water, to the Neighbouring Oolonys, of the Massachusets, Road Island, Con-nectictrt, New Jersey PensilTania, Mary Land or Virginia, car-rying away any Sum not exceeding Five pounds.

PROVIDED also that no person or persons, shall be Lyable to be prosecuted, for any thing made an offence by this Act, but within one year, after the fact Oomitted, and not at any time after that.

This Act to Continue in force for the terme and Space of two years from the publicaHon hereof only.

[CHAPTER 197.]

[Chapter 197, of LIvIUKBtoD & Smith and Van Schaack. where the title only U printed. Printed in full in Bradford's 1700 ed., p. 93; Bask p. 100. See chapter SS.1

AN ACT for Reviving an Act for Encouraging of Seamen.

trassed October 11, 1709.}
BE it Enacted by the Leint Govr Council and Assembly, and by the Authority of the same, That one Act of General Assembly, entituled, an Act for the Incouraging of Seamen made in the third Year of the Roign of the late King William of Glorious Memory being Expired, shall be and is hereby revived & to remain in full force for and during the Space and term of Two Years from the Publication hereof.

1 1., Google

And be it further Enacted by the same Anthority, That in case it ehall so happen that any person or personB to defeat the Intention of the said Act shall make or take any Bond, Bill or Specialty whataoerer from any Beaman in truBt, for the Use of any Tavern-keeper, Alehouse keeper or Victualler all and every SQch Bonds, Bills or Specialtys shall be altogether void, null and of none Effect, any CuBtome, Usage or Law to the contrary hereof, notwithstanding, & any person or pers<m making or taking any Bach Bonds, Bills or other Specialtys shall and may by the Judges or Justices of any of Her Maties Courts of Justice be Examined on his her or thdr Corporail Oaths of and Concern- ing Such Trust and Use, and if the Party Examin'd shall refuse to discover the Same, Judgement ^all be given as if such Trust & TJse, were Confess'd and Legally prov'd.

And he it also Enacted, by the Authority aforesaid. That tiie said Act shall extend to all Tavemkeepere, Alehousekeepers an^ Vlctualers, in Qneens County and Kings County, to ail Int»itS as if they had been mentioned Ezpreas'd and nominated in the Body of the said Act.

[CHAPTiai 198.]

[Chapter 186, of LMogston & Smith and Van Schaack, where the act IB printed In fuU. Printed In. full In Bradford's 1709 ed., p. M; B p. lOL]

AH ACT to prevent the Besnoval of Actions of Twenty porunds from the Mayors Court of New York and other Courts.

[Fasflcd October 11, 1709.]

BE it Enacted by the Leint Govr Council & General Assembly and by the Authority of the same. That there shall not be after the Publication of this Act, any Removal by Habeas Corpus or other Writt, of any person or of any Case, Action or Suite (ft Appeell or writt of Error from any Judgemeoit or Execucon from any of the Courts of the Mayor & Aldermen in the Gitys of New York & Albany, or Burpough of West Chester, op fl'oin any of the

Courts of C<»non Pleas in any of the Countys of this Colony, in any personal Action where the matter in D^nand, Suit or Controversy does not amount in real value, to, upwards the Sume of Twenty pounds, Lawful! mony of this Colony, provided the thing or matter in controversy do not bring in question or relate to the right or Title, of any Ixinds, Tenements & Hereditamenta in this , Colony, any Law, Usage or Practice to the contrary notwithstanding.

And be it further Enacted, by the Same Authority, That where any Justice of the peace or other persons are authorized to hare

CogDizaDce of Please of Debt or Tres-pass to the value of Forty Bhillings and nnder within this Colonj, itt shall & ma; be Lawfull for Such Justice or other person to cause their JudgeiatB <» Sentences respectively to be put in Execution by Warrant under their respective bands & Reals directed to the constables of the Towns, Manoors or districts, where tie parties against whom the Judgm't or Sentence is or Shall be given does Inhabit, or where their Bodys Goods or Chatties, are to be found, at the Election of the Party recovering, either to Levy the same by Bale of such parties goods & Chatties, returning the overplus, if any be, to the owner, or by taking their Bodys & comitting them to the County Ooale there to remain in close & Safe Custody till Such Jadgmt or Sentence shall be paid & Sattisfyed.

And be it further Enacted by the Authority aforesaid that the said Constables respectively, are hereby authoriz'd Commanded & required to put such Judgmts & Sentences in Execution, according to the Tenor, Intent and meaning of this Act, & the Sheriffs, under Sheriffs and Ooalers of the Several Counties respectively are hereby authorized Coiunmnded & required to receive the Bodys of Such Partys in their respective Jailes, & then there in close and Safe Custody to keep, untlll Such Judgmts & Sentences shall be Sattisfyed and paid, any Law, Usage or custome, to the contrary hereof Dotwithstanding.

[CHAPTER 199.]

[Chapter 199, of Llvlngstoo & Smith aad Van Schaack, wbere the title only le printed. Printed In full Id Bradford's 1T09 ed., p. 89; Bae p. 05.]

AN ACT for Levying divers Sums of mony for drfraying the Charge of this C<dony.

[Passed October 11, 1709.)

BE it Enacted by the Leint Oovr Council and General Assonbly iind by the Authority of the same that from and after the Publica- tion hereof there diall be paid to Her Ma'ty Her Heires and Successors, One Shillings Current mony of this Colony, for every Chimney, Are place & Stove, that is or shall be Erected & built within this Colony by the Occupiers and Tennants tiereof, and Two Shillings for eveiy Negro or Indian Slave frcan Fiifte^i Years to Sixty Years of Age. And for the better Colecting the same. Be it Enacted by the Authority aforesaid, That the Several Assessors for the time being of the Several Citys, Towns, Manners & Precincts vrithin this Colony shal\ within Forty days after the ■ Publication hereof take an Exact true & perfect lAst of all and every Hearths, Chimneys, Are places & Stoves & of all Slaves as are dwelling & residing within the said Severall Towns, Manners

& Precincts from the Age of Fifteen Years to Sixty & a true Copp; of Sucli lists shall be Delivered to the ClerliL of each respective City and County in this Colony Subscribed by the said Assessors by him to be Filed and remain iu his OfKce. And the said respective Assessors are also hereby required to Cause dupticats of the said LJsts to be fairly written and forthwith delivered or Cause to be Delivered unto the respective Collectors of every Citty & County who are hereby Authorized &. required to Demand and receive of every person or persons Chargeable by this Act, one Shilling for «very Chimney, flre place & Stove & two ShillinpTS for every Megro or Indian Slave of the Age of Fifteen Years and under the Age of Sixty, Curr^'ut money of this Colony, which Said Sum & Sums the said Severall Collettors shall pay to the Treasurer of the Colony for the time being on or before the Twenty-flfth day of March next ensuing, Deducting Sine pence per pound, out of the mony Levy'd by this Act for Collecting the same. And if any person or Persons Shall refuse to pay the Several Sums appointed by this Act upon Demand by the Collector of the place, where they shall Dwell or Reside, it shall and may be Lawfull for such Collector or Collectors for non payment thereof to Distrain the Goods & Chatties of the' Person

or Persons bo refusing & the Distress so taken to keep for the Space of Four Days at the Cost and Charges of the Owner thereof & if the said Owner doth not pay the said money so Distrain'd for, wthin the said Four Days, then the said Distress to be Pub-ickly Sold by the said Collector or Collectors for the payment and the overplus coming by the said Sale (if any be) over and above the Oiarg of taking and keeping the said Distress to be Imme-diately restor'd to the owner thereof.

And be it Enacted by the Authority aforesaid, That if any dispute or Controversy shall arriae between any of the Assessors & any respective Person or Persons concerning the Age of any Slave or Slaves or the Number of any Chimneys, Hearths or Fire-places the same shall be Decided by the next Justice of Peace, where such Person or Persons shall Dwell or Reside, who is hereby Authorized & required to Determine the Same, & whose award therein is hereby Enacted to be Valid in that behalf.

And be it further Enacted by the Authority aforesaid that every Assessor & Collector, who shall refuse to do hie or their Duty by this Act required shall forfeit Severally for every such neglect the Sum of Ten Pounds, and for every false return wilfully made contrary to this Act, he or they shall forfeit and Loose for every Hearth, Chimney, Fireplace or Stove, & Negro or Indian Slave so falsely returned or omitted, the Sum of Six Shillings, the one Itoiety to be paid to the Treasurer of this Colony for the time

Digi-jzedbyGoOgiC

b^ug towai'ds the Support (rf this Goremment, & the other half to the Informer or he that will sue for the same.

Ajid be it further Ena'Cted bj the Aathority aforesaid that the money Impoe'd by this Act ahall be Apply'd & paid by the Treasurer of the Odony for the tnne being to Such Uses as shall be direeted by the Goivr Council & Assembly of this Colony for the time being & no otherwise.

And for the more Effectual putting in Execucon an Act entituled an Act for laying a Duty on the Tonnage of VeaseU and Slaves paas'd this present Sessions. Be it Enacted by the

Authority Aforesaid, That such Ship or Vessel lyable to pay Tcm-
nage money by the said Act Upon notice given by the Officer
for that Purpose Shall within Six Days after her arrival within
this Colouy enter and Cleer with the proper Officer appointed
to Collect the Duty of Tonnage upon Forfeiture of Twenty
Pounds Current mony of this Colony, to bee forthwith paid by
the Master, Conmjander, owner or any of theim, upon Oonvii'tion
before the Mayr or any one of the Aldermen of the City of New
York for the time being, who are hereby Authoriz'd & requir'd
to hear and detiormiiie the Sa^ue, by the Oath of one Credible
Witness and on his & th«r refusal to pay the aadd penalty to
be Committed to "the c<Hnoa Goal by Warrant from the said
Mayor or any Aldennan untlll he or they shall pay the same
accx>rding to the Dinjction of the said Act And further that
no Vessel or Vessels lyable to pay the said Tonnage money shall
be Cleered at Her Ma'tys Oustome Houee in this C<rfony or
by any Officer thereunto belonging, untill it shall appear to the
Said Officer Such Vessel or Vessels, have enured with the
Officer appointed to Collect the said Tonnage mony, under the
penalty of Fifty Pounds Current mony aforesaid, to be recovered
& applyed as the Penalty of Twenty Pounds hereinbefore men-
tioned is Directed.

[CHAPTER 200.]

[Chapter 200, ot Livlngaton & Smltb and Van Schaack, wbere tbe title on^ is printed. Printed In full In Bradford's 1709 ed., p. 92; Bask p. 99.]

AN ACT for the Treasurers paying cer-
tain Sums of money.

[Passed October 11. 1708.]
BE it Enacted by the Leint Govr Council & Assembly and by
tiie Authority of the same^ That the Treasurer of this Ctdony
do Issue forth & pay to the Several personB or their Assigns
hereinafter nominated the respective Sums herein Express'd
out of the Colonys m(mey in bis hands not otherwise appro-
priated, That is to say, To the Honourable Colonel Blchard

Ingoldeeb; Esqr tlie Leiut Govr Fifteen hundred ounces of Plate
or Two ihousand One hundred Eighty two Lyon Dollars.

To Boger Mompesson Eeqr the Oheif Justice Three hundred Twenty five ounces of Plate, or Four hundred, Seventy three Lyon Dollars.

To the Clerk of the Coun-cil Seventy five ounces of Plate, or One Hundred & Nine Lyon Dollars.

To the Printer, One hundred and fifty ounces of Plate or Two

nndred & Eighteen I^oa Dollars.

To the Indian Interpreter, Seventy five ounces of Plate, or One Hundred & Nine Lyon Dollars.

Tw the Messenger or Doorkeeper to the Council, Fifty Ounces of Plate, or Seventy three Lyon Dollars.

To the Weigh Master P Annum, One hundred twenty five ounces of Plate or one hundred Eighty two Lyon Dollars.

To Helena Cooper for one hundred forty Seven Oatoch Boxes for the Expedition against the French Privateer under the Com-mand of Col. Peartree In Seventeen hundred & five Ninety Six Ounces & one half of Plate, or one hundred, forty Lyon Dol-lars & one half.

To Daniel Ebbetts or hie Order, for fitting a Boom*' in the City Hall for the Council to Sitt In, Fifterai Ounces of Plate, or Two & twenty Lyon Dollars.

To Gabriel Ludlow Clerk to the General Assembly of this Colony and William Churchill So many ounces of good Plate or Dollars as Shall appear by an Order under the band of the Speaker of the said Assembly for the time bdng.

And be it hereby Enacted, That the Eeoeipta of the Severall and respective persons before named or tfae^r Assigns shall be to the Treasurer of this Colony a Sufficient Warrant and Dte-charge for the same.

[CHAPTEaa 201.]

[Chapter 201, of LlvlugstoD & Smith and Van Scbaack, where the title only Is printed. Printed In full In Bradford's 1709 ed., p. 108; Ba

p. 110. Expired in 1710. Bee chapter 187, which is the act revived. Revived by chapter 232.}

AN AOT for Reviving an Act, entituled an Act to prevent Belling or giving of Bum or other strong UqnorB to the Indiana In the County of Albany.

[Passed November 12, 1709.]

PBESENT neces^y requiring. Be it Enacted by the Leiut

Govemr Ooancil and Assembly, and it is hereby Enacted by the

Authority of the same. That one Act entituled an Act to pre^

vent Selling or giving (rf Rum or other Strong Liquors to the

. LjOoj^Ic

Indi&ns in the Count; ot Albany, made in the Eighth Year of the B^^ of Her present Mat; expired b; ita (ywne Lymittatloii shall be and is hereby Enacted by the Antbority aforesaid to be of Force for and nntill the first day of June next ensuing & no longer.

And whereas Mr John Ouyler did Fanue the Excise at Albany for one whoU Year upon the Seventh Day of July last for the Sum of One huodred thirty one Pounds at whicli time the Prohibition of Selling of Bum and other Btron^ Liquors to the Indiana in the County of Albany, was Lymitted by an Act of General Asawnbly only for three months which Pro- hibition is now Beviv'd, whercby the said Cuj^er will be a. Looser, in regard the Indians Consum'd a great deal ot Strong Liquor. Be it therefore Enacted & it is hereby Eitacted by the Authority aforesaid that what Damage the said John Cuyler shall sustain by this said Prohibltdon, shall at the Expiration, of the Year be taken into Constderatioa by the Oeneral Assembly and allow him as they Shall think fltt and reasonable.

[CHAPTER 202.]

[Chapter 202, of LlvlDgston & Smitb and Van Scbaack. where the ad Is printed Id fuU. Printed In full In Bradford's 1T09 ed., p. 110; p. 111. See cbapter 94.1

AN ACT to Detennine Scrttle and Ascer-
taine the Bounds and Umits of the County
of Orange

[Paeaed November 12. 1709.]
BE it Enacted by the Leiut GorernoOr, Council aird General Assembly and by tiie Authority of the sam^ That the County of Orange ^all Extend from the Limitits and Cooflnes of the rpovince of New Jersey, on the Weertside of Hudaons lUver, along the said River, to the Line of the County of Ulster, and Westward, so far aa Delaware River. And that the last clause wherein Wagachemeck and great and little Minisinck ia moi-coned in an Act, entituled, an Act for the more Begnlar pro-ceeding in the Elections of Bepresentatives for the Severall Cities and Counties within this Province, be and is hereby, BepeaJ'd made null and void any thing to the Contrary thereof in any wise notwithstanding.

PROVIDED and it ia hereby Enacted by the Authority afore-said, That all Tjei-ys & Assessments made before the Eighteenth Day of October Beventeen hundred & nine, shall be Levy'd & paid in such manner as formerly & as if this Act had not been made.

Digi-jzedbyGoOgiC

LAWS OF THE COLOXT OP NEW YOBK

[CHAPTER 203.]

{Cbapter 203, of Livingston & Smkh and Van Scbaack, where the title only Is printed. Printed In full In Bradford's 1709 ed., p. 113; Ba p. 112. The act repealed la chapter &S.]

AN ACT to repeal an Act of General
Assembly Intituled an Act to oblige Robert
Lirinston to account according ta the Pur-

port of an Act entituled an Aot appointing & enabling Conuuisslonera to take & State the Publick Accounts of this Prwrinoe

fPassed November 12, 1709.]

WHEREAS an Act of Assembly waa made in the Year one Thousand seven hundred & one, Entituled , an Act to' oblige Robert Livingston to Account according to the purport of an act Entituled An Act Appointing & enabling Oommissionrs to take the publick Accounts of this Province, wherein and whereby the said Robert Livingston Stood charg'd with the receipt of theSum of seventeen Thousand Sixty ninepounds Nineteen Shil- lings & two pence farthing (alledg'd in the said Act) by reason of specious pretences of his disbursements for the pul>lick from the Year one Thousand Six hundred eighty three, to the Year one Thousand seven hundred & one of which Sum he is thereby required to give an account to the Said Commissioners Under the Penalty of forfeiture & confiscation of his Estate real & personal to that Value, he being before that time prevented of having the benefit of his Vouchers by the late Lord Bellomont who in the Year one Thousand Six hundred Ninety & eight had commanded them into his own possession from the then Clerk of the Council, was not able to finish the said Account, untill tbeArriral <rfthe Viscount Combury, late Govemour General of this Province, who laid his commands upon the Countess of Bellamont to make restoration of the said Vouchers which waa performed accordingly whereupon the Said Robert livingston did Soon after compleat his Account of the Said Sum to the Satisfaction of the Late Governour & Council who thereTipon on the Second of February one thousand Seven hundred & Two did by order of Council restore the Said Robert Livingston to the peaceoble posseasion of his Estate real! & personal in the City of New York which had been confisca.ted by vertue of the aforesaid Act An an Office of inquest thereof found by the Escheator General of the Province off New York, In obedience to an order of Capt. John Nanfan Leintenant Govemour & the Council of New York.

H;-,:.tll:yC00t^le

And whereas the aforesaid Act of Aasemhlj by another Act of

Assemhly <rf this Province made in the first year of the Reign of oQr Soveraign Lady Queen Ann Entituled an Act repealing several Acts of Assembly & declaring other ordinances publishd as Acts of Assembly to be void, amongst other Acts of the Next proceeding Assembly, & Sentences, judgments, decree, order, Ordinances, and Edict Entituled, made, pr<HnuIgated, as Act or Acts of General Assembly, or law, or laws of this Colony, Since the first day of August one thousand Seven hundred & one, were & thereby have been declared & Enacted to be utterly & ' wholly frustrate, Null, & Void AND WHEEEAS it has SeMued good to her Boyal Majesty, since that time, to grant her Royal approbation to some or one of these laws as aforesaid, repealed, by the aforesaid Act of Assembly, in Order whereunto her Majesty has been graclusly pleased to repeal that Act Entituled, An Act repealing Several Acts of Assembly & declaring Otbef Ordinances published as Act of Assembly to be void, by means whereof that Act of Assembly, Entituled an Act to Oblige Robert Livingston to account according to the purport of an Act, Entituled an Act for appointing & enabling Oommissloners to tabe & State the publick Accounts of this Province^ is become reviv'd to the great danger of the Said Robert IdvingstMi for prevention whereof.

BE IT ENACTED by the Lieutenant Govemonr & Council k Generall Assembly of the Colony of New York and by the Autho^ ity of the Same, that the Said Act Entituled an Act to Oblige Robert Livingston to account, according to the puiport of an Act, Entituled an Act for the Appointing&EnablingCommissioners to take & State the publick Accounts of this Province & all & every Article, clause, forfeiture, confiscation, & penalty therein contained, is & shall from henceforth, be utterly void to All intents & purposes; and all Processe thereupon which has all- ready Issued or hereafter may issue against the said Robert Livingston & his Estate r«ill & personal! whatsoever, is hereby likewise declared Null&void.to all intents, con8tnictions,&pnr- poses, & the said Robert Livingston is hereby restored onto & protected in the peaceable enjoyment of all his Estate reall ft personal in New York, which he had & enjoy'd at the time of the Making of the said Act of Assembly, Entituled an Act to Oblige Robert Livingston toaccount according to the purport of an Act Entituled an Act for appointing & Enabling CommiBsionera to take & State the Publick Accounts of this Province the Said Act of Assembly or any process whatsoever, inquest or Office of Record found by the Excheator General aforesaid or any other against the Said Robert Livingston or his Estate reall & personal,

Digi-jzedbyGoOglC

or any part thereof, or any other law or Act to the contrary thereof, in any wise Notwithstanding.

[CHAPTER 204.]

[Chapter 204, of LiTlneston & Smith and Vao Schaack, wbere the title only iB printed. Printed In full In Bradforda 1709 ed., p. 101; Bas p. 102. Basbiett and Bradford atate that the act waa pnbllshed Novem 12, 1709. This bill is among the original acta in the office of th of State but ia not signed by the LleuteQant-GoTemor. From the Minutes of the GouncU' of November 1, It appears to have been paaaed by the whole legislature, but doea not appear to have been enacted on November 12, when the acts of that ■ession were algned by the Lieutenant-Governor. (See Journals of Legis lative CoondL p. 265.) Livingston & Smith and Van Schaack, seem to think that the act never became a law, and that chapter 207 provide the same purposes, the sums In both bills being the aame. This act, chapter 204, is, however, recited In chapter 222 aa an act passed N 1, nW. A copy of the bill, as printed by Bradford, is Inserted h

An Act fiM" the Currency ol Bills of Credit for Four Thousand Pounds.

[Paaaed November 1, 1709.)

Be it Enacted by. the Lieut. Qoremour, Council and General Aasembly, and by the Authority of the same. That Bills of Credit, to the Value of Four Thousand PoundB, and no more, shall be current, pursuant to the value of Money specified in an Act; entituled, An Act for levying Pour Thousand Pounds passed in the eighth year of her Majestys Reign, which Bills shaJl be in manner f<dlowing, Viz.

This Indented Bill of Bhlllings due from the

Colony of N. York, to the Possessor thereof, shall be In Value equal to Money, and shall be accepted accordingly by the Treas- orer of this Colony, for the tjme being, in all publick Payments,

and for any Fund, at any time, in the Treasury. I>ated, New .York, the first of November, 1709. By Order of the LieuL Governor, Council and General Assembly of the said Colony.

Which Bills shall be signed by Robert Walter, John De Peyster, Robert Lurting and Johannes Jansen, or any three of them who are hereby appointed and directed to sign and issue the saioe, for payment of such of the Four hundred eighty seven Men of the Militia of this Colony, appointed to serve in the Expedition to reduce Canada, as appear, on the return of the Forces, to have served and for no other use, intent or purpose whatsoever; which Bills are, and shall be received and paid for the same value, and equal to the current Coyn passied in this Colony for Goods, or any other thing bought and sold, in any payments to be made whatsoever, and the tender of the said
87

.., C A.>(.>gle

690 LAWS OF THE COLONY OF NEW YOBK.

Bills for pajlng & dischargliig of any Debt or Debto, Bargains, Bales, Uoutb and tSpecialti^ shall be m effectual in the Law to all intents and purposes, a« if the current Coyn ot this Colony haB been offered and tendered to any person or persons for the discliarge of the same, or any part thereof.

Aai be it further Enacted &c. That the said Bills of Credit shall be printed and numbered, expressing in every of them the Hum of Money they shall be current for. And to prevent Counterfeiiing any of the said Bills, they shall be dd!ied and circumstanced in all re^>ectB as the billS' of Credit are, that are mentioned, expressed and mode current in an Act, entituled, An Act for the currency of Hills of Credit for 5000 I. passed in the 8th year of her Majesties Reign, Four hundred of the said Bills of Credit hereby intended to be current, shall be fOT Five Pounds each BUI. Four hundred of the hereby intendeiJ Bills of Credit shall be for Fifty Shillings each Bill. And Eight hundred tJ the said Bills made current by this Act, shall be for Twenty Five Shillings each Bill, amounting to in all, Four Thousand Pounds, to bo delivered by the said Signees within one Moneth after the Publication of thie Act, to the Treasurer of the Colony, for the time being, to be by him paid to such of the said

487 Jlen of the Militia of this Colony appointed to serve in the Expedition to Reduce Canada, aCcnrdlng to the purport, true inteat and meaning of the Act herein before mentioned, enti- tuled, An Act for levying Four Thousand Founds, and to no other use, intent or purpose whatsoever; «nd to account to and with the Governor, Council and General Assembly of this Colony, tor the time being, of the Eecedpts and Payments of the Bills hereby made current, when and aS' often ob he the said Treasurer shall be thereunto required.

And Be it Further Ena,cted, &c. That for encouraging the Currency of the said Bills of Credit created by this Act, the Treasurer of this Colony, for the time being, shall and is hereby ■ required and direrties to take and receive all and everythe said Bills according to the value therein expressed, with the Advance of One Farthing for eaich and every Day all or any of the Bills are & shall be current tor Five Pounds, from the date of the said Bills; to the Day the said Treasurer shall receive them from any part of the 4000 1. Tax raised by virtue of the said Act, entituled An Act for levying Four Thousand Pounds ; And the Advance of Half a Farthing per Day on every the said Bills that are & shall be made current for Fifty Shillings, from the Date of the said Bills until they shall b paid to the said Treasurer for any part of the said 4000 1. Tax; And the Advance of One Quarter of a Farthing per Day on every

the said Bills that are and shall be made current for Twenty Five Sliillings, from the Date of the said Bills, until they ahall be pa to the aaidTreasarerforanypartO'f theBaid4000t.Tax. And on the Beceipt of each two Thousand Pounda of them said 4000 1, Tai The Treaaurer shall appoint the Slgnees to meet him, who ■are hereby required and directed to meet and joyn with him to examine and compare the said Bills, and cancel the same, taking an account of the Xumber and Value of the said Bills so to be cancelled, as aforesaid, and keep the same on a File, in order to be further examined by the Governour, Council and General AsBemhly, for the time being, or auch as they shall appoint, when sitting and requiring the same.

Be it also Enacted hj the Authority aforesaid, That the said Bignees shall take an Oath before the Mayor of the City of New York, for the time being, for their true Signing and Delivering

the said Bills of Credit, according to the genuine Intent and true Meaning at this Act.

And be it further Enacted, &c. That the said Bills of Credit shall be current in all Payments, as aforesaid, until the last Day of November, which shall be in the year of our Lord 1712, and no longer. And that the said 4000 1. to be raised by the said Act, entituled, An Act for levying Four Thousand Pounds, shall be paid to the said Treasurer in the said Bills of Credit, and in no other Specie whatsoever.

And be it further Enacted by the Authority aforesaid, that the several Advances to be allowed on the said Bills shall cease and determine on all and every of them from the Day they or any of them shall be paid to and received, aa aforesaid by the Treasurer of this Colony, who is hereby required to endorse the Day he received the said Bills, on some part^ to prevent a further grow-ing Advanaa And such person or persons as ^lall be convicted of Counterfeiting any of the said Bills of Credit, shall incur the Pains and Penalties of Felony, without the benefit o* Clergy, and suffer accordingly.

For the preventing Differences, Be it further Enacted by the Authority aforesaid. That the Possessor of any Bill or Bills of Credit lawfully issued, pursuant to an Act, entituled An Act for the Currency of Bills of Credit for 5000 1. passed this Session, shall be entituled to, and be allowed from any Collector or any C(^lectors, appointed, or shall be appointed to collect the Tax directed to be leviedbyAnAct, entituled, An Act fw" levying Six Thousand Pounds, passed {his present Sesdons, the Interest or Increase of Five Pounds per Cent, per annum on all or any of the said Bills, according to the true intent and meaning of the said Act

Digi-jzedbyGoOgiC

For the better explaining An Act, entitnled, An Act for levying divers Sums of Mony for defraying the Charge of ttiia Colony, Be it Enacted by the Authority aforesaid, That it is the trne intent and meaning of the said Act, that the Tenants and Oeco-pyers therein mentioned shall bear and pay the Dnty therein

laid on all Chimneys, Fire-hearths and Stoves, without charging the Landlord.

And be it further Enacted by the Antlwrity aforesaid, That Coll. Abraham De Peyster, the Treasurer, is hereby allowed- and permitted to Be-imbnrse, detain in his own bands, and pay him-self the Sum of One Hnndred Pounds, ont of ae Exoiae of this Colony,, which at the desire otf the General Assembly he advanced to defray the extraordinary Charge of the Lieut. Governor and Gentlemen of the Council who did accompany him to Albany last July.

For the better preventing of Frauds and Differences that may arise concerning an Act entituled, An Act for Detaching 487 Men, with their Officers included out of this Oolonie, Be it Enacted by the Authority aforesaid That when the Captain of any Company, who hath served by virtue of the said Act, is dead, the next Commanding Officer of that Company shall execute the Powers mentioned In the said Act to be given to the Captain.

And for the better Elxplaining and more EfFectuai putting in Execution of several Clauses in an Act of Assembly of this Colony to Detach 487 Men to go on the Expedition against Canada, Be It Enacted by the Authority aforesaid, That all the Fines and Forfeitures, arising from each respective Oompany, ahall be paid into the hands of the Captain of the said Company, and shall be equally paid and distributed by him amongst snoh Person or Persons as he hath returned out of bis respective Company to go on the said Expedition, and not otherwise.

[CHAPTER 205.]

[Chapter 205, at Livingston & Smith and Van SchaAck, wbere tbe title only Ib printed. The act ts not printed In Bradford or In Baakett never became a law. Tbe Minutes of tbe Gonncll for November 1. IIDE Indicate that sucb a btu paaaed the Gonacll on that date, with amen menta <See JonraalB of LeglBlatlTe Gonncll, p. 292.) The bill, u amended, was considered by the ABsembly, November 2, 1709. bnt wu not paeaed. (See Journals of Assembly, p. 266.) Nor was the bill ag considered by tbe Assembly during the remainder of the session. It was not signed by tbe Lf en tenant-Governor on November 12. 1T09, w the bills of that session were enacted. (See Jonmala of Legislative cll, p. 205; Journals of Assembly, p. 270.)]

An Act to regulate the Sale of Goods by

public outcry. Auction or Vendue, In the
City of New YoHl

Digi-jzedbyGoOgiC

LAWS OF THE COLONT OP NEW YORK.

[CHAPTER 206.]

[Chapter 206, of Llvlngaton & Smith and Van Schaack, where the title oal7 is prlated. Printed Id full In Bradford's 1709 ed., p. 103; Ba p. 105.]

AH ACT for Levying TecD Thou*and Ouacea
of Plate or Fourteen ThouBaind five hun-
dred fourty five Lyon DoUars

[PasBed Noyember 12, 1709.1

BE it Enacted by the Leiut Govr. Council & Genl j
bly & by the Authority of the same thait Tenu Thooiaand Ounces
of Plate or Fourteen Thousand five hundred fonrty five Lyon
I>ollars be laJd, Assessed raised & Levy'd upon the Estates,
real & Personal of all & every the Inhabitants, Besldents,
Bojourners & Freeholders of & in this Colony to be paid to
Colonl Abraham £>epeyster the present Treasurer of this Colony
or to the Treasurer of this Colony for the time being in man-
ner following That is to say Five Thousand Ounces of Plate or
Seaven Thousand Two hundred Seaventy two Lyon Dollars &
a half, part thereof on or before the last Day of May which will
be in the Year of our Lord One ThouBand Seaven hundred &
thirteen, & five Thousand Ounces of Plate, or Besiren Thousand
two hundred Seaventy two Lyon Dollars & a half, remainder
thereof, on or before the last day of November then next Ensu-
ing, according to the Quota's & Proporcons herdn ^qtiessed
Tizt

For the City & County (rf New York Two thousand & Seaventy
five Ounces of Plate op Three Thousand & Eighteen Lyon Dol-
lars.

For the City & County of Albany, Seaven hundred Sixty Seaven Ounces &. a half of Plate, or One Thousand, Oae hundred & sixteen Lyon Dollars & a half.

For Kings Ooun^, Fourteen hundred Ounces of Plate, or Two thousand & thirty six Lyon DtJlars.

Fop Queens County Seavemteen hundred & fifty Ounces of Plate or two Thooisand five hundred & fourty five Lyon Dollars & a haJf.

The County of Suffolk One Thousand six hundred & Eighty Seaven Ounces & a half of Plate, or two thousand four hundred & fifty four Lyon Dollars & a half.

The County of Ulster Seaven hundred & NVnoty Seaven Ounces '& a half of Plate or One Thousand One hundred & Sixty Lyon Dfdlars.

Digi-jzedbyGoOglC

The Coantj of West Cbester Seaven lumdred & twenty i

Ounces & a balf ot Plate, or One tboueaud & Mty Eight I^on

Dollara

The County of lUchnuwd four hundred & Sixty SeaTen Ounces &

a half of Plate, or six hundred & Eight; Lyon DollarsL

The County of Orange One hundred & sixty three Ounces &

three quarters of Plate or two hundred & thirty Eight Lyon

Dollars and a half.

I>utch«88 County One hundred & wxty three Ounces & three

quarters of Plate, or two hundred & thirty Eight Lyon Dollars

& a half.

And be it Enacted by the Authority aforesd that the Tenn, thousand Ounces of Plate or Fourteen thonsand five hundred & fourty five Lyon D(dlarB are hereby givem & Granted to her Ma'ty her heirs & Successors to be spplied to such uses as the Govemr Council & Assembly for the time being shall direct & not otherwise, ta be raised Leryed, Collected & paid to the Treasurer of this ColMiy for the time being in such manner & under such pains, penalties & forfeitures mentioned & expressed in an Act passed this present Sessions, Entituled, An Act for Levying Four Thousand Pounds is Enact*!d, Declared, provided & Expressed to all Intents Oonstructlons & purposes whatso- ever, as if the severall Onuses, Provisions and Limitacons were at large herein recited & Incerted.

And be it further Enacted by the Authority aforesd That over & above the respective Sums before Enacted to be paid three & three Quarters P Cent be assessed, raised & paid to the respective Collectors & Two & a half P Centum to the Treaeurer aforesd & that the sd Treasurer shall keep a true & Exact accounpt of all such Sum & Sums of mony as shall be by hhn BO received, & paid, & render such an Account at all times when required to the Govemr Council & Assembly for the time being, when Bitting & requiring the same.

And be it Enacted by the Authority aforesd yt ye Farmer of ye Excise for the prsent Year for ye County of t'lster shall & may take rceeive & have all such powers benifitts proffits & Advantages in ye Levying & receiving ye sd Excise as if one Act of Generl Assembly Entituled am Act to determine Settle & Ascertaine the Bounds & Limitts of ye County of Orange passed this present Sessions of Assembly had never been made.

Digi-jzedbyGoOgiC

LAWS OP THE COLONY OF NEW YORK.

[CHAPTER 207.]

[Chapter 207, of Livingston & Smltti, wbere the act Is printed in f Chapter 207 of Van Schaack, where tlie title only is printed. Printe

full In Bradford's 1709 ed., p. 104; Baskett, p. 106. The interest bills retrenched by chapter 222. (14545 Lyon Dollars eqnals £4,000.)

AS ACT for the Currency of Bills of Credit
for Tenn Thousand Ounces of Plate or
Fourteen Thousand five hundred & fourty five
Lyon Dollars.

[Passed November 12, 1709.]

BE IT Enacted by the Lt Govemr Council & General Assembly and by the Authority of the same That Bills of Credit of Tenn Thousand ounces of Plate or fourteen Thousand Are hundred & fourty five Lyon Dollars shall be Current pursuant to an Act Entituled an Act for Levying Tenn Thousand Ounces of Plate or fourteen thousand five hundred & fourty five Lyon Dollars parsed this present Bessions, wch Bills shall he in manner following (viat)

This Indented Bill of Ounces of Plate or

Lyon Dollars due from ye Coltmy of N York
to ye Possessor thereof shall be in Value Equal to
mony & shall be accepted accordingly by ye Treasury
of this Colony, for ye time being, in all publick pay-
mts & for any Fund at any time in ye Treasury Dated
in N York ye first Day of Novembr One Thousand
Seaven hundred & Nine by order of ye Lt Governr
Council and Generl! Assembly of the said Colony.
Which Bills shall be Signed by Oapt Bobert Walters, Capt
Bobert Lurting, Capt Johannes DePeyster & Mr. Johannes Jansen
or any three of them who are hereby appointed & directed to
Sign & deliver the sd Bills to ye Treasurer of this ColMiy for the
time being to be by him paid & Issued as the Qott Council &
Assembly shall direct, wch Bills shall be received & paid for the
same Value & equal to the Current Ooyn passing in this Colony
for Goods or auy other thing Bought & Bold in any paymts to be
made whatsoever, & ye tender of ye sd bills for paying & dis-
charging of any Debt or Debts & Demands, whatsoever as
Effectual in ye Law to all intents & purposes as the Bills of Cred
are or shall be Issued by an Act Entituled an Act for the
Currency of Bills of Credit for Four thousand pound passed this
present Sessions

AND be it Enacted by the Authority aforeed to prevent

Counterfeiting any of the s'd Bills they shall be Cir-
cumstanced as the Bills of Credit are that are men-
ooned in & made Current by an Act entitnled an Aot

for ye Currency of Bills of Credit for four thousand
Pounds passed this present Sessions, & three hundred of the
Bills hereby intended to be Issaed shall be for thirteen Ounces &
three quarters of Plate, or twenty Lyon Dollara every Bill three
hundred of ye sd Billa shall be Current for Eleaven ounces of
Plate, or sixteen Lyon Dollars every Bill, three hundred of the
sd Bills hereby designed to be Current shall be for Ave ounces
and a half of Plate or Eight Lyon Dollars each Bill, & three
hundred and thirty Seaven of ye Billa hereby designed to be
Current shall be for two Ounces & three quarters of Plate or four
Lyon Dollars amounting to in all Tenn thousand Ounces of Plate,
or fourteen thousand five hundred & fourty five Lyon Dollara to
be Delivered by the s'd Signors within a month after the publi-
cacon of this Act to ye Treasurer of the Colony for the time
being to be by him Issued pursuant to ye true Intent & Genuine
meaning of an Act for the Treasurers Issuing Bills of Credit to
pay the present Debt of the Expedition to Canada & other uses &
to account to, & with the Governr Council & Assembly for ye
time being of Issuing ye Same when & as often as he shall Ik
thereunto required.

And be it further Enacted by the Authority aforesd for maMng
the Bills of Credit hereby to be made Current the more Effectually
raluable ye Treasurer of this Colony for ye time being is hereby
required & Enjoyned to receive all & Every ye s'd Bills according
to ye Value therein expressed w'th ye advance of Two & a half
P Cent P annum on all or any of the said Bills that are and
shall he Current for Tenn Thousand Ounces of Plate or Fourteen
Thousand five hundred and Fourty Ave Lyon Dollars from the
Date of the said Bills to the Day the said Treasurer shall receive
tbemv for any part of the Tenn Thousand Ounces of Plate of
Fourteen Thousand five hundred and fourty five Lyon Dollars
raised by said Act intituled An Act for Levying Tenn llionsand
Ounces of Plate or fourteen Thousand five hundred and fourty
five Lyon Dollars. And the Treasurer shall appoint the Signors
to meet him, who are here-lay required and Directed to meet and
Joyn wth him to Examine & Compare ye sd Bills & Canceil
them taking an accoumpt of ye Number & Value of ye Cancelled

Bills and keep them to be further Examined by the Goremr Council & Assembly for the time being or such as they shall appoint.

And be it further Enacted by the Authority aforesd that the said Signors shall take an Oath before the Mayor of the City of N York for the time being for their true signing & Delivering the said BDls of Credit according to the tme meaning of this Act

And be it also Enacted by the Authority aforesaid, Tliat the said Bills shall be Current as aforesaid untill ye last Day of

February which shall be in the year of our I^ord One Thousand Searen hundred & thirteen & no longer, & that the aaid Tenn Thousand Ounces of Plate or fourteen thousand five hundred & fourty five Lyon Dollars to be raised by the sd Act Entituled an act for Levying tenn thousand ounces of Plate or Fourteen thousand five hundred fourty & five Lyon Dollars shall be paid to the Treasurer in the sd Bills of Credit and in no other specie whatsoever.

And be it further Enacted by the Authority aforeed that the severall Advances to be allowed on the sd Bills shall ceaae Sc Determine on all & every of them from the Day any of them shall be paid to & received by the Treasurer as aforesaid who is hereby required to Indors the Day he received the said Bills to prevent a further growing Advance & that such person or persons as shall be Convicted of Counterfeiting any of the sd Bills shall incurr the pains and Penalties of fellony without the benifit of Clergy & Suffer accordingly.

And for the further Incouragemt of ye Currency of the sd Bills of Credit be it Enacted by ye Authority aioresd that every six months after the Date of the said Bills when they are paid away the possessor ^all be allowed by the person or persons that receive the same at the rate of two & a half P Cent P Annum and so for Each Bill respectively for ever half Year till they shall be paid into the Collectors & Treasurers who shall allow the sd Interest proportionably for the Dates at Two & a half P Cent P Annum as aforesaid.

[CHAPTER 208.]

[Chapter 208, of LivlngstoD & Smltta and Van Scbaack. where the titl only la printed. Title only Is printed In Bradford's 17(» ed., p. 1 Baekett, p. IIL]

AN ACT for an Assignment to the Lady Lovdace.

[Passed November 12, 1709.]

BE it Enacted by the lAeat Govemr Council & General Assem- bly and by the Authority of the same, That the Treasurer of this Colony for the time being, shall pay to the Right Honoble Charlotte Lady liovelace Baroness Dowager of Hurley or her Assigns towards the Discharge of her Extraordinary expenoe Twrfve hundred and fifty ounces of Plate or Eighteen hundred & Eighteen Lyon Dollars out of the Colotnys money in his hands not otherwise appropriated on or before the first day of Jan- uary, now next ensuing & in Case of a Deflciemcy. then out of the first of the Oolonys money, that shall ShCTBafter come to his hands.

Digi-jzedbyGoOgiC

And be it further Enacted bj the Authority aforesaid That the receipt of the sadd Lady op her Assigna Shall be to the Bald Treasurer a SufBcient Warrant & diachar^ for the aame.

[OHAPTESR 209.]

[Chapter 209, of LlvtugBtoa & Smith and Van Schaack, where the Utle only iB printed. PrlDted In fnll tn Bradford's 1709 ed.. p. 106; Ba p. 108.J

AN ACT for the Treasurers lasuing

Bills of Credit to pay the present Debt of

the Expedition to Canada and other Uses,

[Passed November 12. 1709.]

BE it Enacted by the Leiut Govr Council and Assembly and by the Authority of the same, That the Treasurer of this Colony do Issue forth & pay to the Several pereons or their AssignB hereafter nominated Bills of Credit in his hands not otherwise appropriated for the Uses hereinafter Express'd, (That is to say) To Sundry Persons as by an Accot Driivered in, by the Commissioners in the City of New Yorii appointed for the said Expedition entituled a List of Persona names to whom money is due for prorisions and other Secessarys by them for the use of the Expedition to Canada for which no Warrants are drawn; Fourteen hundred and Sixty Ave ounces and one Quarter of Plate or Twenty one hundred thirty one Lyon Dollars and one half.

To Severall Accots Issued by the Commrs relating to the Expedition to Canada at Albany on the Troasiirer of this Colony, Eighteen hundred, Ninety Six oimces and a half of Plate or Twenty Seven hundred fifty Eight Lyon Dollars & a half to , Se^'entwn Sawyers that sened on the Said Exp^-dition one hun- dred Ninety five Ounces of Plate and one Quarter, or Two hun- dred Eighty four Lyon Dollarsi

To thirteen Carpenters Detacht out of the CSty of New York to serve on the said Expedition, Three hundred fifty fire onncen of Plate and Seven Eights, or Five hundred and Seventeen Lyon Dollars and a half.

To an Assignment to the Lady Lovelace menconed and Express'd in an Act entitul'd an Act for an Assignment to the La^y Lovelace pass'd this present Sessions.

To Oapt. Robert Walters, Capt Lawrence Bead, Capt John De- Peystcr and Capt Robert Lurting appointed Conmirs for Manag- ing the said Expedition in relation to purchasing and procuring Provisions and other necessaries, for their trouble in Sc about the

same, Five hundred Ounces of Plate or Seven hundred Twenty Seven Lyon Dollars & a half & for their trouble they have and

DgizedbyGoOgiC

are to take, for Signing the Bills of Credit for Fire thousand Pounds natill tlie; are Cancell'd, One hundred and fifty ounces of Plate or Two hundred & Eighteen Lyon Dolhirs and one third.

To Mr John Walbers the Cleric to the said Commrs One hundred ounces of Plate fx one hundred forty five Lyon Dollars & a half.

To Col Kilian Van Beostaer, Major Derridi Weasels & Gapt Myndert Schuyler appointed Commrs for managing the Affairs relating to the Provisions and all other necessarys for the said Expedition as hath been sent to theon at Albany. Three Hundred Seventy five Ounces of Plate or Five hundred forty five Lyon Dollars and a half.

To Mr Johannes Cuyler thrfr Clerk Seventy five Ounces of Plate, or One hundred and Nine Lyon Dollars.

To his Honour the Leiut Govt for providing Fire and Candle for the Garrison and the Guarding her Matys Fort in the City of New York untill the first Day of Aprill next, Three hundred Seventy five Ounces of Plate or Five hundred forty five Lyon Dollars and a half.

To Daniel Ehbets two Ounces of Plate or three Lyon Dollars.

To William Bradford for Printing, Twenty Eight hundred thirty Seven Bills of Credit and for the Cuts, Fifty Oimces of Plate or Seventy two Lyon Dollars and three Quarters,

To the Persons appointed to Sign the said Twenty Eight hundred thirty Seven Bills of Credit for their trouble and attending that Affair untill they shall he Cancelled Seventy Nine Ounces of Plate, or one hundred and fifteen Lyon Dollars.

To Mr John Schuyler and Mr Abraham Schuyler & their

attendance one hundred Twenty five Ounces of Plate, or one hundred. Eighty otne Lyon Dollars and a half and one Eighth for their Services and Expences in a Journey to Onondoge and other Indians by order of the Govemmt,

To the Commrs for Managing the Indian Affairs at Albany Eighteen hundred and fifty Ounces of Plate or Two thousand Eighteen Lyon Dollars and one Quarter to be paid and apply'd to the Uses hereafter expressed, That is to Say, Six hundred and fifty Ounces of Plate or Nine hundred, forty five Lyon Dollars and a halfe to be paid Such Chrtstlans and Indians as shall be Lnploy'd for outscoote for the Defence of the Frontiers this Winter.

Three hundred and Sixty two Ounces of Plate and a half, or Five hundred twenty Seven Lyon Dollars and a lour penny weight of Plate for F^re and Candle for the Garrisons of Albany and Schenectady.

Digi-jzedbyGoOgiC

TOO LAWS OF THE COLONY OF 2JEW YORK.

One hundred and Twenty five Ouocea of Plate, or One hnn-dred Eighty one Lyoo Dollars and a half and four penny wei^t of Plate to be allowed to Such as shall perform and do the work and Mlstery of Black gmiths & will Inhahite and reside this Winter with the Indians' and men their Arms.

One hundred and fifty Ounces of Plate, or Two hundred and Eighteen Lyon Dtdlars to be dispoa'd and aw>ly'd to necessary Beparations of the Blockhouses and the building of a new onev for Lodging the Regular Troops & Guards to be kept in the City of Albany

Five hundred Sixty two ounces and a half of Plate or Eight hundred and Eighteen Lyon Dollars to be paid to Fifty Indians at Eighteen pence per Day for Bixty Days, which shall be paid by the Treasurer of this Colony to the said Conunrs for the nses aforesaid.

And be it hereby Enacted by the Authority aforesaid that the receipts of the Several! and respective persona before named or

their Assigns shall be to the Treasurer of this Colony a Sufficient Warrant and Dlscharg for the Same.

And be it further Enacted by the Authority aforesaid, That He Troop of Horse rais'd in the County of Suffolk in the three Eastern Towns in the same County, to witt, in Southold, South Hampton & East Hampton, is hereby Constituted, Confirmed and Estab-lisht in the same manner and under the like Regulations & with Such Bights & I'riviledges as any of the other Troops of Horse have in this Colony or of Right ought to have and enjoy.

And be it further Enacted by the Authority aforesaid. That the Commrs of the City of New York and Albany for the said Expedition are hereby Impowercd and required to Issue their respective Warrants to the Treasurer for paying the Accota Delivered to, and allowed by this House for such Sums of monj here mentioned for which Warrants have not been already Issued.

And be it further Enacted by the Authority aforesaid that there be allowed unto Mr, David Schuyler Thirty Seven Ounces & a half of Plate or Fifty four Lyon Dollars and a half, and to Lawrence Claesen, Twenty five Ounces of Plate or Thirty Six Lyon Dollars and a half for their Journey to Onondage in May last and to be paid by the said Treasurer on Warrants to be Issued by the Commrs for the Said Expedition at Albany or any two of them.

Digi-jzedbyGoOglC

LAWS OP THE COLONY OF NEW YORK,

[CSAPTEB 210.]

[Chapter 210, of LlvlngBtoa & Smith and Van S<>baack. where the titl only Is printed. Printed In full In Bradford's 1709 ed., p. 109. Ti 0UI7 Is printed in Basbett, p, 110. Expired November 12, ITIO.]

AN ACT for the better Watching and Cruarding the City of Albany.

[Passed November 12. 1T09.]

FORASMUCH ae divers Officers both Civill and Military Inhabiting in the City of Albany the tfrontier o* this Colony Claim a Priviledge to be Exempted and free from Watching some npoo pretence of Law and others by Custome, and it being now a time of Danger, BE IT therefore Enacted by the Lieutenant Govemr Council! and Generall Aasembly and by the Authority of the aame, That all the Civill OfBcera and all those that form- erly have had Military Comiaaions and are not now in Imediate C(Hnaiid, and others who are not Listed in the City Companies or Troop Inhabiting in the City of Albany (Except Ministers of the OoBpell) be Obliged to List themselves in a Company, which ia to be Comanded by a Captain and Two Leiutents such as the Honoble the Lieut Governr shall be pleased to Appoint out of the said Civil! or Military Officers which Company is hereby Directed and Ordered to talte Ita Respective turn in mounting and keeping the Night Guards in some Convenient place in the said City as other the Campanies of the Militia of said City doe, and if any of the said Civil! or Military Officers shall refuse to Accept of auch Ctnnissiou he or they shaJl fforfeit Twenty Pounds One half thereof to be Applyed towards the ffortifying the City of Albany and the other half to siuh p'son or persons as shall sue for the same and if any person who is not listed in the City Company's or Troop at Albany shall refuse or Neglect to List themselves in this said Company in the Space of Thirty Day's after the Pubiicacon of this Act shall flEorieit for such Offence Six Pounds to be Recovered and Applyed as aforesaid, and if any of the said Company shall refuse or neglect to mount the Guard in his turn and keep the Night Guard or to send a fitt Man in his Room who shall be accepted off by the Captain of the Guard such Pson shall fforfeit for each such Offence three Shillings for the behalf of the said Guard to be Levyed by Distress of the Offendrs Goods and Cliattles by Warrant undr the band and Seal of the Captain of said Company.

AND be it further Enacted by the Authority aforad that in time of Alarm all the Inhabitants of the County of Albany (Except those of Schenectady) as well those who are listed in the

. '.^^oglc

Militia Company as thoee wtio are not, doe upon tlie first warning come in with their Arms into the City of Albany for the Defence thereof if not prvented by BiclmeBS or other inevitable accident upon the Penalty of fforfeiting of flQfty Pounds to i>e Applyed One half for the flortifyeing of the City of Albany and other half to such person or persons as shall sue for the same, any law usage or Custome to the Contrary Notwithstanding.

This Act to be in force for one year after the publication hereof and no Longer.

[OeAPTBK 211.]
[Cbapter 211, of LlTlngstoD & Smltb, where the title only 1b printed This act 1b not in Bradford, Baslcett or Van Schaack, nor among the original laws In the office of the Secretary of State, and does not to have ever become a law. A bill of this title passed the Council having passed the AsBemhly, NoTmber 12, 1709, (See Journals of Legis-lative Council, p. 2&4), but the bill doce not appear to bave been by the Lleutenant-Oovemor. <Bee Journals of Legislative Council, p.

An Act for cMi&rming certain Lends onto
Coi. Nicholas Bayard.

[CHAPTER 212.]

[Chapter 212, of Livingston & Smltb and Van Schaacb, where the liUe only Is printed. Printed in full In Bradford's 170& ed.. p. 110. Ti only la printed In Baslcett, p. 111. The act expired November 11,

AN ACT for the City & County of Albany
to pay the Arrears due to their repre-
sentatives & for other Uses.

IPassed November 12, 1709.)
WHEIffiAB complaint has been made that notwithstanding Several Acts of General Assembly of this Colony to the con-trary Sundry persons who have Served in General Assembly, as representatives for the City & County of Albany have been kept out of their lawfull allowance when oithers that bave served both before & after them have been duly paid for remedy whereof & prevention (rf the liiC' Abuse for the future BE IT ENACTED by the Lieut Go\'emour & Council & Representatives convened in General Asa^nbly & by Authority of the Same, that the Supervisors, Assessors, & Collectors for the City & County of Albany (Excepting those of the Orfony of Benselaer-

wyk) Shall & doe within the Space of Six weeis after Notice given, raise or cause to he raised within the Said City & County (Excepting the Colony of Renselaerwyk) iipon the Inhabitants, a Sum of Money not exceeding Two hundred pounds for the payment & Satisfaction of Meyndert Schuyler for the Allowance

..■,C"iooj^li.

doe to him aa repreaeirtative <rf tlie said City & Oounty in the Years one Tboosaod Beveu hundred & Two, one thousand t^ven hundred & three One thousand Seven hondred & four, one thousand Seven hundred & five, one thouaand Seven hundred & Six; & of John Cnjier & I'eter Van Bnigh for the Allowance due to them as repreaentatives of the saM City & County in the jeajTB one thousand Se^'en hundred & fire & One thousand Seven hundred & Six in the Same Method & Manner as are provided in the Acts of 0«Deral Aas^nbly of this Colony, Entituled, AN ACT for defraying the publidt & Neceseary charges throughout this Province, & for maintaining the Poor & preventing Vagabonds & one other Act Bntituied an Aot for the better explaining & More effectual putting in Execution the aforesaid Act made in the Sectmd Year of the Beigu of our Soveraign Lady Queen Ann which Money being raised & paid to the Treasurer of the Said City & County for the time being shall be by him forthwith paid unto the said Meyndert Schuyler John Ouyler & Peter Van Bpug to each of them their reepeotdTe Arrears due to them for their Said Services, According to the Warrants by them respectively Obtained from the Supervisors, upon the penalty of Fifty pounds to be forfeited to her Majesty, towards the defraying the publick charge of the Government of this Province, by each Supervisor for Neglect of his duty in their behalf, to be recovered agadnst hikn by action of debt In any of her Majeatys courts of record within this province besddes the Other forfeitures & relief, provided by the last recited Act of Assembly Against Supervisors, Assessors, Oolleotors, & Treasure ps.

AND BE IT FABTHEB ENACTED by the Auliority aforesaid that forever hereafter, Assessors, Supervisors, Collectors & Treasurer in the Said City & County ShaJl Roe effectually take care & provide for the paymenit of their representatives

Annually that they be paid their lawfull allowance for the.lr services the preceding Year on or before the first day of the Month of January, In evei7 year under the penalty & forfeiture aforesaid.

And for as much' as there are wanted in the first & Second Wards of the City of Albany publick Wells of grcut T'se for qoenchinf; & ejctinguishing of fire. BE IT ENACTED by the Authority aforesaid that it Shall & may be Lawfull to & for the Mayor Aldermen & Assistants of the City of Albany within the Space of Nine Months next after the publication of this Act to issue out Wamtnts to the Aaseaaors & Collectors of the Said Wards respectively for fhe mfoing & OoUectTng of certain Bums

Digi-jzedbyGoOgiC

o(Money not exceeding Thirty poimda in each, of the Said Wards for the digging & building (rf one or more Stone Wells in each Ward for publitdt aae in Such place erf the Street & Manner as Shall be directed by the Said Mayor Alder-men & Assistants which Money the Asaeasors £ue to Assess haWng a Special regard to the convenieucy & Neartiess of Such Wells to Such & Such places & the Collectore are to Collect from the Inhabitants of their respectave Wards in Manner & under the same penaUys as are jH-orided for other ABseesments & being: collected Shall be paid to the Treasurer of the Said City who Is to give forth the same in payments by orders or Warrants of the Said Mayor, Aldermen &. Assistants for the "Use Aforesaid & None other

And lor the quieting & satisfying of the minds of all the Inhabitants of the Said City & County. BE IT FARTHER ENACTED by the Authority Bforesaid, ~that forever hereafter upon the change of Supervisors & Treasurers in the Annual elec-tions the preceding Supervisors & Treasurer shall deliver over to their Successors in thtdr respective OCQcee their boobs vt pub-lick Accounts & other papers relflitdng to their Said Offices by Indenture under their hands & Senis for that, purpose to be made & that it shall & may be lawfull for any of the Inhabitants at any time for & during the Space of one whole Week next preceeding the day of the Annual election to view & ezamin their

bofAs ot publick accounts of their respective Offices, which every of them is hereby required not onely to keep farely entred & Stated but to lay open for their view & examination during the Said time upon the penalty & forfeiture of five pounds for each default or Neglect against the true intent & meaning of this Act to & for the Maintenance of the poor of the said CSty & County to be recovered in any Court of Hecord within this Province. And provided Alsoe that it Shall & may be lawful for any per- son or persons who doe or Shall within the Space of one Year next ensuing the publioation hereof think themselves agrieved by the Supervisors & Treasurers of the Said City & County, Since the first Tuesday of April one Thousand seven hundred & fire to call any of the said Supen'isors & Treasurers to account & to riew & examln their books of account of their said Offices which the late Superv-iaors & Treasurers are to lay before them up*«i demand upon penalty of one hundred pounds to be forfeited to her Majesty her heirs & Successors, to & for the Support of the charge of the CSty & County where the Offence shall be com- mitted to be recovered In any court of record within the Raid Colony of New York; '& that it Shall & may be lawfull for Such person or persons finding themselves injured by their or any

LgizctlbyGoOgiC

of their means, default or Neglect to sue for the forfeitures pro- vided by the aforesaid Act of Asaembly or any of them; and the Offender in that behalf, Shall likewise be liable within the Space of one Year next ensuing to an Action of trespass grounded on that case to the person or persons thinking themselves injured ia that respect within the time of four years by past, Any law or Usage to the contrary thereof in any wise Notwithstanding

BE IT FARTHER ENACTED by'the Authority afwesaid that after the publication of this Act, tiiat it Shall & may be lawful! for the Freeholders & Inhabitants of Coxhachky & Catskill & all those living to the Southward of the Manner of Bensselaer- wyck on the West Side of Hudsons River aa far as the County of Albany extends & the Freeholders & Inhabitants of that part of the Mannor of Livingston who live on the North Side of Roeloft Jansens kill or Creek And also the Inhabitants to the North- ward of the Mannor of Renselaerwyck if they think fit to elect

& choose yearly & every Year one Supervisor Two Assessors & one Collector for the Said Ward or precinct who Shall have the Same Power Authority Office & Function & doe perfwm, Execute & Serve & be liable to the Same pains & penalties as the Supervisors Assessors & Collectors within the County of Albany have, ought or are intended to have done.

And be it further Enacted by the Authority aforesaid that if any person or persons who have been Representatives for the said Citty &. County at any time before the 25th day of December in the year of our Lord 1708 and have just Claim or arrears due to him or them for his or their allowance for the Service thereof, all such arrears shall be Assessed Collected and paid in the same Manner & method as Is mentioned Expressed and Enacted in this present Act for the Arrears due to the said Myndert Schuyler John Cuyler and Peter Van Brugh any thing in the said Act to the Contrary thereof in any wise notwithstanding.

Provided That this Act shall be & Continue in force for & During the terme of Five Years from the publication hereof & no Longer. ■

Digi-jzedbyGoOgiC

L.YWS OF THE COLONY OF JJEW YORK.

THE THIETEENTH ASSEMBLY.

(Begun Sept 1, 1710, 9 Anne, Robert Hunter, Governor.)
[CHAPTER 213.]

[Chapter 213, of LlriD^toD & Smith and Vao Schaack, Tvhere tlie titl only is prluleil. Title only is printed In Bradford's 1715 ed., p. Printed in full Id Baskett, p. lau. See cbaptore 114 and 183. BerlT by chapter ZiH.]

'AN ACT, for reriTing an Act of General Assembly entihiled, an Act for the better Setlicg the Militia of this ProviDce, & making It more Usefull for the Security & defence thereof.

[Passed October 30, 1710.]

BE it Enacted by his Excellency the Governour, Council & Assembly, & by the Authority of the same, That one Act of General Assembly, entituled an Act for the better Settling the Militia of this Province, & making it more Usefull for the Security & defence thereof, made in the first Year of Her Matiea Keign, expir'd by its own Limittation, shall be and is hereby Enacted by the Authonty aforesaid, to be of force frojii the publication . hereof; iintil the first day of Xovcniber which shall be in the Y'e of our Lord, One thousand Seven hundred & Eleven, & no Longer.

And be it further Enacted by the Authority aforesaid, Th-it during tile continuance of this Act, all the Civill ofllcers, and all those that formerly have had Military Commissions, those not in immediate Command, & others who are not listed In the City Companies or Troop inhabiting in the City of Albany (except Ministers of the Gospel) be Oblig'd to list themselves in a Com- pany, which is to be Commanded by a Capt & two Leiu'ts, such as his Excellency the Govr shalbe pleas'd to appoint, out of the said Civill or Military Officers, which Company is hereby directed & ordered altogether to take its resi>ective turn in mounting & keeping the night Guards in some Con- venient place in the said City, as other Companys of Militia of the said city do; & if any -of the said Civill or Military offlcers shall refuse to accept of such OonuniBsion, he or they shall forfeit Twenty pounds, one half thereof to be apply'd towards the fortifying the City of Albany, & the other half to such person or persons as shall Sue for the same; & if flny person who is not listed in the City Companys or Troop at Albany, shall refuse or neglect to list themselves in tie said Com- pany, in the Space of thirty days after the publication of this !A.ct, shall forfeit for such Offence Six pounds, to be recovered &

apply'd as aforesaid; & if any of the said Compan; shall refuse or neglect to mount the Guard in his turn, & keep the night Quard, or send a fitt man in his Boom, who shall be accepted of hy the Capt of the Guard, such persoin shall forfeit for each such Offence three shillings, for the use of the said Guard, to be Levj'd by distress of the offendors goods & Chatties, by warrant under the hand & Seal of the Capt of the said Company.

And be it further Enacted by the authority aforesaid. That in time of danger & alarm, all the Inhabitants of the City and County of Albany (Except those of Schenectady) as well those who are listed in the Militia Companies as those who are not, do upon the first warning come in, with their Arms into the City of Albany, for the defence thereof (if not prevented by sickness, or other Inevitable accident) upon penalty of forfeiting of Ten pounds to be apply'd, one half for the fortifying the City of Albany, & the other half to Such person or persons as shal> Sue for the same; and that those Militia Companies in the County of Albany (Except Schenectady as aforesaid) with their respective officers, shall take their turn in mounting & keeping the night Guards in some Convenient place in the said City, as other Companies in the said City do, during the time of allarra, upon penalty of forfeiting for each offence three shillings, for the use of the said Guard, to be levy'd in manner as aforesaid, – as also that the Civil OBBcers in the County, & those that are not listed in the said Militia Companys, as aforesaid, shall Enroll with the aforesaid Company of Cinll & Military officers, & those that formerly have had Military Commissions and take their turn In mounting & keeping the night Guard, Equall with them, during the time of Alarm.

And be it ftirther Enacted by the authority aforesaid. That the Officers of the two Militia Companies, & other officers in the City of Albany belonging to the Regiment, they or any other fltt officer in their roome, shall take their respective turns in mount-ing & keeping the night Guard, upon the penalty of forfeiting for every Offence six shillings; and that the Major shall every Evening goe the ilajors Rounds, or the Captain of the Guard, upon penalty of forfeiting Six shillings, to be Levy'd by distress of the Offendors goods & Chatties by Warrant under the hands & Seal of the Colonel of the said Begimcnt

And be it further Enacted by the Authority aforesaid. That for the better regulating of orders on the said Guards, a Court Marshall eball be held in the City Hall of Albany every first Kfonday in the Month, any Law, Usage or Custom to the Contrary notwithstanding.

Digi-jzedbyGoOgiC

[CHAITER 214.]

tChapter S14, ot Livingston & Smith and Van Scbaack, ivbere the titl OBiy l3 printed. Prlnteil In full lu Brailford's ITJj ed., p. 82; B p, 128. Expired, November 1, 1712. Sec chapter 66. Contlinied by cha ter 367.]

AN ACT for Bending an Ac*, entituled,
an Act for the Regulating & returning Able
& Sufflcient Jurors in Tryals at Law.

[Passed October 30, 1710.1
BE It Enacted by his Exct'llency tlie Goyemr, Council St General Assembly, & by tlie Authority of the same, That one Act, entituled, an Act for the Regulating & petarning able & Bufflcient Jurors in Tryals at Law, made in the Eleaventh vear of the Reign of our late Soveraigne King William the tliird, of Glorious Memory, Expir'd by its omn Limittacon, shall be & is hereby Enacted by the anfhoriiy aforesaid, to be rerived & of force, for, & untill. the first day of Xovember, which shall le in the Year of our Lord, One thousand, Peven hundred & twelve, and CO longer.

[CHAPTER 215.]

[Cliarler 215 ot Livingston & Smith and Van ScUnnck, where the^ titl only la printed. Title only Is printed In Bradford's 1715 ed., p. 8 Basketl, p. 1'25. Expired November 1, 1711. Continued by ch. 'J:

AN ACT for laying an Excise on all
Strong Liquors Retailed in this Colony.

(Passed Oetolwr 3n. 1710]

Be it Enacted hy the Gorr Council and General Assembly, and by the Authority of the same. That there sh-all be rais'd. Levied, Collected & paid unto Her Maty, Her Helres & Succes- Bors, from the Publication hereof, untill the first day of Xorem- ber in the Year of our Lord Rerenteen hundred and Eleven, for and towards the Support of the Govenim't, an Excise upon all Strong Liquors retail'd thro' this Colony, under the Quantity of five Gallons (Beer & Syder only excepted) to wiir,

The Eighth part of an Ounce of Civil, Pillar of Mexico plate, for each Gallon bo retailed; & likewise, three quarters of an Ounce of the said plate for every Barrel of Beer and Syder.

And be it further Enacted by the Authority aforesaid, that the Mayor & Aldermen of the City of New York, the Mayor, Aldermen & Justices of the Peace of the City & County of Albany, & the Justices of Peace of the other Counties, within this Colony, to which they belong, or the Major part of them,

.., C A.>(.>glc

for the time being, are hereby required, au:tliorized & Impower'tl to let to Farm the aforesaid Excise in their respective dtiea & Counties, by publiclc out-cry, Auction or Vendue, to the high- est bidder, or to the several Retailere of such Liquors, as the said Mayor and Aldermen, & Justices of the Peace respectively, in such manner as they in their discretions shall think fit, for th better advancement of the Duty and Excise hereby tO' be granted & Levy'd, withiln one Mootli after the pubHcatioa hereof. And the said Mayors, Aldetrmen & Jus'.ices of tlie Peace, aa aforesaid, are hereby requir'd to take good Securitys by Recognizances, with BufScient Sureties, of all & every person or persons that shall farme the Excise, as aforesaid, with Condicon, that they pay the eame quar- terly, by pqiiall & even payments, into the hands of the Treas- urer of this Colony, for the time being, who is hereby appointed to receive the same; And also shall ivithin two Months after the same Excise, or any part thereof, shalbe lett to Fanne, or agreed for. Transmit to the Treasurer a true Account of the same respectively, with the Recognizances for the due payment thereof, according to the intent cif this Act.

And bo it further Enacted by the authority aforesaid. That if any or either of the said Mayors, Aldermen or Justices of the Peace, aa aforesaid, shall neglect, deny or refuse to let to Farme the aforesaid Excise, in manner aforesaid, or to put this Act in Execution, so far as they are requir'd and Irapower'd, according to the true Intent and meaning hereof, that then, he or they so offending shall each of them re8i>ectiTely forfeit unto Her Ma'ty, Her Ileires & Buccessors, the tnU & Just Sum cf Fifty pounds

Current mony of New York, to be recovered in any of Her Ma'ties Courts within this Colony, by any person or person, who will & shall informe and sue for the same, by Action of I>ebt or Informa-tion, the One half of which Forfeitures to be to Her Ma'ty, Her Heires & Successors, to be paid into the Treasurer, & apply'd towards the Support of this GoTemment, & the other half to the Informer.

And be it further Enacted by the aforesaid, That where there shalbe no farmer of the Excise in manner before Expres'd, the Mayors, Aldermen & Justices of the peace of the Several Cities & Counties respectively, shall & may either agree with the retailers, whom they respectively shall Lycence, at the least for the highest of Such Sum. or Sums by the Year, as such Retailer or Retailers Rt any time formerly had or have paid, to be paid into the Treasurer quarterly, as aforesaid, or otherwise make such Retailer or Retailers enter into Recognisance, with Sufficient Saretys, for the true and due payment of the Excise hereinbefore

Digi-jzedbyGoOgiC

appointed, to be paid and granted according to the true meaning hereof.

And (or the due & orderly Collecting the Excise hereby Given & Granted, Be it further Enacted by the Authwity aforesaid. That all Betailers of Strong Liquors within this Colony, shall upon all their receipt of all such Liqnors before expres'd & Exciseable, come to the Farmer of the Excise (if any be) or to the Mayor, Aldermen or Justices of the Peace in each Town, City & County, where such Retailer shall dwell, & make entry of all, such Liquor or Liquors as they shall buy or receive, & pay such Duties, as are hereby appointed, within Twenty four hours, or at such Convenient time as the Fanner of Excise (if any be) or the Mayor, Aldermen or Justice* of the I'eace re^>ectiTely, shall appoint, & on default thereof all such Liquors as riiall be found in any Retailers hovse or Warehouse, Cellar orother place, belonging unto him, her orthemwithin this Colony. & have not been duelyentred and paid the Duties of Excise, as aforesaid, then & in such Case, upon Con-viction by Oath of one or more Credible Witness, before any

Justice of the peace within this Colony, the said Retailer or Retailers so offending in the premisses, shall forfeit all such Liquors. & three times the value thereof, the one Moiety to Her Maty, Her Heirs & SuccesHors, to be paid to the Treasurer of this Colony, for the time being, for & to be apply'd towards the Support of this Govemm't, & the other half to the person that will Sue for the same before any Justice of tlie peace in this Colony, who is & every of them ore hereby requir'd & Impower'd Summarily, & at his discretion Solely to hear & determine the same, & to IsRue bis warrant for seizing all such Liquors to be forfeited, as aforesaid, & for Comitting to the Oomoa Jaile all such Retailers of Liquors who hare not entred & paid the DutipB tiforesaid, & shall be so Convict thereof, there to remnine w'thout Baile or Mainprize, untill they shall Sattiafy & make paym't of three times the value of such Liquors Seiz'd & forfeited, as aforesaid, as also for the arresting & Causing to be brought before hiui, any person or persons infoi-m'd against for retailing without Lycence, provided. He Her ■or they have Lyberty to appeal to the next Sessiwis of the peace, giving Sufficient Security to iinswer the Same.

And be it further Enacted by the Authority aforesaid. That if any]K'raon or persons within this Colony, not being dnely Lycenc'd, shall either by Land or by water at any time presume to Sell by retail any Strong Liqnors, that is to say. any Quan- tity under five Gallons, as aforesaid, the person or persons so offending shall pay the sum of Ten pounds. Current money aforesaid, for every such offence, being thereof Convicted In manner aforesaid, to be apply'd & paid as aforesaid.

And be it further Eoacted by the same authority, & it is the true intent & meaning of this Act, That no Retailers of Liquors under five GalloQB, or any other that Shall Sell any Bti'ong Liquors, shall receive any such into their Houses, Cel- lars or Warehouses, or intoanjother place in tlie Cities of Xew York & Albany, but by the hands of the Swome Porters, under the penalty aforesafid, to be recovered for the uses & in the manner & forme aforesaid, to the Intent the said Porters shall so often as thereunto requir'd by the Farmer, if any be, or proper Officer or Officers of Excise, give & render upon his or their Corporall Oaths, a ti-ue & Just Acco't to the best of their knowledge, of all such Liquors delivered by them to any such

Retailer, under the penalty of being tuni'd out of his place and ofQce.

And be it further Enacted by the authority aforesaid, that no Retailer —of Strong Liquors within this Colony shall Sell any Sti—oug Liquors to any Xegi"o or Indian Slave under the penalty of Forty Shillings for every such offence, to be recovered before any one of Her Ma'ties Justices of the peace, by him or her that shall sue for the Same, & to be apply'd as aforesaid.

And be it further Enacted by the authority aforesaid. That no i>ei'son or persons enabled to sue for any [penalty, by vertue of this Act, shall Compound, remit or mate any abatement of or for any of the] penalties herein menconed, but that the Same be prosecuted to effect, amd paid and apply'd as herein—before Express'd,

And be it also Enacted by —the Authority aforesaid, That Lyon T>ollara and half Dollars shalbe i—eceived & be of Hniall value to thirteen penny weight & Eighteen Grains of Civill, Pillar & Mexico Plate, as aforesaid, for each Dollar, for the Duty hereby intended to be raia'd.

And be it further Enacted by the Authority aforesaid. That the said Treasurer shall pay & apply the monv by this Act [to be rais'd in Such manner, & to Such uses only, as by Act] of General Assembly hereafter to be made for that purpose, shall be Lymitted and Express'd.

And he it further Enacted by the same authority. That the Mayor & Aldermen of the Burrongh Towne of West Chester are hereby Empowered & requir'd to lett to Fanrte the Excise in the said Burrough Towne, in the same nianner, & under the same Regulations as the Mayor and Aldennem of the Oity of New York, or the Sfayor & Aldermen of the Oity of Albany, are by this Act Empowered, directed & required to do.

Digi—jzedbyGoOgiC

LAWS OF THE COLOXY OF NEW YOBK.

[CHAPTER 216.]

IChapter 216, of LtvlngBtoD & Smith and ran Schaack, wfaere the art Is printed In full. Printed In full In Bradford's 1T15 ed., p. 82; p. 128.1

AU ACT for the better Srttlem't [.nd
Afisureing of Lauds in this Colon;

[Passed October 30, 1710.)

BE IT ENACTED by the Governr, CoudcU and Assembly, and by the Authority of the Same, That every person or persons, IJodys Politick and Corporate, Citys or Towns, who by Them-8t'lvt«, their Tennanta or Serianta, or his or their Assignee or Aaaigns, Grantees Their Anceatora, Predecesaors or others under whome they Claime, have been Seized to their owne use or uses, or talien the Beats, Issues and proffIts of any Messuages, Houses Tenem'ts Lands and Ilereditanients ^\'hatBoeTer in this Colony and Plantation in his or their own proper Hight, for the Term and Space of Ten Years now last past, & Shall so Continue whether in their own persona, their heirs, Successora or Assigns, or by any other person or persons under them, in possession, as aforesaid, without any Claime either by Actual Entry and posses-sion thereupon Continued, or Suite to be proaaecuted to Effect, untill the first day of September in the year of our Lord Seven-teen hundred & Thirteen Shall from and after the Said flflrst day of September, and forever be Adjudged, Deemed and taken to be the True, Rightfull and Lawfull Owner of Such Messuages, Houses, Iiands, Tenements and "hereditaments RespectlTely, and Shall and may have, hold and Enjoy the Same, any Claime, Right, Title, D<-mand or Pretence to the Contrary thereof by or from any person or persona, Bodya Politick and Corporate whntaoever, in 'Any Wise Xotwithatanding. Provided, That Niother this Act nor any thing therein contained ahall Extend or be Construed to the prejudice or Barr of any person or persons who shall before the said ffirst day of September Seventeen hundred and thirteen, Commence any suit for any Lands, houses. Tenements or hereditaments in this Colony, and afterwards prosecute the same to Effect, Nor to the Prejudice of any Mortgagee or Lessee, whose Slortgage or Lease shall be Recorded in the Seeretary's offii*e of this Colony before the said first day of September Seven-teen hundred and thirteen

Provided also That neither this Act nor any thing therein Contained, shall be Extended or Construed to the prejudice or

hindrance of any person or persons under Age of One and Twenty years Marryed Women, not of Sound mind, Imprisoned, or beyond the Seas, Provided Such person or persons within Three years

after liis or their Coming to the Age of One and Twenty years, being unmarryed, becoming of Sound mind. Liberty, or Return into this Plantation and Colony, do make their Actual Entry, or bring their Suite, as aforesaid, otherwise ta be utterly debar'd, and Excluded tram any Entry, Claime, Suite or I>emand Whatso-ever

AND whereas by many Accidents the Deeds and Writings relating to Estates Some time have been and may hereafter be Destroyed, Consumed, and Lost ^'hereby The Lawful and Right-full Owner of any Lands, Sfessuages, Houses, Tenements, and Hereditaments may be Exposed to many doubtful, Expensive and ^'exatious Buits, and other Inconveniences, for the Preventing Whereof BE IT ENACTED by the Authority aforesaid, That all and every Deed or Deeds, Conveyance or Convejances and Writings relating to the Title or Property of any Lands, Messuages, Tenements or hereditaments within this Colony which have been already or Shall be hereafter Executed, being Duly Acknowledged & Recorded in the Secretarys office of the Said Colony, or in the County Records where Such Lands are Scituate and being, Such Deed or Writing so Recorded, or Transcript Thereof, Shall be good and Effectual Evidence in any Court of Record within This Colony, to all Intents and purposes, as if the Original Deed or Deeds, Conveyance or Conveyances and Writings was or ■\^'ere produced and proved in (.'onrt.

AXD be it further Enacted by the Authority aforesaid, That the Dutch Word Onroerende, and the Word Vaste Staat, which ai'e Commonly Rendred intoEnglishby iheWordsImmovableand fast Estate, by which iu the Dutch Language is understood a Real Estate, houses, Lands and Tenement∗, and other Real Estate of Inheritance, And are used in any Dutch Antenuptial Contract or Law Will & Testament, or Detd or Deeds made in this Colony, and Duly Executed before Two or More Credible Witnesses at any time before The Publication of this Act, Ought therefore to be Understood of A Real Estate, And That the Parties who have Or Claime any Right to any Real Estate, or part thereof, within this Colony, by Virtue of the aforesaid Dutch Words, on either

of them used in Such Dutch Antenuptial Contracts, or Wills and Testaments, Or Deed or Deeds, as aforesaid, Shall and may Enjoy the Same to his or their Ileira and Assigns for Ever, in aa full And Ample Manner as if the Devise, Deed, Graut or Conveyance was made by the Words Real Estate, Lands or Tenements, and Sue for the Same, in her 5Iajesties Courts witMn this Colony, and Recover Possession Accordingly, any Law Usage or Custome to the Contrary hereof in any Wise Notwithstanding.
90

Digi-jzedbyGoOgiC

[Chapter 217.]

[Chaptei* SIT, of Llviugston & Smith nod Van Scliaack, wbere the tlt only ia printed. Printed in full Id Bratlfurd's ITI^ ed„)>. 8:t: B 130. The act referred to la cbapter 124, reyived by chaiiter 174.]

AX ACT to repeal a Clause In bd Act, entituled, an Act agst Forging, Counterfeiting & Clipping of Forreign Coyn, which is Current mony in the Colony of Kew York.
IPassed October 30, 1710-1
Be it Enacted by the Goven'r, Coancil & Assembly, & by the authority of the same, That whatever ia contained in an Act, entituled, an Act against Forging, Counterfeiting and Clipping of Forreign Coyn, which is Current mony in the Colony of XfW York, so farr as it relates to Clipping only, is hereby Repeal'd, Vacated, annulled, made void, & of none Effect, to aJl Intents, Constmccons and purposes whatsoever, as If the Same had never been made.

And be it further Enacted by the authority aforesaid. That all Clippings of Forreign Coyn, Current in this Colony, that shall maiie up the weight of mony rece'd or paid, shall have the appearance of the Stamp of the said Forreign Coyn, on Borne part of the said Clippings.

PROVroED always. And it Is hereby Enacted by the authority aforesaid. That no Dollars or half Dollars or any other Coyn, then

Spanish Coyne of Civil, Pillar & Mexico Plate, is permitted by this Act to be Clipp'd, any Law to the Contrary thereof in any wise DOtwithstanding.

[CHAPTER 218.]

fChapter 218, of Livingston & Smilh and Van Schaack, where the title only is printed. Title only Is printed In Bradforda 1715 ed,, p. 8» Printed in full In Baakett, p. l'.^'}. Kxplred. Mnv 1. 1713. See ch IM and 230.]

AN ACT for Continnelng An Act for laying a Duty on the Tonnage of YesselU & Slaves.

IPassed October 30, 1710.]

BE IT EXACTED by the Governour, Councill and Assembly, And it is hereby Enacted by the Authority of the saone. That one Act, Entituled An Act tor laying a Duty on the Tonnage of Vesaells & Slaves, made in the Eighth year of her ilajties Reign, shall be of force and Continue nntill the first day of May, which shall be in the year of our Lord One Thousand Beaven hundred and Thirteen.

Digi-jzedbyGoOgiC

And for the better Collecting the said Duty, & more Effectual putting the said Act in Execution, BE IT EXACTED by tlie Authority aforesaid, That every Master or Commander of any Ship or Vessel, the One half thereof not belonging to the Inhab-itants of this Colony (Coasting Veasells belonging to the Massa-cUusettB, Ehoad Island Connecticut and the Jersey Excepted) That shall arrive and come into this I'ort or harbour, Shall within Twenty ffoiir hours after Such his Arrival repair to the Officer Appointed to Collect the said Duty, provided Notice Given by said Officer, and then and there produce to the said Officer the Begister of his Ship or Vessell to be perused, and if required, to give a true Copy of the Begister of such Ship or Vessel] to the Said Officer, Attested by the said Master or Comander, within Twenty four hours after such request, under the penalty of ffive

Pounds Current money of this Colony for every Soch Delay, denyal, neglect or refusal to Comply with, this Act.

And be it further Enacted by the same Authority, That every Master or Commander of such Ship or Vessell, Jyable to pay the Baid Duty, shall be Obliged and is heveljy required to Report upon Oath before the Mayor or any of the Aldermen of the City of New York, the Dimensions of his Ship or Vessell as is mentioned and Expressed in the said Act, and produce and give the same to the said Officer within Six days after the aj-rival of Such Ship or A'easell within the said Port or harbour, under the Penalty of fflve Pounds Currant money of this Colony.

And be it further Enacted by the Authority aforesaid that every Master or Commander of any Ship or Vessell shall within Twenty ffour hours after the Arrival! of his Vessell in the harbour or Port aforesaid, on notice given him by the said Officer, make oath before the Mayor or any of the Aldermen aforesaid, who are required and Impowered to Administer the some, what Number of Slaves are brought or come into the said Port in his Sloop or Vessell, and for his delaying, denying, neglecting or refusing to make Oath, as aforesaid, within the time hereinbefore limitted and Expressed, Shall (forfeit and pay the Sume of Twenty pounds Currant money aforesaid.

And for the more Orderly and Easier Collecting the said Duty by the said Act Impos'd, B© it further Enacted by the same Authority, That all the penaltys and forfeitures menconed in the said Act, and herein Express'd, Shall be recovered in the same manner as is menconed in the said Act, or in the Mayors Court of the City of New York, who are hereby required Sumarily to hoar and determine the same, on the Oath of One Credible Wittness or Confession of the party offending, under the Penalty of TeDD Pounds Currant money of this Colony, to be recovered in

IbyCoOt^lc

tbe Suprcam Court of Judicature in thia Province, by Bill, plaint or Informacon, where no Essoin, Protection, wager of Law, or any more tlieo one Imparlance shall be allowed.

And be it further Enacted by the Authority aforesaid, That all VessellB that hare or shall be built iu any part of this CoIODy, Bhall not be lyable to pay the said Duty of Tonnage for the first time they shall Enter and Cleer out.

[CaVPTEB 219.]

ICLapter 210, of Llvlngatoo & Snillli, and Van Scbaack, where the ti only Is printed. Title only Is printed la BrailfonVa ITla ed , p. 8 act is not in BaeketL Expired, Xorember 25. 1T13.]

AN ACT to prevent the burning of Woods.
[Passed, November 25, 1710.]

BE IT ENACTED by the Govem'r, Council & General Assembly, and by ye Authority of the'Hame, That every person or persons whatsoever, That Shall from and after the fBrat day of January next following, in the County of Suffolk, Queens County or Kings County, City and County of Xew York, Set on iire any uplands, plains, Woods, Tre*>8, Shrubs, underwoods or bushes, Standing, being or Growing in the Respective Coantys above Raid, Shall forfeit and pay to Her Majesty, Her Heirs and Siiccefl- sora Forty Shillings current money of this Colony, to be forth- with paid by Such Offendor or offenders, upon Conviction before any Justice of Peace in this Colony, for the time being, who Is hereby Impowered and required to hear and Determin the Saiue, by the oath of One or more Credible Witnesses, or Confession of the Party So Offending, that he or they have Committed the Said offence, and on his or their lU'fusal to pay the Said Forfeiture, t be committed by Warrant from the Justice of the Peace, to tbe Conmion Goal untill he or then Shall pay tho Same, the One half of the Said Forfeiture to be paid to the Treasurer of thia C-olony, for the time being, for & Towards the Support of this Govemm't, and the other half to him that Shall be damnified, and that Shall Sue for the Same, besides Such p'son or p'sons being liable to An Action on the Case for any Damage that Shall be Sustained bv any p'son whatsover, who Shall by the willfulness or negligence of any other person be Spoiled or hurt by any Such firing. Thia Act to be in Force for Three years from the publication hereof, and no longer.

Digi-jzedbyGoOgiC

[CHAPTER 220.]

fCbapter 220, of LlyiusBton & Smith and ^'an Scbaack, ^here tbe titl only is printed. Tiile only Is printed in Bradford's 1715 ed., p. S act la not In Boskett Expired, Noveinber 25. 1713.]

AN ACT for Rtpairing of the Block-

lioasea Platforms and other the ffortifi-

catioDs of the City of Albanv and the

Town of Schonectadj in the said County.

[Passed, November 25, 1710.]

FORASMUCH as the Safety, good and wellfare of the City of Albany does greatly Depend on the Repairing the flortifications of the Bame, Be it therefore Enacted by hie Excellency the Gover- Dour, Coancil and Representatives now in General Assembly, Con- ren'd, and by the Authority of the same, that the Sum of Fonr hundred Ounces of Plate, Which is hereby Given and Granted to her maj'tie, her heirs and Successors, he laid. Assessed, raised and levyed upon all ffnd every the Inhabitants, Residents, Sojourners and ffreeholders of the City and County of Albany, and the several Mannoure and Jurisdictions thereof (The Town of Schonectady, its Out-farms and Dependencies only Excepted) to be Imployed by the Mayor, Aldermen and Justices of the Peace, or the Major part of them, or such as they shall appoint of the said Citty and County, for the Repairing of the Blocii-honses, Platforms and other the fPortifl cations of the City of Albany, within the time of Two Years next and after the Publication of this Act, to be paid unto the Treasurer of the said County of Albany, for the time being, to be disposed of by Warrant under the hands and Seals of the Justices of the Peace o(the said Citty and County, or the Major part of them, for the time being, for the uses and purposes aforesaid, and to no other use or pur- pose whatsoever.

And Be it further Enacted by the Authority aforesaid, That for the better Assessing, Collecting and paying the Quantity of Four hundred Ounces <rf Plate, as aforesaid, the Mayor, Alder-

men and Justices of the Peace of the said City and County, or the Major part of them, do at such times and places, after the Publication hereof, Assemble and meet together in the Court-House of the said City, or such other place or places aa they shal Agree amongst themselvjes, and shall there order that the Assessors and Collectors for the said City and County, Mannours and Jurisdictions (the Assessors and Collectors of Schonectady Excepted) for the time being, lor the Assessing, Collecting and

Digi-jzedbyGoOgiC

receiving of the Tiiblick Rates for defraying the publick and necessary Charge of the same, be the AsBessors and Collectors for the Assesfling, Collecting and Receiring the Qnantitj of Plate hereinbefore mentioned, in two distinct Payments, in sach proportions, and at such times, within the Town aforesaid, as onto the said Mayor, Aldemien and Justices, or the Major part of them shall seem meet and reasonable.

AND He it further Enacted by the Aathorlty aforesaid. That the said Mayor, Aldemien and Justices of the Peace have and shall have power and .Vuthority, by Virtue of this Act, each of them by himself, to Administer an Oath to the said Aasessors, well and truly, Equally and Impartially, and in due Proportion, as it shall appear to them, according to their best understanding, to Assess and Rate the Inhabitants, Residents, Sojourners and ffreeholders of the respective places, Manners and Diatricts for which they shall be Assessors.

AND RE IT further Enacted by the Authority aforesaid, That if any person or persons, who shall t>e Chosen Assessors or Collectors, shall deny or neglect to Assess, or refuse to make audi' Assessment, as by this Act is required, or shall deny, neglect or refuse to Collect any Bume or Sumea of Money, in form before mentioned Assessed, that then and in such Case, it shall and may be lawful for any two of Her Majesties Justices of the peace of the said City and County, and who by virtue of this Act are required and Impowered to Do the same, by Warrant under their hands and Seals, to Commit such Assessors or Collectors BO Denying, neglecting to Assess, or refusing to Collect, as aforesaid, to the Common Goal, there to remain without Bail

or Mainprize till he or they shall make fine and ransom to her Majesty for such his contempt aforesaid.

AND BE IT further EDa<-ted by the Authority aforesaid. That if any person or persons, of what degree or quality soever they shall be, within the said City, County. Mannors and Juriadio- tions aforesaid, who shall be Assessed or Rated any Quantity of Plate, by virtue of this Act to be raised and laid, ahall deny, refuse or delay to pay and Satisfy the same, that then it shaJI and may be Lawful for any such Collector, by "Virtue of a War- rant under the hand and Seal of any of the said Mayor. Alder- men or Justices of the Peace of the said City or County, who by Virtue of this Act are required and authorized to grant and Issue forth such Warrant to levy the same by distreas and Sale of such person or persons Goods and Chatties, returning the over-plus (if any be) to the Owner the Quantity of Plate AsseB- Bed, and Charges of Distress being first Deducted.

Digi-jzedbyGoOglc

AND BE IT further Enacted by the Anthority aforesaid, That if the aoid Mayor, Aldermen, Justices of the Peace, or any of them who are hereby required, Impowered and Authorized to talte EHectual care that this Act and every Clause therein be duiy Executed, according to the true and Qenuine Sence thereof, sliall deny, refuse, neglect or delay to do, perform, fullfll and Execute all and everj-, or any of the powers, duties and authoritys by this Act required and Impowered hy him or tbem to be done, per- formed, fnllfilled and executed, and shall thereof be lawfully con- victed before any of her Majesties Courts of Record in the said City and County, he or they shall suffer such pain by fine and Imprisonment, as by the Discretion of the Justices of the said Courts be Adjudged.

AND BE IT further Enacted by the Authority aforesaid, That If any Action, Bill, Plaint or Information shall be brought, moved or prosecuted at any time hereafter against any person or per- sons, for any matter, cause or thing done or Acted in pursuance or Execution of this Act, such person or persons so sued or prose- cated in any Court whatsoever, shall and may pleed the General Issue, Not Guilty, and Give this Act and the Special matter in

Evidence. And if the plaintiff or prosecutor shall be non-Suited, or forbear further prosecution, or suffer discontinuance or Verdict to pass against him, the Defendant or Defendants shall have Treble Costs, for which they shall have the like Remedy as in cases where Costs by Law are given to Defendants.

PROVIDED always. That no Mayor, Alderman or Justice of the peace shall be Troubled, Sued, prosecuted or Molested for any Omission, Offence or neglect by virtue of this Act, but within the space of one Year after such Omission, Offence or Neglect; and not at any time there-after, any thing herein contained to the contrary hereof Notwithstanding.

AND WHEREAS it is very necessary that there should be publick Wells appointed and made in the Several Wards of the City of Albany, and there being at this time none in the first and Becond Ward thereof. Be it therefore Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor, Aldermen and Comonalty of the said City, within the space of Six Weeks next and after the Publication of this Act to Issue out Warrants to the Assessors and Collectors of the said Wards respectively, for the raising and collecting of a Certain Quantity of Plate, not Exceeding Seventy and five Ounces in each of tha •aid Wards, Which is hereby Given and Granted to her Majesty, her heires and Successors, to be paid by the Inhabitants there.

SDd dedacted out of their Landlords Rent, in such ways and naio- nera, and in Buch proportions, as unto the said Mayor, AMemea and Commonalty shall direct, to be paid to the Treasurer of the said City on or before the first of June, which shall be in the Year of our Lord One Thousand Seaven hundred and Eleven, to be impiojed for the making two publick Stone or Wooden Wells, One in each of the said Wards, at such places in the same, as nnto the said Mayor, Aldermen and Commonalty shall eeem meet, and for no other use whatsoever. And the said money is to be paid out for the uses aforesaid, by the said Mayor, Alder- men and Commonalty, by Warrant under the Common Seal of the said City, signed by the Mayor,

AXD BE IT furthtT Enacted by the Authority aforesaid. That the said Quantity of Plate, not exceeding Seventy Ave Ounces in each Ward, shall bo raised, Collected and paid in the same and

like manner, and under the like pains and penalty's as before in this Act is prescribed for the raising of Four hundred Ounces of Plate, as aforesaid,

AXD BE IT further Enacted by the Authority aforesaid. That the Justices of the Peace of the County of Albany, living at Schenectady, are hereby fully Impowered, for the time of Two Years, next and after the Publication hereof, by Warrant under their hands & Seals, to order the Assessors of the said Town and precincts, for the time being. Equally and Impartially to Assess the Inhabitants thereof, to Cut, ride and set every Man his pro-portion, he shall be Asses't, of Pallisadoes for the fFortlflcnlions of the said Town, as they, from time to time, shall judge needfnll for the Defence thereof, under the like pains and pemiity's as before in this Act is Expressed, and as if a Tax, payable in Money, had hereby been levyod fur the same, any Law, Usage or Custom to the Contrary hereof in any ways Notwithstanding. This Act to Eemaln in force for the Space of Three Years uftet the Publication hereof, and no Longer.

[CHAPTER 221.]

[Chapter 221, of LivlDcstoD & Siplth and Van SchnDck, where the titl only la printed. Title only Is printed In Bradford's 1715 ed., p. 8 Id full in Baskett, p. 130.]

An Act to Collect the Arrears of Taxes.
[Passed, Novemher 25, 1710.]
BE IT Enacted by the Governour Council and Assembly and by the Authority of the same. That the Severall Collectors of the

SeveraU Countys Citjs Towns Maunors Libertys and Jarisdic-tions in this Colony who were and have been at any time hereto-fore Chosen and Appointed to Le\7 and Collect all or any part of the Taxes raised within thla Colony since the twenty seaventh Day of September which was in the Yeare One thousand seaven hundred and Six untill the Publication of this Act or in case of Death or removal the Collector or Collectors for the Time being, shnll and are hereby directed required and Impowered to Levy and Collect the Arrears of all or any part of the said Taxes according to then Several Assessments thereof made, of and from the Several and respective persons, in the Several and

respective Citys, Towns, Mannors, Libertys and JurisdictionH in this Colony, chargeable therewith, who have not paid all, or still are in arrears for the said Taxes, or any part thereof; and the Sums BO Levied and Collected, with the Sums now remaining in any Collectors hands, of any Assessment, shall forthwith be paid to Collonell Abraham De I'iester, the Treasurer of this Colony, to be issued and paid according to the Laws of this Plantation.

AND BE IT further Enacted by the Authority aforesaid. That the said Collectors, and every of them, shall have the same powers and Authoritys, privileges and Advantages for the putting this Act in Execution, and be liable to and undergo the same pains and penalties, in Case of any Omission, Neglect or abuse, as the Collectors in any or all the Acts of General Assembly are invested with, or liable unto, as if the Same were Specially and particularly nt large mentioned in this Act.

AND BE IT further Enacted by the Authority aforesaid. That the Arieares 6t the Excise of the last Year, due by the Several Cities, Towns, Mannors, Burroughs and Countys of this Colony, be paid unto the said Treasurer, within the Space of one Month after the Publication hereof, under the penalty of Forfeiting double the Sura in Arrear by the person making default con- trary to the Intent of this Act, to he Recovered by the Treasurer of this Colony by Action of Debt, in any of Her Majesties Courts in this Colony, and to be apply'd towards defraying the necessary Charge and Support of the Government

Digi-jzedbyGoOglC

[CHAPTER 222.]

[Chapter 222, of Llrlngstoii & Smith, where the act !s printed to f Chapter 222, or Van Schaai-k. where the second paragraph only of the Is printed. Title only is printed In Sradford'a 1713 ed., p. S4; Ba

An Act to Retrench the Growing Interest of BUIs of Credit

[Passed, NoTember 25, 1T10-]

BE it Enacted by the Governour, Council & Aasemhiy, & by the authority of the same, That h-om and after the first day ot Kovember, in this present Year, there shall not be allowed, received or paid by the Treasurer of this Colony, for the time being, or by any other Person or Persons whatsoever, any Inter- Mt, Increase or Use on any of the Bills of Credit, Enacted to be Currant in this Colony, by Virtue of one Act of General Assembly, pass'd in the Year of our Lord, Seventeen hundred and Nine, eotituled, An Act for the Currency of Bills of Credit for four Thousand pounds, or by Virtue of one other Act of General Assem- bly pass'd in the same Year, entituled, an Act for the Currency of Bills of Credit, for Ten Thousand ounces of Plate, or Fourteen thousand five hundred forty five Lyon Dollars, any thing in those Acts, or any other Law or Statute to the Contrary hereof, in any wise notwithstanding.

AND BE IT hereby declar'd and Enacted by the same Author- ity, That Col. Abraham De Pcyster, Treasurer.of this Colony, and every Treasurer of this Colony, for the time being, is and always shall be Oblig'd & Lyable to render and give accot of all publick Ijevya coming to his or their hands, to the Govorn'r CouncUl and Assembly when Sitting and requiring the Same.

[CHAPTEB 223.]

[Chapter 223, of Llvlngeton & Smith and Van
Is printed In full. Printed in full In Bradford's
is not]Q Baskett.]

An Act to enable the Precincts of Islip,
in the County of Suffolk, to Elect two Assess-
ors, a Collector, Constable and Supervisor.
[Passed, November 25, 1710.]
BE It Enacted by the Governour, Councill and Assembly, and tr the Authority of the same. That from and after the Publica- tion of this Act, it shall and may be Lawful for the InhabitaDtls

of the Districta & Precincts of Islip, in the County of Suffolk, on the South side of Long Island, from the Westermost Limits of the

Land of Thomas Willets, to the Eastermost part of the Lauds of William Nicoll, near Blew Point, and they are hereby Impower'd & required Annually to Elect & Choose, among them, two Assessors and a Collector, to Assess and Collect such Taxes as shall be now or hereafter laid oi- Impos'd on them, & a Constable and Supervisor, for keeping the Peace & Auditing their Publick iiccounts,at the usual time the County of Suffolkhath or shall do.

THE THIRTEEKTH ASSEMBLY.

Second Session-

(Xo acta were passed at this session.)

THE FOUBTEEXTH ASSEMBLY,

First Session.

(Begun July 2, 1711, 10 Anne, Robert Hunter, Governor.)

[CHAPTER 224.]

[Chapter 224, of Llvlngstoo & Smittt and Van Scbaaeh, wbere tbe titl only fB printed. Title only la printed In Bradford's 1715 ed., p. 8 Baskett, p. 133.]

An Act for raising fforces to assist in the Expedition to Canada.

[Passed, July 11, 1711.]

BE IT Enacted by the Govemour Council and General Asaembly and by the Authority of the Same, That Six hundred Men including their proper Officers shall be raised in this Colony, One hundred whereof by Hia Excellencies Leave are to l>e Palatines, One hundred and fifty thereof to be Native Indians, to be ready to Embark for Albany at such time and place the Governour shall direct, in Order to march on the Expedition to Canada, which Men Rhall be Levyed in the manner following Vizt:

From the City of Xew York — Five and fifty Men.

The City and County of Albany — Fifty Men.

The County of Ulster— Thirty Men.

The County of Suffolk — Sixty Jlen.

Queens County — One and Sixty Men.

The County of Richmond — Sixteen Men.

The County of West Chester — One and thirty Men.

Lc;-,:.tll:yG00gIC

KlugB County — One and twenty Men.

The County o(Orange — Three Men.

DutcheB's County — Sii Men.

And there be also appointed by His Excellency one Colonelt, a Major, an Adjutant, a Chaplain, eight Lieutenants from Europe, three SurgeoQB, two Captains and four Lieutenants to the Palatines. For the more effectual raising the said Men according to the Quota's and Proportions herein express'd.

BE IT EXACTED by the Authority aforesaid, That the Colonell of Euoh respective City or County, or the next chief-Commanding Officer for the Counties where there is no Colonell, shall and are hereby required, impowered and Commanded immediately after the Publication of of this Act to Issue their Orders to the respective Captains or other Commissi on -Officer both of Horse and Foot in their respective County's, requiring them to Issue forth their Orders to their Serjeants or Corporals to Warn all the male Inhabitants Hesidents and Sojourners in Each respective City, Town and ^lunnor, where they belong, that are listed or liable to be listed in the Militia of Horse and Foot, to appear at such certain time and place as the respective Captains or other Officer shall appoint within the Time above limited, which said Captains are hereby required then and there to take an exact List of all and every the names of the appearers, and the person or persons so refusing or neglecting to make his appearance as abovesaid shall forfeit and pay to their respective Captain Six Pound Current ifoney of this Colony to be imployed and paid equally

among such person or persons that shall go upon the said Expe-
dHion out of each Company respectively and to be levied by
Warrant under the Hand and Seal of the Captains of the said
Company's under which the said Defaulters properly belong or
are listed, directed to any Serjeant of that Company, who is hereby
required to Execute and Levy the said forfeiture on the Goods and
Chatties of all and every such offender or offendora; And in Case
such Serjeant or Serjeants shall neglect or refuse to execute the
said Warrant, he or they shall forfeit respectively for each offence
the Sum of Ten pounds Current money aforesaid, to be levied
and applied as aforesaid, and where no effects of the person
or persons refusing or neglecting to appear as aforesaid can be
found, he or they shall suffer Six Monetha Imprisonment, there to
remain without Baile or Mainprize, untill he or they shall pay or
Batisfle the said forfeiture.

Digi-jzedbyGoOglC

AND BE IT furtter Enacted hj the Autboritj aforesaid, That for
the more equal detaching the Alen hereliy appointed to go on tht; s
Expedition, [the Captain or other Officers shall and are hereby
impowered respectively to Detach and Return to his Colonell or
other Cheif Commanding Officer his eiiuall Quota or proportion as
shall be appointed by the said Colonell or Cheif Commanding Officer
oat of hia said Company to go upon the said Expedition] to Canada,
and those whom the said Captain or other Officer shall return so to
^o shall be paid and allowed eighteen pence per Day and their pro-
risioDS to be duly paid to them their Executors or Administrators
from the Time they are detach'd, not exceeding one hundred Days;
And for the Encouragement of persons to list themselves as private
Centinels to go on the said Service shall be punctually pjid the Su
of Three Founds and be allowed as aforesaid, to be paid to them, a
every Volunteer in each respective Company shall be esteemed and
taken aa part of the Quota of Such Company.

AKD BE IT further Enacted by the Authority aforesaid, That
Huch person or persons that shall be returned by the Captain or oth
Officer aa aforesaid to go, shall deny or delay to go on the said
Expedition, or neglect or refuse to find and provide such an able
and effective Man as the Captain he Is to go under shall approve
and accept of, shall forfeit and pay Twenty Founds Current Money

of this Colony, to be immediately levied by distress and 8ale of hi and their Goods and Chattels by Warrant aa aforesaid, to be paid to such person as will voluntarily go in the stead of any person refus ing to go as aforesaid, and where no effects can be found, the pers and persons so offending shall be committed to Jalle there to remain untill he or they shall pay or Satisfy the Penalty aforesaid, which the Sheriff of every respective County shall and Is hereby required t(* take into his Custody and keep close Prisoners during the said time of Six Moneths.

AND BE IT Enacted by the same Authority, That all and every person or persons as aforesaid which are absented or gone out of th Colony or are alsconded from their Abode or Habitation, so that the Serjeant or Corporall Going to their Abode in Order to Give them Notice of their appearing, shall be respectively liable to the forfei of Six pounds as aforesaid, to be paid and applied as aforesaid, Al which fforfeiturea being distrained by the said Serjeants or Cor- poralls of the Troops shall be exposed to Sale by way of publick Outcry, the fforfeitures and charges thereof being paid and Satis- fied, the OTerplua shall be returned to the Owner.

Digi-jzedbyGoOgiC

AjS'D be it further Enacted b.v the Authoritj aforesaid, That there shaJl be allowed Eighteen pence per I>ay Cnrrent Money of this Colony to bo many Lieutenants arrived here from Europe as Bhall Serve in the fforces to be raised in the Colony of Kew Yor^ during the Limitation aforesaid,

AXD BE IT further Enacted by the Authority aforosaid,That for as much as there are many jiersons in thia Colony, who out of Scru ot Conscience refust? the bearing and use of Arms, all and every su person and persons producing a Certilicate from any two preachers of their respective Congregations they OBuallj frequent their profess- ing such Tenets for a whole Year op more before the first day of June last, shall not be liable to the said penalty of Six pounds for non-appearance, but nevertheless shall double their proportion of Taxes to other persons of like Estates cliai^eable by the Acts of General Assembly for any Sums to be raised towards defraying: the Charge of the present Expedition against Canada.

AND BE IT further Enacted by the Authority- aforesaid, That If any Commission Ofiicer shall directly or indirectly take any Sum or Sums of 5Ionry or any other thing whatsoever for excusing any person or persons on going on the said Expedition, shall forfeit and pay the Sum of Fifty pounds Current Money aforesaid for each offence, to be recovered in any Court of Judicature in this Province the one half thereof to the Informer that will Sue for tlie same, the other half towards the Support of this Govemment

AND BE IT further Enacted by the Authority aforesaid, That all and every the Male Inhabitants of any Manner within this Colony that have not a Company shall forthwith list themselves nnder their next adjacent Militia Officer under the penalty of for- feiting Six pounds as aforesaid to be levied and applied in manner as aforesaid.

AND BE IT further Enacted by the Authority aforesaid, That nne Captain and a Litntenant to each Company to be raised as afore- said shall be of the respective Officers of the ililitfa or such oth proper persons Inhabitants of this Colony in the Countys respectively where the fforces are to be raised as his Excellency shall think fi to appoint

ANI> be it Enacted by the same Authority, That the Treasurer of this Colony shall take immediately effectual Care, That the several and respective Captains of the Several Companys in this plantation may have and receive out of the publick Moneys in the Treasury not already appropriated surh Sum and Rums of Money as shall be sufficient to pay and reward the Volunteers, who ahall

.., C A.>(.>glc

list themselreB for thia Espeditioo, the Incouragemeut provided and allowed by this Act and that the Receipt of the respective Captaina shall be a Bufficieut Discharge to the Treasorer for the Moneys paid pnpHuant to this Act

[CHAPTEB 225.]

[Chapter 225, of Livingston & Smith and Van Schaack, where the title only la printed. Title only la printed In Bradford's 1T15 ed., p. 8

Baskett, p. 133.J

An Act to appoint CominiBBioDers to pur-
chase Provisions and other necessarys for the
Expedition to reduce Canada.

[Passed, July 26, ITll.]
BE IT Enacted by the Go\ernour Council and Assembly and by the Authority of the same, That Capt Robert Walters, Coll. Robert Lurting and Capt John De Pe-vster are hereby appointed Commia-sionerB or Agents to purchase and procure I'rovisiona and other necessarys, for victualling the forces to be rais'd in this Colony a transporting them and other necessarys to Canada, which said Commissioners or one or more of them shall have power and are hereby fully authorized if occasion require to break open and Search all Houses Sliips or Vessels or any other place they shall think fi for the finding and procuring such Provisions and necessarys they shall want for the said Expedition, and call to their Assistance, Ai and Command any Constable or Constables Sheriff or Sheriffs or any other publick Officer, to take Seize upon and Impress on Land or W^ater, all or any provisions they shall find necessary for the Expedition aforesaid, As also Men Horses Carts Waggons Boats Canoes and other Vessels or Carriages for transportation of the same by Land or by Water, and pay such reasonable rates and prices they shall think equitable, for any Labour Provision or hire of Men, Horses and Carts, Waggons and Vessels for Transportation which ahall be so taken and Seized as aforesaid, and such OfBcer or Ofilc or other person or persons that refuse or deny their Aid and Assist ance to the said Commissioners When required shall be by them or any two of them Committed to the common Jail there to remain three Monetha without Bail or Jlalnprize for every such Offence, and the Sheriff of the City and County of New York and keeper of the Jaile are hereby directed required and authorized to receive and keep in close Cnstody all and every such Offender or Offendora. Provided the said Provisiona ahall not exceed the prizes foUowInfe

Coogic

Tizt. Good flrm Pork well saved each Barrel Thirty one Gallons and one half Three pounds and Ten Bhillings, other Pork in propor-tion to Goodness and Gage of the Harrel to be valned bj; the said

Gummissionera. Pease live shillings per Bushel. Bacon Eight pence per poand. Buttock Beef smoaked Seven pence per pound. Cheese t^ix pence per pound, Indian Com two shillings and six pence per Bushel, well baked llisquet made of Meal as comes from the mill with all the fflower, the Brand only taken out withou mixture of Cornell, Seventei'n shillings and six pence per bun- dered, and Rnm at three shillings and six pence per gallon.

AND BE IT further Enacted by the Authority aforesaid, That for the piiyment of the said I'rovisions Materials and other Expences the said Couiuilssioners shall be at, they are hereby required and impowered to draw their Warrants on the Treasurer of this Colony for the Time l»eing, Expressing in e^"ery of them, to whom, for wha Rervice, or for what Materials, in about or relating to the said Ex dition, which said WaiTanls the ssiid Treasurer is hereby required andenabled to pay and shall be a good nnd siifncientDiachargefor so much express'd in the said Warrants to be paid by him pursuant to and by virtue of this Act. And the said Commissioners are hereby required impowered and directed to Transmitt and send to the Commissioners hereinafter named for the Citty of Albany all such provisions and other nccessarys as they in their Discretions sha judge requisite and sufficient for the better and more effectual carrying on and effecting the Services and attaining the Ends intended by this Act.

AND BE IT further Enacted by the Autliority aforesaid. That Capt, Peter van Brugh and Mr. Ilendrick Hansen are hereby appointed Comniissinnera at Albany for the receiving and taking care of llie Provisions and other necessnrys for the fforces rais'd this Colony, there, and the necewiary transportation of the same and the Deli veiy thereof, to the severall Captainsof theC<Mnpanyflfor the use of the Men respectively under their Commands; And for the I.'Ptter etfecting and performing the snme Service tlie said Com- mifsionersat Albany shall have the like powers and nuthoritys the Commissioners in New York are Clothed with all by virtue of this Act, As also for the procuring and purchasing such provisions and other 'necessarys for the letter Support and accomodating the fTorcea to be rais'd in this Colony for the Expedition aforesaid as the Com missioners herein appointed for New York shall not be able to pro- vide and procure there.

Digi-jzedbyGoOgiC

[CHAPTER 226.]

[Chapter 226, of LiviugBton and Smitli and Van Schaack, where the ti oaly Is printed. Title only is printed In Bradford's 1715 ed., p. 8 Fluted In full In Baskett, p. 135.]

Ad Act to Enable Thomas WMtehead to
Bell and Dispose of some part of the Lands
Devised to him by hta father under the Limita-
tion of a GeDerall lutaile.

[Passed, July 20. 1711.J

WHEREAS Thomas Wliitebead Sod of Daniell Whitehead Esqr. late of Jamaica in Queens County Deceased hath by his Petition Set forth That his ffather Daniell Whitehead has by his Last Will and Testament bearelng date ye Thirteenth day of November in the Yeare Seventeen hundred and Three Devised unto him and ye heires of his body lawfully to be begotten, and ye Berertion thereof for l of such issue to his the said Daniells Son Jonatlian ^liitehead and ye heires of his body lawfully begotten or to be begotten and for of such Issue to ye next right heires of him the said Daoiell "Whi head for ever Diverse Tracts of Land in Queens County (Containeing about Thirteene hundred Acres) but wholly Unimproved.

To the Intent therefore that the said Thomas ■\\'Tiitehead may be Enabled to make Improvements upon the said Lands for the better- ing of ye said Estate.

BE IT ENACTED by his Excellency ye Govornour by and with yo Advice and Consent of ye Councill and Generall Assembly of this Colony of New York And by ye Authority of ye same That it shall and may be lawfnll for him the said Thomas Whitehead to Aliene Sell and Dispose in ftee Simple or otherwise of any part or parcell of the said Devised Lands with ye Appurtenances not Exceeding ye Quantity of ffour hundred Acres Out of One or at most two Tracts or parcells of ye Lauds Dmised by ye Will afore- said. And that Such Sale Alienation and Disposition of him the said Thomas \\Tiitehead to Such person or persons as shall purchase the same shall be as good SufBcient and Effpctual! in the Law to a Intents and purposes whatsoever as if the said Thomas Whitehead had at ye time of ye makeinp: of this Act a ffree Cleare and Abso

Estate in ffee Simple in and to ye same, Saveing all Bight of her Majesty her heires and Successors and of all bodyes politick and Corporate and of all other persons whatsoever Except the Bald
02

. LiOOglc

Thoniaa Whitehead and ye heirea of his body, and ye said Jonathan ^^'hitehead and ye tieirea of his body and ye heirea of the said Daniell Whitehead.

[CHAPTER 227.]

[Ctiapter 227. of Livingston & Smlili aud Vaii Schaack, where the ti only Is printed. Printed la mil in Bradford's 1715 ed., p. 84. Titl is printed in Basliett, p. 13a.]

An Act for Levying the Sum of Ten thou-
sand Pounds.

IPassed, July 20, 1711.]

BE IT Enacted by the Governour, Councill and General Assem-
bly and by the Authority of the same, That the Sum of Ten Thou-
sand I'ounds be and is hereby given and granted to Her Majesty Iler Heirs and SuccessorB be paid to and Issued by the Treaaui-er of this Colony for the Time being to be applyed for the payment of Buch of tbeSix hundred Men of theMilitia of thisCoIony appointed to Serve in the present Expeditionto Canada as shall appear on the return of the fforees, to have Served, and to and for no other Use Intent and purpose whatsoever. Ttiat is to say,

A Colonel, Twenty shillings per Diem.

A Major, Ten Shillings per Diem.

A Chaplain, Eight Shillings perUiem;

Ten Captains, Each Eight Shillings per Diem.

Eight Lieutenants, Each four shillings per Diem.

Nine Lieutenants from Europe, at Eighteen pence per Day, New York Money, additional pay, Each,

Twenty Seven Serjeants, Each Two Shillings per Day.

TwentT," seven Corporals, Each Eighteen pence per Day.

Ten Dnimmera, Each Eighteen pence per Day.

Three Chyrurgeons, Each Six Shillings per Day.
And three hundred fifty one private Centinels, eighteen pence j>er Day to Each, and Everj- of them. One hundred and fifty Indians at twelve pence per Day, besides their provisions.

AND BE IT further Enacted by the Authority aforesaid. That a Muster Roll of the Names of all the Volunteers, expressing when listed, and of those Impressed, when detach'^ be Trans- mitted to the said Treasurer by the principal Officer of the Militia of every City and County. Signed by him and the Officer that shall mate Such Detachment or enter the Volunteers as afore- said, within a Moneth after such Listing or Detachment to remain with the said Treasurer for the better regulating the pay-

II., Google

ment of the ftorces to Serre oa this Expedition, under the peaaity of five pounds on each Officer who shall make default herein to be recovered by Action of Debt or Information in any of Her Majesties Courts within this Colony, the one half to Her Majesty to be paid to the Treasurer towards the Support of this Govern- ment, and the other half to the Informer who shall Sue for the same, And for the exact payment of the fioroes to be rais'd for the same Service a Certificate of the Oaptainsof the Service of the Men under their Commands respectively shall be a suEHclent Warrant and dischai^e to the Treasurer for the payment of such Men, and that a certificate of Capt Peter van Brugh and Mr. Hendrick Hansen or either of them the Commissioners at Albany for the receiving and taking Care of the provisions and other necessarys for the fforces raised in this Colony there of the Service of any Commission Officer on the same Service shall be a

Discharge for pajTnent of those Officers according to the meaning of this Act, which said Certificates the said Captains are hereby required and enjoyned to give in manner before eipressed.

AND BE IT further Enacted by the Authority aforesaid, That the said Sum of Ten Thousand Pounds to be laid, Assess'd, raised and levyed upon the Estates real and persouall of all and every the Inhabitants, Residents, Sojourners and Freeholders of and in this Colony, to be paid to the Treasurer of this Colony for the Time being in manner following, That is to say, One Thousand pounds part thereof on or before the last Day of May which will be in the Year of our Lord One thousand seven hun- dred and fourteen; One thousand pound on the last Day of November then next ffollowing. One thousand pound on the last Day of May One thousand seven hundred and fifteen; One thou- sand pound on thp last day of November then next following. One thousand pound on the last Day of May One thousand Seven hundred and Sixteen; One thousand pound on the last Day of November then next following. One thousand pound on or before the last Day of 3Iay One thousand seven hundred and seventeen; One thousand pound on the last Day of November then next following. One thousand pound more thereof on the last Day of May One thousand seven hundred and eighteen; And One thousand Pound more residue thereof at or before the last Day of November then next following, according to the Quota's and pro- portions herein expressed, vizt.

The City and County of New York, Two Thousand and Thirty pounds.

DgizedbyGoOgiC

The City and CouEty of Albany, Six hundred and Eighty pounds.

Kings County, One thousand five hundred and seventy pounds.

Queens County Two thousand pounds.

The County of Suffolk, One Thousatad eight hundred and thirty pounds.

The County of Ulster, Seven hundred and fifty pounds.

The County of West Chester, ffour hundred and twenty pounds.

The County of Richmond, ffour hundred and eighty pounds.

The County of Orange, One hundred and Ten pounds.

Dutchess County, One hundred and thirty pounds.

AND BE IT further Enacted hy the Authority aforesaid, That the said Sum of Ten Thousand pounds shall be Collected and paid in such manner and under such restrictions and Regulations, paius, penalties and forfeitures as are mentioned and expressed in an Act entitled an Act for Levying four thousand pounds made in the Eighth Year of Her present Majesties Reign is Enacted, Declared, provided and Expressed to all Intents Con-structions and purposes whatsoever, as if the same had been herein fully expressed and mentioned at large.

[CHAPTER 228.]

[Cbapter 22S, of LlvlngBton & Smltu and Van Scbaack, wbei-e the titl ooly <B printed. i'llle only Is printed In Bradford's 1T15 ed., p. Btiskett, p. 133.]

An Act for the better Rewarding of Volunteers on the present Expedition against Canada to be Levied in the Citya of Kew York and Albany, and the pay of .other Officers and Uses relating to the Same Expedition.

[Passed. July 26, ITll.l
BE IT Enacted and it Is hereby Enacted by His Excellency the Governour Conncill and Geuerall Assembly and by the Authority of the same That the Sum of Three hundred and forty pounds Current Money of New York bt given and granted to Her Majesty Her Heirs and Successours for the Uses herein after Mentioned and to be assessed Collected and Levyed upon all and every the fFreeholdera Inhabitants Residents and Sojourners of and in the City and County of New York So that the flame be paid unto the Treasurer of the

H;−,:.tll:yG00gle

City on or before the first Day of September for the paying of Six pounds Current Money of Mew York to every person and persons as shall voluntarily list themselves or be Detarhed to make up the Number of Men to he Levied by the City of New York not exceeding fifty two over and above all other Encouragements and Allowance already granted by Law. And for the better more due and orderly Assessing rating le\−yinjf and Collecting the said Sum of three hundred and forty pounds.

HE IT further Enacted by the Authority aforesaid That the Mayor and Aldermen of the City of New York or any three of the Aldermen Do immediately after the puhlication of this Act Assemble and meet together at such place as they shall think flt and then and there shall Direct and Order the Assessors and Collectors of the said City and County to Assess Collect and receive the Sum of Money before mentioned to be paid by the said City and County.

AND BE IT further Enacted That the said Mayor and Alder− men or any three of the Aldermen have and shall have hy virtue of this Act full power and authority severally and respectively to ailrainister an Oath to all and every the Assessor and Assessors aforesaid in manner following vizt. That he or they shall well and truly execute and perform the said Ofiice of Assessor and truly equally and impartially and in due proportion assess and rate the Estates of the ffreeholders Inhabitants Ecsidonts and Sojourners of and in the said City and County according to ihoir Skill and that therein they shall spare no person for ftavour or Affection nor grieve any one f−tr hatred or ill Will And the said Assessors or the Major part of them provided there be one a∗; least out of each Ward are hereby required and authorized to meet and Convene together and to rate and Assess each Ward in due proportion after one and the same method and manner And the said Assessors and every of them are hereby required within the space of Ten Days after the publication of this Act to make their severall and respective Assessments aforesaid and also make true and perfect Copies of the Assessment So to be made by them as aforesaid and deliver them in Writing under their hands to the said Mayor and Aldermen or to three of the said Aldennen or to the Town Clerk of the said City which said Mayor and Aldermen or any three of the said Aldermen are

hereby required immediately to cause the same to be collected and paid So that the same be paid to the Treasurer aforesaid on the Day aforesaid.

DgizedbyGoOgiC

AND BE IT further Enacted That the said Major Aldermen Town Clark Assesaors and Collectors are hereby respectively Invested with all the powers and Authoritys necessary for the Execution of this Act And shall also be liable to all such paines and forfeitures as are mentioned and exprest in and by an Act of the General! Asaemblr of this Colony Entituied An Act for Levying four thousand poands passed in the Eighth Year of Her Majesties Reign.

AND BE IT further Enacted That everj' Collector shall have and receive for his pains in the Collecting and receiving (A the Moneys arising- by this Act out of the Moneys he shall bo receive Sii pence in the pound And that the Treasurer of the said City bhall have and receive for his Care and Trouble therein One and a half per Cent out of the Moneys he shall so receive.

AND BE IT further Enacted, That the said Treasurer npon the receipt of the Sum of iloney aforesaid shall talte immediate Care That the Beverall and respective Captains of the severall C-om- panys within the said City and County may have and receive such Sum and Sums of Money as shall be sufBcient to pay to each)>crsoD as shall List himself as Volunteer op be detached the said Sum of Six pounds aforesaid And the Receipt of the respec- tive Captains shall be a sufBcient Discharge to the said Treasurer for the Moneys paid pursuant to this Act.

AND BE IT further Enacted by the Authority aforesaid That the Justices of the Peace in the City and County of Albany or any five of them shall liave the same power and Authority as above expressed on any time in the Moneth of August One thou- sand seven hundred and eleven to Issue out their Warrants to the severall Assessors and Collectors of the said City and County for the rnising of One hundred and fourty one poands on the ffree- holders Inhabitants Residents and Sojourners in the said City and County to be given and granted to Her Slajeaty Her Heirs

and Successors, and to be paid unto the County Treasurer, to be paid for an Additional Advance Sum of Three pounds to each of the fourty seven Volunteers or Detached Jfen to be raised out of the Militia Regiment of the said City and County to serve oa the present Expedition to Canada, and also in like manner to raise the Sum of Eight pounds sixteen shillings and three pence being nine pence per pound to the Collector and six pence per pound to the said Treasurer which snld Assessors and Collectors

Digi-jzedbyGoOgiC

shall be liable to tlie same pains and penalties as above in this Act Expressed, any Law L'sage or Custome to tlie Conti-ary notwithstanding.

AND BE IT also Enacted by the Authority aforesaid That there shall be paid and allowed six Bhillings per Day for an Adjutant and four shillinga per Day to a Quarter Master to the fforces that are to go out of this Colony on the present Expedition out of the Money to be raised for publick Use And that the Eeceipta of the Captains Commissionated to go on the Expedition or the Captains that shall list or detach the Men shall he a suffi cient Discharge to the Treasurer for the Three pounds bounty money appointed to be paid to the Centinels raised or to be raised for this present Service. And also That one Lieutenant at four Shillings per Diem be added to make up the Number of Lieutenants Eighteen.

AND BE IT further Enacted by the same Authority, That, in Case of the Death or Absence of any of the Captains of the Com-panys raised out of this Colony to go on the said Service, the ntxt Commanding OfHcer of such Company shall and is hereby impowereii to give his Certificate to the Serjeants Corporals Drums and private Centinels of such Company for their pay on the Treasurer of the said Colony, as If such Captain was present and alive.

[CHAPTER 229.]

[Chapter 220, of LlvlnReton & SmEtli and Van Schaack. where the titl only Is printed. Title only is printed In Bradforrt's 17ir> ed., p.

p. 134. Expired. November 1, 1713. See chapter 215. Further provided for by chapter 263.]

An Act for Continuing an Act Entitled
An Act for laying an Excise on all strong
Liquors retailed in this Colony.

[Parsed, July 26, 1711.1
BE IT Enacted by the Governour Council and Assembly and by the authority of the same, That one Act entituled An Act for laying an Excise on all strong Liquors retailed in this Colony made in the Ninth Year of the Reign of Her present Jfajesty and every Article and Clause therein Contained from and after the Expiration thereof shall he and Continue in force for the space of two Yeares, that is to say, from the first Day of Novem- ber one thonsand seven hundred and eleven to the first Day of

1 1., Google

November which will be in the Year of our Lord One thonsand Bcxen hundred and thirteen, to be)ett the first Year on or before the flrat Da; of October now next ensueiog, and' the Second or last Year at or before the first Day of October Anno Domini One thousand aeveo hundred and twelve.

[CHAPTER 230.]

(Chapter 230, of Livingstoii & Smltb and Van Scbaack, wbere the titl only U printed. Title only is printed In Bradford's 1715 ed., p. 88 Printed in full In Boskett, p. 134. Expired November 1, 1T13. See chapter Z1&]

An Act for the more effectual putting
in Execution an Act of Oenerall AssembI/
Entitnled An Act for laying a Duty on the
Tannage of Vessels and Slaves.

[Paesed, Jnly 26, ITIL]

FOB the better and more effectnall Levying the Duty of Three pounds lay'd for every X^roe that shall be imported into tliis

Colony not directly from AfErica, And Tliree pounds for every other Slave that shall not be directly imported into this Colony from his or her native Country.

BE IT Enacted by the Oovernour Councill and Assembly and by the Authority of the same, That if within the space of Sx Daya after the Importation into this Colony of any such Negro or other Slave the Owner or Importer of any such Negro or othet Slave shall not or do not pay to the Officer appointed to receiTe the same the Duty laid and required to be paid on Such Importa- tion as aforesaid. It shall and may be Lawfull to and for the eaid OfQcer by Virtue of this Act to take and Seize all and every such Negro or other Slave, and him her or them to Secure and keep untill the said Duty be satisfy'd and fully paid, and if withi three Days after such Seizure the Owner or Importers of sndi Negro or other Slave shall not pay and Satisfy the said Doty, it shall and may be Lawfull for the said OfBcer to Expose Boeh Negro or other Slave to publick Sale to the highest bidder for the payment of the Duty aforesaid and Charge and Expence of keep- ing and Sale Returning the Overplus to the Owner or Imports, and every such Sale is hereby declared to be good valid and effectual in the Law, as if the same were Contracted and made by the Importer or Owner of such Negro or Slave.

Digi-jzedbyGoOgiC

AND BE IT further Enacted tj the Authority aforesaid, That if any person or persons shall resist or abuse the said Officer in the Eieciition of His said OfBce, he or they shall loose and forfei One hundred pounds Current Money of New York to be recovered in any Court of Hecord in this Colony by Account of Debt Bill plaint or Information, the one half thereof to be to Her Majesty Her Heirg and Successors to be paid to the Treasurer of ttis Colony for the Time being to be applyed towards the Support of this GoTerument and the other half to him that will Sue for the same.

AND BE IT further Enacted by the Authority aforesaid, That every Master or Commander of any Ship or Vessell shall within forty-eight hours after his or their arrival within this Colony make Oath before the Mayor of the City of New Y'ork or any Jus-

tice of Peace for the Time being what Number of Negroa or other Slaves he or they hare brought into this Province and to whom Consigned, and on his or their refusal to take such Oath sliall forfeit and pay One liundred pounds Current Money of this Colony to be recovered and applyed as aforesaid.

[CHAPTER 231.]

[Chapter 231, of UvlDgston & Smith, where the act Is printed in (nU Chapter 231, of Van Schaaclc, where the title oaly ts printed. Print fall in Bradford's 1T15 ed.. p. 8a TlUe only la printed in Basfcett Expired. May 1, 171S.]

An Act for the Currency of Bills of Credit for Twenty five Thousand Ounces of Plate.

[Passed, July 26, I'll.]

BE IT Enacted by the Governour Council and General Assem- bly and by the Authority of the Same, That Bills of Credit be made to the Value of Twenty five thousand Ounces of coined plate, and no more, which Bills shall be in manner following

Vizt: This Indented BUI of of coin'd Plate due from

the Colony of New York to the possessor thereof shall be in value equal to money and shall be accepted accordingly by the Treas- urer of this Colony for the Time being iu all publick payments and for any Fund in the Treasury, Dated in New York the twentieth Day of July oue thousand seven hundred and eleven by Order of the Governour Council and General Assembly of the said Colony. Which said Bills of Credit shall be Signed by Capt

Coogic

Robert Walters, Coll: Robt-rt Lui'ting, and Capt Jobn De Pevster, who are hereby appointt-d and directed to Signe and deliver the said Bills to the Treasurer of this Colony for the Time being od or before the first day of September which shall bo in the year of our Lord Seventeen hundred and eleven to be by him piiid to

such Men as are and shall Serve in the present Expedition to reduce Canada and other Charges and Expences attendiDg the said ExiH'dition and to Account to the Governour Council and Assembly of tUfa Colony for the Time being of the Receipts and payments of the Bills hereby made Current when and as often as the said Treasurer shall be thereunto required, And the said Bills shall be received and taken for the same Talue and equal to the current Coyn passing in this Colony for Goods bought or Sold in any payments to be made for Debts that are due, or that shall be Contracted, And the tender of the said Bills for the payment and Discharge of any Debt or Debts, Bargaines, Sales, Bonds, Slortgagea and Specialties whatsoever, shall be as good and effectual in the I^nw, to all Intents, Constnictloos and purposes, as if the current Coyn of this Colony had heen offered and tendi-ed to any person or persons whatsoever, for the same or any part thereof.

A>"D BE IT further Enacted by the Authority aforesaid, That the said Bills of Credit shall be printed and numbered, expressing in every of them the weight rf Plate they shall be Current for, and to prevent Counterfeiting any of the said Bills they shalbe Dated ifnd Indented on Ihe top thereof, with the Arms of the City of Is'ew Yoi-k stfLnip'd or printed on the right side thereon, towards the Bottom of every of the said Bills, and the Indent shall pair with and Suite a Counterpart thereof bound in a book for that purpose and Subscribed by the Parties herein appointed to do the same, to be kept by them, of the same Tenor and Date, aud ao like in Circumstances as possible may be, to such Dills of Credit that arc Issued and made Current in payment as aforesaid. Five hundred of the said Bills shall be for Twenty Ounces of Plate Each; Five hundred of the said Bills for Ten Ounces of Plate Each; One thousand of the same tor Five Ounces Each; Five hundred of the same for two Ounces and a half Each; One Thousand of the same for Two Ounces Each; One thousand of the same for an Ounce Each ; One tbousajid of the same for half an Ounce of Plate Each ; and One thousand of the same for one quar-ter of an Ounce of Plate Each; Provided always, That the said

L.-,.uj I., Cookie

Sit^ors sliall not Sign a greater Number of the said Bills of Credit than what shall amount to, or pass, or be Current, for more

than twenty Ave thousand Ounces of Coined Plate, Nor the said Bills of Credit be Current in payment after or longer than the firs Day of May which will be in the Year of our Lord SeTenteen hundred and nineteen.

AND BE IT further Enacted by the same Authority, That the Baid Signors shall and arc liereby required to take an Oath before the Mayor of the City of New York for the Time being, for the true Signing and Delivery of the said Bills of Credit as aforesaid according to the genuine Intent and true Meaning of thia Act

AND BE IT also Enacted by the same Authority, That the Ten thousand pounds to be raised by an Act Entituled An Act for raising the Sum of Ten thousand pounds passed this present Sessions shall be paid to the said Treasurer in the said Bills of Credit, by the Collectors thereof, and in no other Specie whatso-ever. And for the better and more effectual Sinking and Can-celling the said Bills of Credit as they are paid unto the Treas-urer, every Collector at the payment of the Taxes and Levys by virtue of the said Act shall and is hereby requir'd and oblifid to endorse on the back of the Bills be shall respectively pay unto the Treasurer, pursuant to this Act, the Date of the payment so made, from which Time the said Bills so endorst shall be no further Current in this Colony, and every Collector neglecting or failing to make such Endorsement, or do the Duty required of him by this Act, shall forfeit and pay five pounds for every such Offence, the one half to our Soveraign Lady the Queen to be paid to tlie said Treasurer towards the Support of the Government, the other half to be to the Informer who shall Informe and Sue for the Same in any of the Courts of Justice in this Colony.

AND BR IT Enacted also by the said Authority That such person or persons who shall be convicted of Counterfeiting any of the said Bills of Credit shall incur the Pains and Penalties of felony without the benefit of Clergy and suffer accordingly. And every person or persons that Deny or refuse to take or receive any of the said Bills of Credit shall forfeit and pay the one Eighth part of the Bill or Bills so deny'd or refns'd as afore Bald, the one half to Her 5Iajesty to be paid to the Treasurer towards the Support of this Government And the other half to the Informer that will Inform and Sue for the Same in any Court of Eecord in this Colony.

Digi-jzedbyGoOglC

AXD BE IT further Enacted by the Authority aforesaid, That LyoQ Dollars and half Dutlars shall be received and be of equal value to thirteen pennyweight and Eighteen Grains of Coined Plate aforesaid for each Dollar.

[CHAPTER 232.]

[Chapter 232, of Livingston & Smith and Van Schaack. whore the title only l8 printed. Title only Is printed In Bradford's 1715 ed., p. 8 only Is printed la Battkett, p. 130. See chapter 201. Kevlved hy ch 230. Livingston & Smttb and Van Scbaack, give the date of passage o this act as July 20, 1711, but from the Minutes of ttie Council an original law It appears that the act was stgaed Ijy the Governor Au 4, 1711.1

An Act for Reviving an Act Entituled An Act to prevent Selling or giving of Rum or other Strong liquors to the Indians, and to prevent the Embezeling of Any of the Cloathing Arms or Aecoutrementa Sent by her Majesty for the- Senice of the present Expedition.

[Passed, August 4, 1711.]

■^"HEREAS an Act of the Assembly of this Pro\-ince Made in the Eighth yeare of her Majestys Raigne Entituled An Act to prevent Selling or giving of Rum or Other Strong Liqaors to the Indians was found Very beneflciall for keeping the Indians in good Order and Discipline During the late Intended Expedition and the Like reasons now requiring it.

Be it Enacted by the Governour Councill & Assembly and by the Authority of the Same that the aforementioned Act and Every Clause Article Matter and thing therein Contained Shall be and by the Authority Aforesaid is hereby revived And Con- tinued and Enacted to be in force from the fllfth day of August Next Ensuelng unto the first day of Kovember tlien Next follow- ing in as full and ample Manner as if the Same had been herein particularly Recited.

AND be it further Enacted by the Authority Aforesaid that

if any person or persons Shall buy receive or take to pawn any of the Cloathing Arms or Accoutrements "U'hich her Majesty has Bent for the Service of the Present Expedition against Canada he or they Shall forflet and pay five times the Value thereof one half whereof to be to her Majesty her heires and Succrasors and the other half to the Person who shall Sue for the same to

Digi-jzedbyGoOgiC

■S

be recovered before any two of her Majeatys Justices of tlie Peace Oue wliereof to be of tlie Qaoruin who are hereby required and Impowei-ed to hear and Determine the Same.

And in Case any Such Arms Cloatliing or Accoutrements Shall be found in any Persons Possession Claiming or not Disclaiming property thereto unless the person or persons Actually in ye present Service of their Assignee in Case of Death it shall be taken deemed and adjudged to be Part of those Sent by ber Majesty for the' Senice of the Expedition aforesaid and the per- son or persons In whose Custody they Shall be so as aforesaid found Shall be lyable to the Penalty aforementioned and every person or persons being Convicted and Shall Neglect refuse or Delay to pay any penalty incurred by this Act or give Sufflcient security to pay the Same in ten Days that then and in Such case it Shall and may be lawful! to and for the Justices aforesaid to Committ him or them to the Common Goal of the Citty Town or County where such person or persons Shall be Convicted there to remaine for three Months without Baile or Mainprise or untill he or they Shall pay the penalty for which they were Committed.

ICHAPTEK 233.]

[Chapter 233, of I.lvln^too & Smith aod Van Scbaack, where the title only ia printed. Title only is printed In BradfordB's 1715 ed.. p. Baskett, p. 135. LlvlnKston & Smith ami VaD Sehaack. give the date passage of tills act aa July 20, ITll, but from the MImitea of the and the original law, It appears that the act was signed by the Go AujrUBt 4, 1711.]

An Act for the Security & defence of
this Colony during the Expedition to Canada.
[Passed, August 4, 1711.]
For the better & more Effectual Securing & defending this
Province during the present Expedition

Be it Enacted by the Govern'r Council and Assembly, That
there shall be forthwith after the publication of this Act Erected
Sc Set up one Beacon in the County of Richmond, neer the Nar-
rows, one other Beacon in Kings County neer the Same Narrows,
& one Beacon in Queens County at Koctaway on the most Emi-
nent place there, & at each of these Beacons, there shall
be planted a great Oun with jwwder to Charge, & Lighted Match
to fire the same, & three of the Militia to be on duty day & nig
to watch & look out towards the sea, & on the sight of any

:yG00t^lc

Beacon lighted, or the appearance of three ships or more & hear-
ing any of the said Guns fired one of the Centinels in any of tue
said Countys Shall on the perceiving ot any Beacon lighted, or
bearing the said great Gun fired, light the Beacon erected as
aforesaid, & fire the Said great Gun & one of w'ch Centluels
Sliall be and are required hereby forthwith to give notice to the
Ckimanding Offiner of that County, who is hereby required to
KendezTouse the Militia of that Couuty at Some Convenient
X>lace with their Arms and Accoutrements purshant to an Aet
Entltuled an Act for the better Setling the Militia of this
province & makeing it more usefnll for the Sei;urity & defi'Dce
thereof and to March to Such place & places as his Excellency
shall direct

And for the more Expeditious alarming the Inhabitants of Long
Island one of. the Men posted at any of the before men'coned
Beacons there, is hereby Commanded to ride post and give notice
Immediately to the next Commanding OflBcer in the said Countys,
and the Commanding oflBcer in Queens County i» hereby
required on the aforesaid Notice, to dispatch an ExpresB
to the Commanding officer in Huntington in the County ot
Suffolk, who is hereby required to dispatch the Same forward to

the next Feiid Officer, and Such Officer is hereby required Immediately to Command the Militia of that County to appear in Anna according to the said Act, & forthwith March them to Such place or places as his Excellency shall order and direct.

And be it further Enacted by the same Authority, That the Several and respective Captains or Commanding Officers of every Company of the respective Countys in this Colony Shall and are hereby obliged to muster and Exercise their distinct Companys in Arms once every fortnight, and the Commanding Officer b hereby required to make one General Muster of the wholl Regiment or Militia in every County once every Month, which Companys once every fortnight, and Hegiments once every month Shall appear in Arms well Equipped pursuant to the said Act.

And be it further Enacted by the Authority aforesaid, That all persons that have bore any Military Office in this Colony & all other persons whatsoever not yet Inlisted in the respective Oittys & Countys thereof Except the Members of her Maj'ties Council the Clerk of the Council and the Jfinisters of the Gospel be and are hereby required to list themselves under Such Officer or officers as are or shall be Commissionated by his Excellency and to

...C^ooglc

make their appearance well Equipped according to the Act hereinbefore luentioDed, and if any person or persons Shall refuse or aqjleot to list themselves within fourteen days after the publicatiou of this Act, every person »o refusing or neglecting Shall forfeit the Sum of Six pounds Current money of this Province, • And they and every of them hereby are and Shall be Obliged during the present Expedition to Muster and appear in Arms when thereunto required by their respective officer or officers and in Case of Alarm to do and perform all Such Military Duty as any other persons now Actually in the Militia of this Colony are bound to do, and two thirds of the said Forfeitures shall be apply'd towards purchasing of Drums Colours & other necessarys for the said Company and CompanyB the other third to Such person or persons as shall give Information thereof to the Captaine or other Comanding Officer of the said Company which Capt or other Commanding officer is hereby Empowered and

directed to Issue out his Warrant to any Serjeant to make dis-
tress & Sale of the Goods and Chatties of Such person or persons
as Shall refuse or neglect as aforesaid, returning the overplus
(the Forfeiture and Charges first deducted) if any be to the owner.
And be it further Enacted by the Same Authority that the
charge aod Expence of erecting and Continuing the said Beacons
shall be bom and defrayd by the Countys respectively where
they are to be Erected, that the Justices of the Peace or any thre
of them in those Countys respectively do Cause the Same Bea-
cons to be Erected and made, according to the true meaning of
this Act and that the Commanding officer of the Militia in Such
Countys do take effectual care that the Guards are duely and
diligently kept in Manner before Expresst, and also that the
Supervisors of each of those Countys respectively do raise a
Competent Sum of money for defraying the Charge and Expence
aforesaid to be paid into the respective Treasurers of those
Countys and to be Issued by Warrant of Such Commanding
Officer and that the payments thereupon Shall be to the Treas-
urer a good dlschai^. And if any Such Commanding Officer
Snpervlsor Treasurer or Justice Shall neglect deny or delay to
do and perform the services required and directed by this Act,
he shall forfeit and Loose five pounds, two thirds thereof to her
Mat^, and one third to him who Shall Inform and Sue for the
Same, to be recovered in any of the Courts of Justice in this
Colony, by Action of Debt, Bill, plaint or Information.

Lc;-,:.tll:yC00t^lc

THE FOURTEENTH ASSEMBLY.

Second Session.

(Began Oct. 2, 1711, 10 Anne, Robert Hunter, Governor.)

[CHAPTER 234.]

[Chapter 234, of Llvlngetoii & Smith and Van Schaack, where the titl
onl7 ia printed. TiUe only Is printed In Bradford's 1715 ed., p. 08
p. 137. Livingston &,' Smith state that the act nns passed Norembet
1711, but from the Mlnntee of the Council and the orlKlual law, It
that the act was signed by the Govemor, October 5. 1711. (See Joana

of Legislative Council, p. 322.)]

An Act to authorize the Burviving Comm'rs for the Expedition to reduce Canada to Act & pursue the powers comitted to them as fully aa If Captain John De Peyster dece'd were Still alire & to make provision in case of the Death of any other of the Comm'rs.

[rassed, October 5, 1T11.|

BE it Enacted by his Excellency the Gor'r by and with the advice & Consent of the Council and AsBembly & by the Authoritj of the same, That Capt Robert Walters & Col Robert Lurting the Burviving Comm'rs appointed in an Act, entituled, an Act to appoint Comm'ra to purchase FroTisions and other Decesearn for the Expedition to reduce Canada, made in the tenth Year of Her present Ma'ties Reign, & also the Surviving persooa appointed & directed to sign and Deliver Bills of Credit made Current in & by one other Act, entituled an Act for the Corrency of Bills of Credit for Twenty five thousand ounces of Plate, pass'd the same Tenth year of Her said Ma'tys Reign, shall and are hereby Impowered and authorized & required to do & performe all and every Such matters and things comitted to, or appointed by them, to be done & performed, & as is Express'd in either or both of th Acts hereinbefore menconed, & that all matters & things so by

the said Robert Walters & Robert Lurting done & performed, shalbe of the same value force and effect, in as full & ample manner to all purposes and Intents, as if Capt John De Peyster row lately dece'd, the other Comm'r & person Impowered & mcn'coned in those Acts, were StiU alive & had Acted pnrsaant to the said Acts.

Digi-jzedbyGoOgiC

And be it further Euacted by the same Aathority to prevent any InconTenienee may happen by the Death of either the said Robert Walters or Robert Lurting, or of Oapt Peter Van Bnigh or Mr. Hendrick Haosen Comm'rs at Albany, relating to the Same Expedition, the Surviving Comm'r reBpectively, Bball have tlie same Pon'ers and performe the same Service and Dntys as both of the said Comm'rs respectively should have & performe were they alive.

[CHAPTER 235.]

[Chapter 235, of LiTlogston & Smith and Van Schaack, where the title only la priDted. Title only 1h printed in Bradford's 1715 ed., p. 8 p. 137. See cliapter 213. Revived by chapter 258.]

An Act reviving an Act entituled an Act for the better Selling the Militia of this Province & make it more Useful! for the Security & defence thereof.

[Passed, Novemtier 24, 1711.]

Be it Enacted by the Govern'r Council & Assembly & it ia hereby Enacted by the Authority of the Same, That an Act, cntituled, an Act for the better Setling the Militia of this Prov-ince & mailing it more Usefull for the Security and defence thereof, made in the firat year of Her present Maty's Khalbe and

is hereby Enacted by the Authority aforesaid, to be of force, for and untill the first day of November Seventeen hundred and Twelve and no longer.

[CHAPTER 236.]

[Chapter 236, of Livingston & Smitli and Van Schaack, where tlie act iB printed In full. Printed in full in Bradford's 1715 ed.. p. 88; p. 136.]

An Act to prevent the Impairing the Fortifications.

(Passed, November 24, 1711.]
Be it Enacted by the Govemour, Council and Assembly & by tbe Authority of the same. That any Person or Persons, who shall be Convicted, by the Oath of one Credible Witness, before any Jnstice of the Peace in this Colony, who is hereby authorlz'd and requir'd to hear and Determine the same, of Demolishing, Spoiling or Impnlriug any part of the Fortiflcationa, that now are, or hereafter shall be made and Erected, in this Colony, shall

Digi-jzedbyGoOJ^Ic

sufTer such punishiueDt by Fine or ImpriBonmeDt as to Such Jus- tice of tbe peace in bia discretion Shall appear proportionable to the offence.

And be it further Enacted by the same Authority, That all such Fines, which shall be Impoa'd and Levy'd by Virtue of this Act, shall be paid into the TreaBurers of the Citys and Countys respec- tively where such Fortifications are or shall be made or Erected and be dispos'd and apply'd ton'ards the upholding and repair- iug the Fortiflcations respectively where such Offence shall be Gomitted, & not otherwise.

[CHAPTER 237.]

[Chapter 237, of Llvlngetoo & Smltlj and Van ScUaack. wbere the titl only Is printed. Title only is iirlnted In Bradford's 1715 ed., p. BMkett, p. 136.1

Ad Act for Raising Two Thousand Eight hundred and fifty five Ounces of Plate.

[Passed, November 24, 1711.1

BE IT ENACTED by the Governor Council and Assembly, and by the Authority of the same, That Two Thousand Eight Hundred and fifty five Ounces of Plate of the Spanish Coins of Sevill, Pill or Mexico, are hereby given and granted to Her Majesty Her Heirs and Successors for and towards the Defence of the Fron- tiers this Ensuing Winter, to be laid. Assessed, raised and Levy*d upon the Estates Real and Personal of all and every the Inhabi- tants, Residents, Sojourners and Freeholders of and in this Colony to be paid to the Treasurer of this Colony on or before the twenty fifth Day of March now next following according to the Quota's and Proportions herein Expressed — Vizt

The City and County of Xew York, Sir hundred and fifty Ounces.

The City and County of Albany — Two hundred and Two Ounces and a half.

Kings County — Three hundred Ounces —

Queens County — Five hundred and Seven Ounces and a half —

The Connty of Suffolk — Five hundred and Seven Ounces and a half —

The County of Ulster — Two hundred thirty seven Ounces and a half —

The County of West Chester — Two hundred and Ten o

The County of Richmond — One hundred and Fourty Ounces.

The County of Orange — Fourty five Ounces —

Dutchess County — Fifty five Ounces.

AND BE IT Enacted by the Same Authority, That, for the better Assessing, raising. Collecting and receiving the said Two Thousand Eight hundred fifty five Oances of Plate, the Mayor the Aldermen of the City of New York, the Ma^or and Alder-men of the City of Alt>any, and the Justices of the Peace for the Time being, for the several and respective Cities and Counties within this Colony, (or which they shall be Justices of the Peace, do within fourty Days after the Publication hereof Assemble and meet together in the Court-houses for the several and respective Cities and Countys, or such other place or places as they shall agree among themselves, and there shall Order, tliat the Assessors and Collectors for the aeverall and respective Cities, Towns, Mannors, Liberties and Precincts within their Several Jurisdictions, for the Assessing and Collecting of the pablick Bates for the defraying the publick and necessary Charge of each respective City and County aforesaid, be the Assessors and Collectors for the Assessing and Collecting the said Two thousand Eight hundred fifty five Ounces of Plate, according to the proportions before expressed in like manner as the publick Bates are usually laid, assessed and collected.

AND in Case any Manner, Town, Liberty or Precinct within the respective Countys do or shall refuse, neglect, omitt, or not annually elect or once in the yeare chuse Assessors or Collectors, whereby the Intent of this Act may be eluded, or that the Assess-ors or Collectors Chosen, as aforesaid, shall dye, remove out of any City or County, IT IS HEREBY ENACTED by the said Authority, That then and in such Case, the Justices of the Peace, or any two of them, for the County, where such Towns, Manners, Liborties or Precincts are, are hereby required, impowered and Aathorized to nominate and appoint Assessors and Collectors for such Towns, Manners, Liberties and Precincts, which Assess-ors and Collectors shall, to all intents and purposes, observe the Directions of this Act, as any other Assessors and Collectors are by this Act obliged and enjoyned to do.

AND if any Assessors, chosen or nominated and appointed in manner and form aforesaid, shall unequally and partially assess any Persons Estate, to be rated and tnx'd by Virtue of this Act, and shall thereof be Convicted by the due Course of Law, such

. '.jOoj^Ic

Asseaaor and Assessors shall be committed to the common Goal, there to remain without Bail or Mainprize, untill he or the.v rfiall tine and Knusom for such their Offence, the one half of such tSnes to be to Her Majesty, Her Heirs and Successors, to be paid to the Treasurer of this Colony for the Time being, to be disposed as the GoTernour Council and Assembly shall think fit, and the other half to the Informer that shall prosecute the same.

AXD BE IT further Enacted by the Authority aforesaid. That the said Mayors, Aldermen and Justices of the Peace for the respective Cities and Counties have, and shall have Power and Authority by Virtue of this Act, and are required, any two or more of them, or each of them by himself, to administer an Oath to the said Assessors, any or every of them, well, tmly, equally and impartially, and in due proportion, as it shall appear to them, according to their best understanding, to assess and rate the Inhabitants, Sojourners, Residents and Freeholders of the respec- tive places for which they shall be chosen Assessors.

AKD BE IT further Enacted by the Authority aforesaid, That, if any person or persons, who shall be chosen Assessors or Col- lectors, in manner aforesaid, shall deny, neglect or refuse to make such Assessment, as by this Act is required, or aball deny, neglect or refuse to collect any Sum or Sums of Money, in form before mentioned, laid, tax'd and assessed, and thereof be convict before auy two Justices of the Peace of tbe Cities and Counties where such Offenders shall happen to dwell, or reside, (who are hereby required and Impowered to hear, determine and Do the same) shall by War rants under the hands and Seales of such Two Justices of the Peace be Committed to the Common Goal, there to remain with- out Bail or Mainprize, till he or they shall fine and Ransom for such Contempt, to be paid in, and disposed in manner aforesaid. And if any person or persons, of what Degree or Quality soever, within this Colony, shall refuse, neglect or delay to pay the several Sum and Sums of Money assessed, in manner aforesaid, upon Demand made by the Collector, and non-payment thereof, the Collector shall and may distrain such person or persons, so refusing, delaying or neglecting, his or their Goods and Chattels, and the Distress So taken to keep by the Space of four Days at the Cost and Charges of the Owner thererf, and if the Owner do not pay the said Sum or Sums of Money, Ho distrained for, within the said four Days; then the said Distress to be puWickly sold by

..C'Ooglc

the CoUectora for the payment of the said Money, and the over-ptas comiag by the said Sale {it any there l)e) over and above the Chai^ of taking, keeping and SeUing the said Distress, to be restored to the Owner thereof.

AND BE IT further Enacted by the same Authority, That there shall be allowed out of the said Two Thousand Eight hundred fifty five Ounces of plate Three and three Quarters per Cent to the respective Collectors and Two and a half per Cent to the said Treasurer.

AND BE IT further Enacted by the Authority aforesaid, That the said Two Thousand Eight hundred fifty five Ounces of Plate may be paid unto the Treasurer in such plate as aforesaid, Lyon Dollars and half Dollars Equall to thirteen pennyweight and Eighteen Grains of Bevill, Fillar and Mexico plate, as aforesaid, for each Dollar, or in any Bills of Credit made Currant by Act of Assembly in this Colony.

AND ALSO, Be it Enacted by the same Authority, That, if any Mayor, Aldermen or Justice of the Peace within this Colony, who are hereby required, impowered and authorized, to take effectual Care, That this Act, be duly executed, according to the true intent and meaning thereof, shall deny, refuse, neglect or delay to do, perform and execute all or any of the powers, Dutys and Authori-ties by this Act required by him or them to be done, and shall thereof be lawfully convict before any of Her Majesties Courts of Becord within this Colony, he or they shall suffer such pains, by fflnes and Imprisonment, as by the Discretion of the Justices of the said Court shall be adjudged, to be sued for paid and opplyed as aforesaid.

AND BE IT further Enacted by the Authority aforesaid. That If any Action, Bill, Plaint, Information or Indictement shall be brought moved or prosecuted at any time hereafter against any person or persons, for any matter, cause or thing done or executed in pursuance or execution of this Act, such person or persons so sued or prosecuted in any Court whatsoever, shall and may plead

the General Issue, NOT Guilty, and give this Act, and the special matter in Evidence, and If the Plaintiff or Prosecutor shall be non-suited, or forbear further prosecution, suffer Discontinuance, or Verdict pass against him, the Defendant or Defendants, shall have treble Costs, for which they shall have like Bemedy, as In ease where Costs by Law are Given to Defendants.

PROVIDED always. That no Mayor, Alderman nor Justices ot

. Coog\c

the Peace, aliail be Sued, prosecuted, troubled or molested for any OtniBaion, Offence, Neglect or Uistake of or agaioBt this Act, but within the space of one Year after such omission, Neglect or iSIistake coDunitted, and not at any time hereafter, any thing herein contained to the Contraiy notwithstanding.

fCHAPTEB 238.]

[Chapter 238, of LWlngeton & Smltb and VaD Scbaack, wbere the tlUe only iB printed. Title only Is prtutea In Bradford's 1T15 ed., p. 8 Baskett, p. 137.]

An Act for the Treasurers paying Three thousand seven hundred and fifty Ounces of plate to Hia Excellency.

[Passed, NoTember 24, 1711.]

BE IT ENACTED by the Govemour Council and Generall Assembly and by the Authority of the same, That the Treasurer of this Colony shall pay to His Excellency or His Order the Bum of Three thousand seven hundred and fifty Ounces of good Coined plate of Sevill, pillar and Mexico, Lyon Dollars or half Dollars at thirteen pennyweight and eighteen Grains for each Dollar, of Bills of Credit made Current in this Colony. Five hundred Ounces of said plate part thereof to be towards repairing the Fortifications at Albany and Schoneetady, and Three thousand two hundred and fifty Ounces of plate, as aforesaid, residue thereof, for the 8up;)ort and pajment of one hundred and fifty Men, their Officers included, towards the Defence of the Fronteers

in or about Albany this Ensuing Winter.

AND BE IT further Enacted by the Authority aforesaid, That One thousand two hundred and fifty Ounces of said plate, part thereof, be paid to His Excellency or His Order, immediately after the publication hereof,_out of the Money raised by an Act passed this present Year Entituled an Act for Levying the Sum of Ten thousand pounds; And Two thousand five hundred Ounces More, residue thereof, to be paid to His Excellency or His Order on or before the thirtieth Day of March next Ensuing out of the Money to be raised by one Act passed this present Sessions of Assembly Entituled an Act for raising Two thousand Eight hundred fif^ five Ounces of plate.

Digi-jzedbyGoOgiC

[CHAPTER 23&.]

[Chapter 239, of LlTingeton & Smtth and Van Schaack, wbere tbe title only Is printed. Title only le prlni:ed In Bradford's 1715 ed., p. Baakett, p. 13S. See cliapter 232. Rerived by cliapter 214.1

An Act for reviving an Act, entituled, an Act to prevent the Selling or giving of Rum or other Strong Liquors to the Indians in the County of Albany.

[Passed. November 24, 1711.]
BE it Enacted by the Governour Council & Aeembly and bj the authority of the Same, That one Act e&tituled, an Act, to ppev«it Selling or Giving of Rum or other Strong Liquors to the Indians iu the County of Albany, made]fi the Eighth Year of Her Mat'ys Reign, expired by its own Limittation, and every Article, Olauae, Condition and Proviso therein Contained, shall be and ia hereby Enacted by the Authority aforesaid, to be of force nntill the first day of May next, after the publication hereof, as if the same were herein particulariy menconed and Expressed.

[CHAPTER 240.]

[Chapter 240, of Livingston & Smith and Van Schaack, where the title only Is prlnteil Title only is printed In Bradford's 1719 ed., p. 8 Baakett, p. 136.]

An Act to oblige the Mannors in the County of West Chester to pay their Arrears of Taxes.

[Passed. November 24, 1711.]

BE IT ENACTED by the Govemour Council and Assembly and by the Authority of the Same, That the Assesaora and Collector of the next adjacent Town to any Mannor or precinct within the County of West Cheater, who do not, or refuse or neglect, to Choose and appoint Asaessors and Collectors for Levying and receiving the publicli Money raised by Acts of Asaembly, ^all and are hereby i-equired, impowered and authorized, to Assess and Collect the County and Publick Taxes hereafter to be laid, as they are required to do in their reapective Towna, and the Arreares of such Taxes now due, according to the Tenors and I>irection8, and under the same paisa and penalties of the several Acta of Assembly, the said several Maunora and precincts are in Arrear and have not paid, And pay the said Arrears of Tares,

D,g,;,zeclbyG00gIC

BO to be Collected, to the County Treasurer, and to the Treasurer or thia Coiony respectively within Six Monetha after the publi- cation hereof purauaut to the directiona of said several Acta, to be apply'd as are therein mentioned.

AND BE IT further Enacted by the same Authority, That the said Aaaessors and Collectora, or in Caae of their Death or removal, the Aaaessors and Collectora that ahall be chosen op appointed, and every of them, ahall hare the aame powers and Authorities, priviledgea and Advantages for the putting this or auy of the said Severall Acts in Execution, and be lyable to and undergo the same pains, penalties and forfeitures, in Ca.ae of any- Omisalon, neglect or abuse, aa the Aaaeasors and Collectora in any or all the said Acta are endowed with, or are Subjected to, as if the same were particularly herein mentioned and Expressed.

THE FOURTEENTH ASSEMBLY.

Third Session.

(Begun May 1, 1712, 11 Anne, Robert Hunter, Gov«Tior.)

[CHAPTER 241.]

[Cbapter 241, of Livingston & Smith and Van Scha&ck, where the title only la printed. Printed In full lu Bradford's 1715 ed., p. IM; Bas p. 130. Expired, June 6, 1722.]

An Act to Encourage the making Lint-
seed Oyle.

[Passed. June 6, 1712.]

WHEREAS John Van der Heul and John Bosevelt having aet forth in their Peticoo presented to the General Aasethbly, that by their Industry and great Charge they have Erected in the City of New York a Mill for Grinding Flaxseed and making Lint-seed oyle, and have therein pray'd that an Act may pass in their favour that no such Mills may be permitted, used or Erected in this Colony, for a certain terjne but by their Heires or Assigna For the Encourapem't of otliei-s that may incline to advance or pi-oject any other Manufacture in this Colony. BE it Enacted by the Oovernour Council and Assembly and by the Authority of the Same, That no Person or Persons whatsoever from and after the publication of this Act Shall or may Erect or make use of a Mill for Grinding Lintseed or Flaxseed to make oyle for publick sale or Market for and during the terme of Ten Years from thp publication of this Act but the Said John Vander HenI and John

.,, Coot^lc

Boserelt and their Aa^gus to whom the Sole Benefit Profflt and adrantage of making the said Oyle shall accrue and belong.

And be it further Enacted hy the Authority aforesaid, That 6neh person or persons as shall Erect or make any Mill to Grind Lintseed or Flaxseed for producing the said Oyle from and after

the publication of this Act, whi^reby the true Intent and meaning thereof nmy be frustrated, shall forfeit and pay the Sum of Two bandred pounds, Current money of the Colony of New York, unto the Said John Vander Heui and John EoBerelt to be by them & their Assigns recovered in any Court of Becord within the said Colony by Action of Debt.

[CHAPTER 242.]
[Ubaptn 242, of LiTlQ^Bton & Smith and Van Sctiaack, wtiere the titl only iB printed. Printed Id full in Bradford's inS ed, p. 151. la printed Id Baskett, p. 139-1

An Act for paying Eight Thousand Twenty flye Ounces of Plate to his Excellency.
[Passed, June 6, 1712.]
BE it Enacted by the Governour, Council and Assembly and by the Authority of the Same. That the Treasurer of this Colony shall pay to his Excellency Robert Hunter Esqr, the Govemour of this Colony or his Assigns towards the Support of the Govern-ment from the Thirteenth day of June Seventeen hundred and ten, Eight thousand and Twenty five Ounces of Plate, of the Spanish Coins of Sevill, Pillar or Mexico, Lyon Dollars or half Dollars at Thirteen penny Weight and Eighteen Grains for each Dollar or in Bills of Credit made Current in this Colony out of any Pablick mony now in his Hands or that shall be by him received and the receipt of his Excellency or his Assigns, shall be ^ the said Treasurer a SufQclent Discharge for the Same.

[CHAPTER 243.]
rCbapter 243, of Livingston & Smith and Van Schaack, where the title only Is printed. Printed In full In Bradford's 1715 ed., p. 152 is printed in Baakett, p. 140.]

An Act for paying the Arrears due to the

Forces late rais'd in the County of Suffolk

for the Expedition against Canada in the

Year one thousand seven hundred and nine.

rPaased. June 26, 1712.]

BE IT Enacted by his Excellency the Govemour Council and

General Assembly, and by the Authority of the Same, That

95

D,g,;,zeclbyG00gIC —

754 LAWS OF THE COLONY OF NEW YORK.

there be given and granted to Her Majesty Her Heirs and Snc-cessora. Eight hundred Ounces of plate of Sevill, Pillar and Mexico, and no more, to be laid, assessed, raised and levyed upon the Estates real and personal of all and every the Inhabitants Kesidents Sojourners and Freeholders of and in the County of Suffolk within the Colony of New York, to be paid to Capt. Samuel Mulford at or before the first Day of May One thoasand seven hundred thirteen,

AND BE IT further Enacted by the Authority aforesaid, that the said eight hundred ounces of plate shall be applyed for the payment of those men within that County Listed upon the Expe-dition to Canada in the Year one thousand seven hundred and nine, which remains yet unpaid for those several Days above three Moneths, and their passages from Albany and Incidentals, according to the Sums per Day allowed them in an Act made in the Eighth Year of Her Majesty's Re^gn for paying them for three Moneths And the said Capt. Samuel Mulford, without any fFee or Reward, shall pay or cause to l>e paid unto Each 2Ian which vas upon that Expedition at that time Bo much as shall he made appear to him to be due to them. And to render Account unto the Supervisors of the County aforesaid of the moneys soe by him to be paid, and the Remainder and Surplusage (if any shall be) of the said Money shall pay into the Treasury of that Countv for the Use of the County aforesaid.

AND BE IT further Enacted by the Some Authority, for the better Assessing, Raising, Collecting and Receiving the said Eight hundred Ounces of Plate, the Supervisors shall Quota the same to the several Towns, Manors and precincts within the said County, And send a Duplicate of the same Quota to the AsBPssors of each Town, Manor and predнct. And the Assesors to give a List of their Assessment to the Collectors of the same Town, Manor, and precinct, where they are Assessors.

AND BE IT further Enacted by the Authority aforesaid. That the Assessors and Collectors are hereby required to Assess and Collect the said Eight hundred Ouncca of plate as abovesaid, and have such Allowance, and upon the pain and penalty in an Act for rnising four thousand pounds, made in the Eighth Year of Her Majesty's Reign.

AND BE IT further Enacted by the Authority aforesaid. That Lyon Dollars & half Dollars shall be received of equai Value to thirteen pennyweifht and eighteen Crrains of plate aforesaid foi each Dollar, and Bills of Credit according to their Currency.

. '.'.ooglc

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 244.]

[Chapter 244, of Livingston & Smltb and Van Schoack, where the title onlT Is printed. Printed In full In Bradford's 1715 ed., p. 1Q2. Ti Is printed In Baskett, p. 140. See chapters 210, 239. Expired, June 1713. Further provided for, so far as selling; liquor to Indians Is cerned, bf chapter 317.]

An Act reviving an Act &Dtituled an Act to prevent tlie Selling or giving of Bum or other Strong Liquors to the Indians in tlie County o(Albauj and (or reviving an Act for the better Watching and goarding the City of Albany.

[Passed, June 20, 1712.]

Be it Enacted by the Govemour Council and AsBemhlj and by the Authority of the aame, That one Act entituled an Act to prevent the Selling or Giving o€ Rum. or other Strong Liquors to the Indians iu the County of Albany, and an Act entitnled an Act for the better Watching and Guarding the Oily <rf Albany made in the Eight Year of Her Mat'ys Beign expired by their own Limittation, and every Article Clause Condicon and pro- visoe in the said Acts contained shall be & are hereby Enacted by the Authority aforesaid to be of , & Continue in force until the

first day of June next after the publication hereof as if the same were herein particularly Menconed & Expressed.

[CHAPTER 245.]

[Chapter 245, of Livingston & Smltb and Van Scbaack, where the title only la printed. Printed In full in Bradford's 1715 ed., p. 153. Ti is printed in Baskett, p. 140. Expired June 26, 1717. Revived b; chapter 380.]

An Act for prohibiting all persona but
John Farmiter and his Assigns to moke Lamb
bla^k daring the Space of five Yeares.

[Passed, June 20. 1712.]
WHEREAS John Parmiter having by his Petition pray'd an 'Act may pass That no person may he permitted to make Lamb black in this Colony for a certain Term but him and his Assigns. BE IT Enacted by the Govemour Council and Assembly and by the Authority of the same, That no person or persons whatsoever from and after the publication of this Act shall or may make Lamb black for publick Sale, for and during the term

. '.".oogle

of flre Years from the publication of this Act but the said John Parmtter and his Assigns. And such person or persons as shall make any Lamb black from and after tbo publication of thia Act whereby the true meaning thereof may be frustratiHi Bhall forfeit the Sum of fifty pounds Current Money of New York unto the said John Parmlter or his Assigns to be recovered in any Court of Record within this Oolony by Action of Debt. PRO- VIDED always, and it is hereby further Enacted, That in Case the said John Panniter or his Assigns Do within the said term of five yeares Neglect or Desist or Give over the making of the said Manufacture ot Lamb black That then any other person may make the said Manufacture of Lamb black, without Incurring the Penalty mentioned in this Act, Any thing to the Contrary hereof in any ways notwithstanding.

[CHAPTER 246.]

[Chapter 246, of Llvln^ton & Smltb and Van Schoack, where the title OQly Is printed. PrlDted in full In Bradford's 1715 ed., p. 151. Ti in printed In Baskett, p. 140.]

An Act for paying the Brittish Officers.
[Passed. June 20, 1712.]
Be it Enacted by his Excellency the Govemour Council and Assembly and by the Authority of the Same that the Treasurer of this Colony shall and is hereby required to pay to the Brittish Officers Sent by Her Mat'y to be, and who were, Imploy'd in the late Expedition against Cauda, Seven hundred Eighty Seven Ounces and one half of Plate, of Sivill, Pillar or Mexico, or in Bills of Credit Current in this Colony. That is to Say, to every one of them or the4r Assigns, whose names are hereinafter men- tioned. Thirty Nine ounces and three Eighths of an Ounce <rf Such Plate or Bills of Credit. The names of the said Brittish OCBcers being as followeth. William Mathews, William Hellen, Matthew Low, Thomas Garlands, James Dunber, Andrew Nickel, William Moor, Alexander Blackhal, Edmund Blood, John Bennet, James Hall, Richard Kitchiner, Phillip Buchurst, Timothy Bagley, Samuel Babingtoune, Martin Groundman, Thomas Bumit, Walter Harria, William Wilkinson and Abraham Gee.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 247.]
[Cbapter 247, of liirlngston & Smith and Van Schaack, where the titl 011I7 l8 printed. Printed In full in Bradford's 1715 ed., p. 15L la printed ia Baskett, p. 140.1

An Act for paying Fifteen hundred ounces of Plate for Securing of the FronteerB about Albany.

[Passed, June 26, 1712.]
BE it Enacted by the Governour Council and Assembly and by the authority of the same. That the Treasurer of this Colony ■hall and is hereby required to pay, to Such of the Commissionera for the Indian Affairs at Albany for the time being as his Excel-

lency under his hand shall direct Seven hundred and fifty ounces of Plate to be apply'd for Imploytng Bpyea and outscouts for Securing the Fronteers, one hundred and fifty days, from the first day of this Instant June, and Seven hundred and fif^ Ounces of Plate, more to the said CommiBaioners or any fire of them for paying an Account of Two hundred and One pounds thirteen shillings and Eleven pence half penny from the Com- mlBsionerB of the Indian afTairs at Albany disburst by them, and Sereral others, from the first day of March Seventeen hundred and Nine to the Twenty Sixth Day of August following, and for Outscouts that have Served last Winter in full discharge <rf alt Debts Clahnes and Demands whatsoever relating to the publick Service due to, or made by, or of, the Said Oomm'rs or any from by and under them from the Eighteenth day of May w'ch was in the Year of our Lord One thousand Seven hundred and Nine until! the first day of June In this present Year of our Lord one thou- sand Seven hundred & twelve.

THE FOURTEENTH ASSEMBLY.

Fourth Session.

(Begun Aug. 28, 1712, 11 Anne, Robert Hunter, Governor.)

[CHAPTER 24&]
[Chapter 248, of Llvlngrton & Smith and Van Schaacit, where the titl only is printed. Printed in full In Bradford's 1712 ed., p. 165. la printed In Baakett, p. 140.]

An Act for paying the respective Dues in Arrear and to be Collected.

[Passed, December 10, 1712.]
BE IT Enacted by the Oovemour Councill and Assembly and by the Authority of the Same, That the Collectors for the several

. ... ^.tH>glc

Countja, Citya, Towns, ilannors, Libertjs, and Jurisdictiona in thia Colony, who were and liave been at any time chosen and appointed to ievy and collect all or any part of the Taxes raised in thia Colony since the twenty se^'enth Day of September which

was in the Year One thousand Seven hundred and Six nntill the Publication of this Act or in Caae of Death or removal the Collector or Collectors (or the Time being shall and are hereby directed required and Impowered to levy and Collect the Arreares of all or any part of the said Taxes according to the then severa] Assessments thereof made of and from the several and respective persons in the several and respective Coimtys, Towns, Mannors, Libertye aad Jurisdictions in this Colony chargeable therewith who have not paid all or still are in Arrear (or the said Taxes o any part thereof, and the Sums so levy'd and Collected with the Sums now remaining in any Collectors hands of any Assessment shall forthwith he paid to the Treasurer of this Colony for the Time being to be Issued and paid according to the Laws c4 this riantatlon.

AND BE IT further Enacted by the Authority aforesaid, That the said Collectors and every of them shall have the same powers and Authoritys, Priviledges and Advantages for the putting this Act in Execution, and be lyable to and undergo the same pains and penaJtys in case of any Omission, Neglect or Abuse as the Collectors in any or all the Acts of General Assembly are invested with or lyable unto as if the same were specially and particularly and at lat^e mentioned in thi» Act.

AND BE IT further Enacted by the Authority aforesaid, That the Arrears of the Excise and all other the Taxes and Levjs before exprest, due from the several Citys, Towns, Manners, Bur- rows and Countys of this Colony be paid unto the said Treasurer within the Space of Six Moneths a(ter the publication hereo(under the penalty of Forfeiting double the Sum in Arrear by the person or persons mating default contrary to the Intent of this Act, to be reroverod by the Treasurer of this Colony, who is hereby required & authorized to Sue for the same by Action of Debt in any Court in this Colony, and to apply the same towards defraying the necessary Oharge of the Colony, And that the said Treasurer defray and be allowed the Charge of such Suites out of the Colony's Money in his hands.

AND for as much as the better to colour the refusal to pay some of those Taxes Question has been made of the Legality of

DgizedbyGoOglC

the ActB paeaed during the AdministratioD of Lieutenant Oorer-Dour Ingoldsby, on pretence, That the General ABeembly, called by the late Lord Lovelace, were dissolved by his Death, contrary to. the Essential reason of Asemblys and the constant Usage of this Colony, for the resolving all such Doubts. BE IT Enacted by the Governour Council and Assembly, and IT IS hereby Declared and Enacted by the Authority of the Same, That the several Acts of Assembly hereafter mentioned past during the Administration of Lieut-Gov'r. Ingoldsby One Act Entituted an Act for Levying Six thousand pounds.

AN ACT for the Currency of Bills of Credit for five thousand ponndB.

AN ACT for Levying divers Sums of Money for defraying the Charge of this Colony.

AN ACT for Levying a Duty on the Tonnage of Vessels and

AN ACT for Levying four thousand pounds.

AS ACT for the Currency of Bills of Credit for four thousand pounds.

AN ACT for Levying Ten thousand Ounces of Plate or fourteen thousand five hundred forty five Lyon-Dollars. — And

\N ACT for the Currency of BUls of Credit for Ten Thousand Ounces of Plate or fourteen thousand five hundred forty five Lyon-Dollara, made in the Eighth Year of Her Majesty's Beign, always were Lawfull Acts of General Assonbly and Laws of this Colony and still are in full vigour and force In the same (unless determined or expired by their own limitation) any doubt, ques-' iHon, Conceit, or Opinloii to the Contrary hereof notwithstancling.

AND BE IT further Enacted by the Authority aforesaid. That the Mayor and Aldermen of the City of New York, the Mayor and Aldermen of the City of Albany, and the Justices of the Peace for the time being for the Several and respective Citys and Countys within this Colony, for which -they shall be Justices of the Peace, do take effectual Care and are hereby Impowered and required to cause this Act and every Clause matter and thing

therein to be put in Execution according to the true Intent and meaning of this Act, under the penalty and forfeiture of twenty pounds Current Money Each, to be recovered by the Treasurer of this Colony in any Court of Justice within the same, to be paid and apply'd as aforesaid.

AND BE IT further Enacted by the Authority aforesaid, That from henceforth no Mayor, Recorder or any of the Justices of the

..Ct>(>gle

Peace within this Colony shall be Asseseora for an.v pnblick Money whatBoever to be Collected paid and received within this Colony.

AND BE IT further Enacted by the Authority aforesaid, That the Commissioners tor the late Expeditions against Canada at Albany do lay an Accompt of the Colonjs Stores before this House at the beginning of the next Meeting of Assembly, after the first Day of March next ensuing under the penalty of one hundred pounds Each Cominiasioner to be recovered and apply'd as afcHresaid.

AND Be it further Enacted that the Justices of the peace <rf the severall respective Cities and Cotintys Shall within two Months after the publication of this Act Issue forth their War- rants to the severall and respective Collectors requireing them to bring in their Accounty to the said Justices of all the Arreares of such Taxes and Excise Which said Justices shall Tranunitt the said severall Accounts unto the said Treasurer with the name of each respective Colleector and their Abode upon the penalty of Tenn pounds for each neglect of any of the said Justices to be Recovered by the said Treasurer in any Court of Record of this Colony with double Costs of Suite.

AND if it shall so happen, That the Arreors of Taxes Excises the Dutys upon Tonnage on Vessells and Slaves intended to be paid unto the Treasurer pursuant to this Act, shall, by Xeglect or Default of the Treasurer, remain unpaid, contrary to the true Intent and Meaning of this Act, Then and in such case the Treas- urer shall be accountable for such Money in Arrears and unpaid

as it the same had been actually p^iid into his hands.

AND BE IT also Enacted by the same Authority, That in Case any Overplus of publicic Taxes has been or shall be levy'd or shall 01' does remain in the hands erf any of the Collectors of such pub lick Taxes in this Colony or in any other person or persons hands wliatsoever, the same shall be paid into the Treasury of the seve- ral Citys and Countya respectively to be disposed of as the Supervisors of the respective Countys shall direct for the Use of such Countys, And in Case of Neglect or Denyal to do the same, an Action of Debt is hereby given to the Supervisors of each County respectively to recover the same from every person detain- ing such Overplus by them to be paid in and disposed as aforesaid.

Digi-jzedbyGoOgiC

[CHAPTER 249.]

[Chapter 241), of Liringston & Smith and Van Schaack, where tbe titl 0DI7 iB printed. PrlDted In full In Bradford's 1715 ed., p. 161. Ti is printed In Baakett, p. 14Q.]

An Act for the Treasurers paying Two hundred and fflfty Ounces of Plate To His Excellency, and that CoU Peter Schuylera Becoipt shall discharge the Treasurer for one hundred pounds formerly allowed him.

[Passed, December 10, 1712.]

BE IT Enacted by the Oovemour Council and General Asaem- Wy and by the Authority of the Same, That the Treasnrer of this Colony shall and is hereby required to pay in good plate of SpTil pillar and Mexico, Dollars and half Dollars equal to the value of thirteen pennyweight and eighteen Grains each Dollar, or Bills of Credit of this Colony, the Valne of Two hundred and fflf^ Ounces of plate to His Excellency the Govemour, for paying such person or persona that were sent the last Summer to the Indians of the five Nations, to undeceive them of the ill Impres- sions they have received from the French, and engage them to

a firm adherence to their Covenants and promisee to this Government.

AND BE IT further Enacted by the Authority aforesaid, That the Receipt of Coll Peter Schuyler shall be a sufficient discharge to the said Treasurer for one hundred pounds directed to be paid him by an Act Entitoled an Act for Levying four thousand pounds ntade in the Eighth Year of Her Majesty's Reign.

[CHAPTER 250.]

[Chapter 2S0. of Livisfnton & Smith and Van Rrbaack. where the title only Is printed. Printed in full In Bradford's 1T15 ed.. p. 157. Ba p. 141. Explained by chapter 341. Repeated by chapter 660.]

An Act for preventing Suppressing and punishing the Conspiracy and Insurrection of Negroes and other Slaves.

[Passed. December 10, 1712.]
BE IT Enacted by the Governonr Council and Assembly and by the Authority of the Same, That no person or persons here- after throughout this Colony, do presume to Trade with any

...Google _

Blare, either in baying or Selling, without leare and consent of the Master or Mistress of such t^lave, on penalty of forfeiting triple the Value of the thing traded for, and the Sum of fflve pounds Current Money of New York to the Master or Mistress of such Slave, to be recovered of such person or persons so trading contrary to the true Intent of this Act by Action of Debt in any Court of Record within this Colony where such Sum or Sums is cognizable, and all Coutracts and Bargains made with any Slave contrary to the Intent of this Act, shall be utterly void.

AND BE IT farther Enacted by the AuthcHity aforesaid. That hereafter it shall and may be lawful for any Master or Mistress of such Slaves to punish their Slaves for their Crimes and Offences at Discretion, not extending to Life or Member.

AND for as much as the Number of Slaves in the Cititis of New York and Albany, and also within the several Countys, Towns and Mannors within this Province doth daily increase, and that they have been found oftentimes guilty of confederating together, in running away, or other ill practices, BE IT therefore Enacted by the same Authority, That it' shall not hereafter be lawful for above Three Slaves to meet together at any other Time nor at any other place than when it shall happen they meet in some servile Ihnployment for their Masters or Mistresses profit, or by their Masters or Mistresses Consent, upon penalty of being whipt upon the naked back, at the Discretion of any Justice of the Peace, not exceeding forty lashes. And that lit shall and may be lawful! hereafter for any City or Town and Mannors within this Colony to have and appoint a common Whlpper for their Slaves, iind for his Salary it shall and may be lawfull for any City or Town within this Colony at thrir Common Council or Town-meeting to agree upon such Sum to be paid him by the Master or Mistress of Slaves per bead, as they shall think fit, not exceeding three shillings per head for all such Slaves as shall be whipt aa aforesaid. AND in Case any Slave shall presume to assault or strike any Freeman or Woman, professing Christianity, It shall be in the power of any two Justices of the Peace, who by this Act are hereunto Authorized, to inflict such corporal punishment (not extending to life or limb) upon him, her, or them, so offending as to the said Justices shall seem meet and reasonable.

AND BE it further Enacted by the Authority aforesaid. That no person or persons whatsoever Do hereafter imploy, harbour, conceal, or entertain other Men's Slaves at their House, Out-

Digi-jzedbyGoOgiC

honse op Plantation without the Consent of their Master or Mistress either signifj'd to them verbally or by Certiflcate in Writing under the said Master's or Mistresses hand upon forfeiture of five Founds for every night or day they are so entertain'd and conceard lo the said Mast«r or Mistress of aucb Slave or Slaves, so that the penalty for entertaining auch Slave do not exceed the value of ye said Slave. AND if any person or persons whatsoever shall be found guilty of harbouring, entertaining or concealing of any Slave, or assisting to the conveying them away,

if Such Slave shall happen to be lost, dead, or otherways destroyed, such person or persons so harbouring, entertaining, concealing, assisting, or conveying of them away, shall be also liable to pay the value of such Slave to the Afaater or Mistress, to be recovered by Action of Debt in manner aforesaid.

AND WHEREAS it often happens, that through the Lenity of the said Master or Person, under whose Care the said Negros or other Slaves are, the persons so entertaining and dealing with them are forgiven and not brought to condigne punishment, to the very great hurt not only of the said Master* but of other Her Majesty's liege people owning Negroes and other Slaves. Be IT therefore Enacted by the Authority aforesaid, That any Master or Mistress or person, under whose Care any K^ro or other Slave is, that shall forgive, make up, compound, compromise or receive any other or less Consideration than is by this Act prescribed, shall forfeit double the Sum the said person or persons entertaining ought to have forfeited, to be recovered by Action of Debt Bill plaint or Information in any Court of Record within this Colony, wherein there shall be no Essoigne, protection, Wager of Law, or any more than one Lnparlance allow'd, one half thereof to the person that shall Sue for the same, the other half to Her Majesty Her Heirs and Successors towards defraying the publque Charge of the City, Town, County, Burrough, Manner or precinct, in which the Master, Mistress or Owner of such Slave doth dwell or Inhabit, to b*" recovered by Action of Debt in any Court of Record as aforesaid.

BE IT also Enacted by the Authority aforesaid. That if any person or persons, knowing of such Entertainer of any Slave or Slaves, and do« not discover the same to the Master, Mistress or person Under whose care the said Slave or Slaves are, or to prme One Justice of the Peace, or being suspected to know, doe upon Complaint not discover the same, or upon Tender of an

Digi-jzedbyGoOgiC

Oath by any Justice of the Peace before whom such Complaint shall come, who is heieby authoriz'd to administer the same, shxtll refuse to take suuh Oath and purge himself, the said person so neglecting or refusing to discover or take the said Oath shall

forfeit the Hum of Two Pounds to be immediately after convic-
tion levied upon his goods and chatties to the use of the person
or persons who shall infoim or complain; And in Case there be
no goods and cliattles, then upon the body of the person offending
who shall bo committed to Goale till he pay and satisfy the said
Sum of forty shillings and charges accruing thereon. And If it
afterwards appears, that any person or persons, who by this Act
are oblig'd to purge themselves by their Oath, have sworn falsly,
Bucb person so offending shall incurr the like pains and penalties
as those who are guilty of willfull perjury, and be prosecuted
accordingly.

AND WHEREAS there aremany Xegroes, Indiana or MallattoB,
who have been formerly manumitted and made free within this
Colony by their Masters or owners, and it is found by Experience,
that they entertain, harbour, support and encourage Negro-
Indian-and Mallatto Slaves, to the great detriment of the Masters
of such Slaves, and of other Her Majesty's liege Subjects within
the said Colony; BE IT therefore Enacted by the Authority
aforesaid, that if any iN'egro, Indian or Mallatto made or born free
or to be made free hereafter shall knowingly and wittingly enter-
tain any Slave or Slaves absenting himself or tbemselves from his
her or their Masters or Mistresses Service without leave first
given and signified as aforesaid, or without the Master or person,
under whose care the said Slave is, be present, the said-Negro,
Indian or Afallatto so offending shall be forthwith apprehended
and forfeit the Sum of Ten. pounds for every night or day they are
so enf ertain'd to the Master or Mistress of such Slave or Slaves
to be recovered by action of Debt as aforesaid.

BE IT further Enacted, that no Negro, Indian, or Mallatto, that
shall hereafter be made free, ^hall enjoy, hold or possess any
Houses, Lands, Tenements or Hereditaments within this Colony,
but the same shall Escheat to Her Majesty Her Heirs and
Successora

AJND Whereas It is found by Experience, that tbe free Negroes
of this Colony are an Idle slothfull people and prove very often a
charge on the place where they are, BE IT therefore further
Enacted by the Authority aforesaid. That any Master or Mistress,

D,g,;,zeclbyG00giC

manumittiDg and setting at Liberty any Negro, Indian or Malatto Slave, shall enter into sufficient Security unto her Majeaty her heires and Successors with two Sureties not less than the Sum of Two hundred pounds, to pay Yearly and every Year to such Negro Indiau or Mallatto Slave during their Lives the Sum of Twenty Pounds lawfull money of this Colony; A^D if such Negro Indian or Mallatto Slave shall be made free by the Will or Testament of any person deceased, that then the Executors of such person shall enter into Security as above immediately upon proving the said Will or Testament, which if refused to be given, the said manumission to be void and of none effect

BE IT further Enacted by the Authority aforesaid, that all and every Negro Indian or other Slave, who after the Publication of this Act shall murder or otherwise kill, unless by misadventure or in Execution of Justice, or conspire or attempt the Death of any of Her Majesty's liege people, not being Slaves, or shall committ or attempt any rape on any of the said Subjects, or shall willfully burn any dwelling-house, barn, stable, out-house, stakes of Corn or Hay, or shall willfully mutilate, mayhem or dismember any of the said Subjects, not being Slaves as aforesaid, or shall willfully murder any Negro, Indian or Mallatto Slave within this Colony, and shall thereof be convicted before three or more of Her Majesty's Justices of the Peace, one whereof to be of the Quorum, who are hereby authorized to hear and Determine the same in ConjuHction with five of the principal ffreeholders of the County wherein such fact shall be committed, without a Grand Jury, Seven of whom agreeing shall put their Judgment In Execution, according to this" Act, or before any Court of Oyer and Terminer or General Goale delivery, he, she or they so offending shall suffer the pains of Death in such manner and with such circumstances as the aggravation or enormity of their Crimes in the Judgment of the Justices of those Courts aforesaid, or as in the judgment of Seven of the said Justices and ffreeholder they shall merit and require.

BE IT hereby further Enacted, that upon Complaint made to any one Justice of the Peace against any Indian Negro or Malatto Slave or Slaves, who have or are suppos'd to have committed any of the Murders, Bapes, Mayhems, Insurrections, Conspiracies, mentioned in this Act, the said Justice is immedtntely to issue out his Warrant to the next Constable, to apprehend the said Offender or Offenders, and for all or any person or persons to

Digi-jzedbyGoOgiC

come before him, that can give EWdeoce, and if upon Examination it appears fhat the person or persons apprehended are guilty, he shall committ him, her or them to prison, and also sliall certify to the two next Justices of the I'eace the said Cause, and to require them hy Virtue of this Act to associate themaelrea to him, which the aaid Justices are hereby required to do, and they 80 associated are to issue their Summons to five ffreeholdera, acquainting them with the Cause and appointing them the time and place the some shall he heard and determined, and wbicli time and place the Justices are hereby impowered to appoint some person to prosecute the said Offender or Offenders, and the person so appointed shall preferr an Accusation in Writing, specifying the time, place and nature of the offence as near as conveniently may be, to which Accusation the Offender or Offenders shall be obliged to plead, and, upon refusal to plead, the like Judgment shall be given against the person or persons so accus'd -as if convict by Verdict or Confession, and upon pleading thereunto the Justices shall pi'oceed to Tryall in conjunction with the said Freeholders so Summoned as aforesaid, to which flreehcJders no peremptory cballange shall be allowed; And if upon hearing the Matter (the said Sreeholders being first sworn by the said Justices to Judge according to Evidence) they shall adjudge the Negro Indian or Mallatto Slave or Slaves guilty of the Offence complain'd of, they shall give Sentence of Death upon him her or them as aforesaid, and by their Warrant cause immediate Execution to be done by the common or any other Executioner in such manner as they shall think fit. PROVIDED always, and IT IS hereby further Enacted, that if any Master or Mistress of any Negro Indian or Mallatto Slave be inclin'd to have his or her Slave or Slaves try'd by a Jury of Twelve Men, it shall he granted such Master or Mistress, paying the Charge of the same, not exceeding the Sum of Nine Shillings to the Jury, then and in such Case there shall a precept be Issued by the Justices to the next Constable to Summon a Jury of Twelve 5Ien, who shall be Sworn to try according to Evidence, and the Justices shall proceed to Tryall by the said Juty Summon'd and Swome as aforesaid (without a Grand Jury) to which Jurors no peremptory challenge shall be allowed.

AND BE IT farther Enacted by the Authority aforesaid, that it shall not be lawfull for any Negroe, Indian or Mallatto Slave to have or use any Gun or Pistoll but in his Master's or MistresBe'a

Digi-jzedbyGoOgiC

presence or by their direction on penalty of being whipt for the Bome at the Discretion of the Justice of the peace before whom such Complaint shall come not exceeding twenty lashes on the bare back for every such Offence.

AND 13E IT further Enacted, That every Justice of the Peace, Constable, or other Officer, neglecting, delaying or refusing to perform their several Dutys enjoyn'd by this Act shall for every Kuch Offence forfeit the Sum of Two pounds to Her aiajesty Her Heirs and SuccessorB to be recovered by Action of Debt in any Court of Record within this Colony, and Every ffreeholder Sum- mon'd as aforesaid and refusing to Serve shall forfeit the Bum of I'wenty Shillings, to be levied by the Constable by Warrant of Distresse from the Justices of the Peace Assembled to try the said Slave, who are hereby required immediately upon such i^usall to Issue their Warrant for levying the same accordingly,

AND BE IT further Enacted by the Authority -aforesaid. That the Charge of prosecuting and Executing N^roes and Slaves in manner before expressed shall be paid and defray'd by the City or County where such Negroes or Slaves shall be Convicted and executed, and be laid, assessed and levyed in the same man- ner as the publick and necessary charge of such City or Counly are or used to be raised, and to be distributed by the order and direction of those hereby Impowered to hear and determine the Crimes of such Negroes and Slaves offending as aforesaid, so aa the said Chaise shall not exceed the Summ of three pounds Current money of this Colony for each Conviction and Execution.

AND BE IT also Enacted by the same Authority, That in the City and County of New York the Justices of the Peaice do take effectual care in Case such Conviction and Execution happen within their Jurisdiction that such Charge as abovesaid shall be raised and lev/d by the sworn Assessors of the said City and"

Collected by the Collectors and paid' to the Treasurer of the City, who is required to pay the same by order and direction as above-said, and every person or persons refusing, neglecting or delaying to perform the Duty hereby required shall forfeit the Sum of Ten pounds Current Money aforesaid, to be recovered in manner as in this Act is before Expressed. ,

Digi-jzedbyGoOgiC

LAWS OF THE COLOXY OF KEW YOKK.

[CHAPTER 251.]

[Chapter ^1, of LlrlngBton & Smith and Van Schaack, where the title only la printed. TiUe 011I7 ta princed In Bradford'§ 1715 ed., p. 1 Baskett, p. 145. LlTlusBton & Smith atate that thU act was conSnoed King George the First, October 24, 1717.]

An Act to Enable William Anderoon to Seli a Lott of Ground in Queen Street tbe Estate of the said William In Bight of Deborah hig Wife deceased for the payment of DebtB contracted by his said Wife before their Intermarriage.

[Paased, December 10, 1712.] .
WHEREAS Deborah the late Wife of William Anderson Oentl'n was in her Life time Seiz'd of a certain Lot of Land in Queen Street in the City of New Yorlt, bounded Easterly by the Ground Ifte of Henry Brasier and Deirk >-an Clifle deceased. North by the Ground of the said van Cliffe, To the West by the Ctround of Abraham Moll and of Mattys Buckbout, and South by the Street, in her Demesne as of Fee, and being so Seiz'd, did, {while She was Sole) become Indebted to Several Persona in great Sums of Money, after which the said William Anderson and Deborah did Intermarry and had Issue John Anderson and William Anderson now living being Infants under the Age of one and twenty Yeares. AND Whereas the said Deborah is lately deceased, whereby the said William hath an Estate in the said Lot of Land for his natural Life as Tenant by the Courtesy of England. AND Whereas the said William Anderson hath paid upwards of four hundred pounds in Discharge of the said

Debts of his said Wife, whereby be was brought under a neces-
sity to take up several Sums of Money at Interest which said
Money, amounting to the Rum of ffour hundred Pounds, lyes now
a Debt upon him the said William Anderson, and he unable to
pay and satisfy the same otherwise than by the Sale of the said
Lott of Land, and therefore hath humbly prayed that for the pay-
ment of the Debts Contracted by him »s aforesaid and to prevent
the growing Interest for the same IT MAY BE Enacted and IT
IS hereby Enacted by the Governour Council and General Assem-
bly and by the Authority of the Same. That the said William
Anderson be and the said William Anderson hereby Is
Enabled and Invested with full power and Authority to all

D,g,;,zeclbyG00gIC

IntentB and pnrposea to Sell Convey and Assure tbe said Lott of
Land in Queen Street aforesaid with tlie appurtenances unto
any person or persons whatsoever, and tliat such Sale, Convey-
ance or Conveyances, Deed or Deeds, Assurance or Assurances
of the said Land with the Appurtenances by him the said
William Anderson in Due form of Law executed shall be good
and valid in the Law and shall Enure to such uses as shall be
therein express'd as fully aa if the said William Anderson had
an Estate in Fee Simple in the same Land and premises with the
appurtenances Notwithstanding the Minority of the said John
Anderson and William Anderson Sons of the said William
Anderson or their not being parties thereunto or any other Defect
or Insufficiency whatsoever; So always, as the Moneys arising by
such Sale be apply'd towards indemnifying the said William
Anderson by paying and Discharging Debts amounting to Four
handred Pounds upon the occasion aforesaid by him Contracted;
And in Case, after the Sum of Four hundred Pounds aforesaid
shall be paid, there shall be any part of the purchase Money
remaining, the same shall be Secured and paid to and for the use
and beuefitt of the said John Anderson and William Anderson
the Infants aforesaid in such manner as the Governour of this
Colony shall direct and appoint.

AND IT IS hereby further Enacted and Declared by the
Anthority aforesaid, That the said John Anderson and William
Anderson the Children of the said William and Deborah and

their Heirs and the Heips of either of them and the Right Heirs of her the said Deborah is are and shall be hereby, and by such Sale to be made of the said Lott of Land with the appurtenances by the said William in pursuance and by Virtue of this Act, for ever barr'd from any Bight, Estate, or Title, Interest, or Demand whatsoever of and in the said Lott of Land with the appur- tenances either by Descent or otherwise howsoever. Saving to her Ibijesty her heirs and Successors all Bodys Politick- or Cor- porate and all and every person or persons whatsoever any Bight, Claim or Interest in the said Lott of Land and Premises, other than the said John Anderson and William Anderson the children of the said William and Deborah and the Right Heirs of the said Deborah, any thing herein to the Contrary thereof notwitfistanding.

97

Dic-jzedbyGoOQlC

LAW'S OF THE COLOXY OF SEW YOBK.

[CHAPTEB 252,]

[Cbapter 252, of LiTtngstoD & Smith and Van Scbaack, where tlie titl onlj' iB printed. Priuted in (uU in Bradford's 1T15 ed., p. 158, 16 only la printed In Baskeit, p. 145.]

An Act to appodnt ^^ommis^oners te Examine and State the several Claims ' alledged as Debts of tbe Oovemment

[Passed, December 10, 1712.]

FOE THE BETTER Examining and true Informing the Sundry Claims divers peraoas do alledge as Debts of this Government BE IT Enacted by His Excellency, by and with the Advice and Con- sent of the Council and General Assembly, and by the Authority of the Same, That Major David Provoost, Mr. Robert Watts, Mr. John Cruger, Mr, Abraham Wendall, Mr. Philip Schuyler, or any three of them, shall be and are hereby Impowered, con- stituted, appointed and required to Receive, Examine and State the several Claims alledged as Debts of the Government, and to

send for persons, papers and Records, and to administer ah Oath or Oaths for discovering the truth of such Debts n-hen the same appear to them doubtful or uncertain, and make their Report thereof to the General Assembly within fifteen Days after their next Meeting of the Sums and the nature of such Claims, how they came to be Contracted, and for what necessarys and Ser- vices, and how farr the same or any of them are reasonable Charges on the people of this Colony.

AND BE IT further Enacted by the Authority aforesaid. That all and every of the said Commissioners shall take the Oath here- after mentioned before any one of the Justices of the Supream Court or the ilayor of the City of Xew York for the time being who are hereby authorized and required to administer the same in manner following, vizt: I: A: B: do Swear that according to the best of my Skill and knowledge I will faithfully and impar- tially Examine and State the riaims alledged as Debts of the Government that shall be brought before me, So help me God.

AND BE IT Enacted by the Authority aforesaid, That every of the said CommisRioners shall have and ref^ive such Suitable Reward for their trouble as aforesaid when they shall have made the Report hereinbefore expressed as the General Assembly after Receiving such Report of the CommissionerB aforesaid shall think at to allow them.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OP NEW YOBK.

[CHAPTER 253.]

[Gbapter 253, of LlvlngetoD & Smith and Van Scbaack, where the title 011I7 is printed. Title only Is printed In Bradford's 1716 ed., p. Baakett, p. 145.]

An Act to Enable Mary Bratt the Widow of Johannes Bratt late of the Connty of Albany to dispose of part of the Lands and Tenements formerly belonging to the said Bratt for payment of his Debts and Educot- ing his Children.

[PaBBed, December 10, 1T12.]
WHEREAS the said Johannes Bratt was murdered by Indians In the County of Albany and his dwelling house burnt and Cattle killed, and the said Mary being left his Widow with seven young Cliildren, the said Johannes Bratt dying Intestate and very mach indebted for the purchase of a certain tract of Land at Scachtecohe in the said County and leaving no personal Estate to dischai^e the same or educate hia Children.

BE IT Enacted by the Govemour Council and Assembly and by the Authority of the Same, That the said Mary Bratt is hereby Enabled and Invested with full power and Authority to all Intents and purposes to Sell Convey and Assure all and every or any part or parcell of the Houses Lands or Tenements in the City of Albany with their or any of their Appurtenances which the said Johannes Bratt stood Seiz'd of at the Time of his Death unto any person or persons, and that such Sale, Conveyance, Deed or Deeds of the said Houses Lands or Tenements with their OP any of their appurtenances by the said Mary Bratt in due form of Law Executed shall be good and valid in the Law to all Intents and purposes whatsoever So as the Money arising by such Sale be applied to paying the Debts and Educating the said Children of the said Johannes Bratt. Saveing the Right of her Majesty her heirea and Successors of all Bodyes Politick or Cor-porate and of all other persons whatsoevef, Except the said Mary Bratt and the right Heirs of the said Johannes Bratt.

AJsD BE IT further Enacted by the Authority aforesaid, That all other the Houses Lands and Tenements, not in the City of Albany, formerly belonging to the said Johannes Bratt, shall he Eijually divided among the Children of the said Bratt, the Eldest of the said Children being by this Art Entituled to Choose to himself any one of the said parts According to his best liking.

. '.".ooglc

[CHAPTER 254]

[Cbapter 2S4, of LiTiDgston & Smith and Van Scbaack, where tlie titl onl7 Is printed. Printed In full In Bradford's 1715 ed., p. 158. ll

onl7 l8 printed In Baskett, p. 145.]

i An act that certain monya LeTj'd on the

, Inhabitants of Kings County, remaining in the

I hands of the Collectors he paid to the Treas-

urer of that County,

[PasBed. December 10, 1712.]

WHEREAS there is in the hands of some former Collectors in Kings County Some overplus of former Taxes not duely appro-priated. Be it Enacted by the Govem'r Council & Aasemhly and by the Authority of the same that the Sums of Twelve pounds Sixteen shillings & four pence half penny in the bands t^ Englebert Lot of Flatbush, Nineteen pounds and thirteen shillings in the hands of Aart Aartse of the Town of Bnicklin, & Eight pounds fourteen shillings & one penny in the hands of Clause Barentsebloome, shall by them be paid to the Treasurer of the said County within two months after the publication of this Act to be by him apply'd towards defraying the publick & necessary-Charge of the same County by Warrant from the Supervisors or Major part of them.

And be it further Enacted by the Authority aforesaid, that in Case some or part of the Suns of money before mentioned be not already Collected and received, that the said Collectors shall have hereby full power to Collect & Levy the same «x;cordlng to the Tenor of their former Lists of Assessments & Warrants to them delivered.

Provided always that the Collectors before men'coned may retain in their hands reflectively Nine pence for each pound by them Collected pursuant to the saJd Warrants and Lists.

And be it further Enacted by the Authority aforesaid, That if any of the above mentioned Collectors or any of them shall refuse neglect or Delay to Collect & pay the aforesaid Sums of mony into the hands of the Treasurer as aforesaid, the Collector So refusing neglecting or Delaying Shall respectively fopfeit the Sum of Twenty pounds Current mony of this Colony to be recovered in any Court of Record by the Supervisors in the County aforesaid & to be by them paid & npplyed as aforesaid any thing herein contained to the Contrary hereof notwithstanding.

Coogic

LAWS OF THE COLONY OP SEW YORK.

[CHAPTEB 2B6.]

[Chapter 256, of Liyfogeton & Smltb and Van Scbaack, where the title <inly Is printed. Printed in full In Bradford's 1715 ed., p. 1E>9. la printed In Baakett, p. 145. Expired, October 1, 1T15.]

An Act for better Bepairing the ffortifl-
oations of the Cily of Albany and Town of
> Schonegtade and proriding tbeir Military

watches with ffirewood.

(Paaaed, December 10, 1712.]

WHEBEAB it is highly necessary That the fforbiflcations of the City of Albany and the Town of Schonegtade be kept in good Repair for the Defence of the said ffronteers against the InTaB-ions of the ffrench and Indians. BE IT therefore Enacted And it is hereby Enacted by His Excellency the Govemoup and Coun-cill and Assembly and by the Authority of the same That it shall and may be Lawful! to and for the Mayor Aldermen and Ctommon altj of the said City of Albany for the time being or the Major part of them in Common Council Assembled to levy and raise upon all and every the ffree^iolders Inhabitants and sojoomerB inhabitating dwelling or residing within the said City from time to time and at all times during the Continuance of this present Act by equal proportions according to their respective Estates Buch and so many Stockadoes for repairing the ffortlficationa of the said City and so many Load of (Brewood for the Use of their Military Watch to be by them brought and delivered to such place or places or such person or persons in the saJd City for the Uses aforesaid as to the said Mayor Aldermen and Commonalty Assembled as aforesaid shall from time to time seem meet

AND BE IT further Enacted by the Authority aforesaid, That it shall and may be Lawfull to and for the Justices of the Peace of the County of Albany dwelling in the Town of Bchonegtade

and precincts thereof in the said County or the Major part of them to raise and le^y upon all and every the ffreeholders Inhabitants and Sojourners inhabitating and dwelling within the said Town and precincts thereof and Out Plantations to the same belonging Yearly and once in every Year during the Continuance of this present Act for the use of Her Majesty Her Heirs and Successors Thirty Ounces of plate to be Employed by the said Justices of the Peare for and towards the repairing of the Watchnouses and Gates of the said Town and for no other use or pnr

. '.iooglc

pose whatsoever, As also such and so many Stockadoea as shall be wanting for the ffortiflcations of the said Town and so many Load of flBrewood as shall be necessary for the use of their Military watch in like manner as is herein directed for the City of Albany. And for the better Executing of this Act BE IT Enacted And IT IS hereby Enacted by the Authority aforesaid That the Stockndoes Money and fUrewood to be Levyed by Virtue of this Act shall be raised' levyed Collated and paid in the same and like manner as all other publick Taxes of this Colony are need to be levyed collected and paid, save only that the Btockadoes and fQrewood are to brought to such place and places as by the Mayor Aldermen and Commonalty of the said City of Albany and by the said Justices of the Peace in the Town of Schonegtade in each respective place shall be directed and appointed at the Charge of the party who shall be assessed to deliver the same, And more particularly aceording to the rules and directions and under the same and the like penalties and forfeitures as are directed and appointed in and by An Act of the General Assembly of this Colony made and Enacted in the Eighth Year of Her present Majesty's Beign Entituled An Act for Levying four thoapand Pounds as if the same bad been herein particularly mentioned and exprest Any Law Usage or Custom to the contrary hereof in any wise notwithstanding. PROVIDED always That this Act nor any Clause herein contained shall be any longer in force than untill the first Day of October which shall be in the Year of our Lord One thousand seven hundred and fifteen any thing herein contained to the contrary hereof in any ways notwithstanding.

And BE IT further Enacted by the Authority aforesaid That the several and respective Collectors of the City and County of Albany are hereby required to Collect the remaining part of one hundred forty one pounds raised in the said County to be paid to the County Treasurer for paying the forty seven Men who served under Lieut Coll John Schuyler as Capt in the last Expe- dition against Canada And Eight pouuda sixteen shillinf^ and three pence for the said Collectors And Six pence per pound to the said Treasurer and that the Justices of the Peace in the said City and County or any five of them and the Collectors of the said City and County shall have the same power and Authority for the Execution of this Act and be lyable to such paines and penalties mentioned in the said Act Entituled An Act for Levy- Jng four thousand pounds.

H;-,:.tll:yC00gIe

[CHAPTER 256.]

[Cliapter 250, of Liyingstou & Smith aiid Van Schaack, where the tit only ia printed. Title la printed Itf Bradford's 1715 ed., p. 162, 1 p. 140. See chapter 112.]

An Act For making good the publick Credit given by an Act of General Assembly Made in tlie first Year of Her Majestja Keign (or raising Eighteen hundred pounds for the Uses tht^rein mentioned, and for discharging the remaining part of the Money still due on the Sum advanced upon the Credit of the said Act with the Interest thereof.

IPassed, December 10, 1712.]

WHEREAS by an Act of General Assembly of this Province made in the first Year of the Reign of Her present Majesty, Entituled: An Act for the Levying and Collecting the Sum of Eighteen hundred pounds for the raising, levying and maintain- ing one hundred and fifty Fusileers with their proper Officers fur five moneths, and thirty Men with their proper Officers to be imployed as Scouts Sixty two Days for the Defence of the Fron- tiers, it was Enacted, that what person or persons soever should advance any Sum or Sums of Money not exceeding the Sum of

one thousand pounds upon the Credit of that Act for the Ends and purposes therein mentioned, and should pay the same unto the Receiver General of this Colony, or to the Commissioners for executing the Office of Receiver General for the time being, should have and receive back the Sum and Sums of Money soe by them advanced soe soon as the same could be Collected, with Allow- ance after the Rate of Ten per Cent per Annum until! they should be reimbursed tlie same. AND WHEREAS the Sum of five hun- dred pounds was advanced upon the credit of the said Act by Gerardus Beekman Esq'r and Caleb Heatheote Esq'r together with several other persona, which are all since dead or gone out of this Colony, whereby the said Gerardus Beekman & Caleb Heatheote are now and stand bonnd as Contra-Security for the payment of the said Sum with the Interest of Ten per Cent nnto Coll William Peartree. A^B WTIEREAS by an other Act of General Assembly of this Colony made in the seventh Year of Her present Majestys Reign Entituled an Act for Refunding Seven hundred and eleven pounds ten shillings and five pence half penny misapply'd in the Eighteen hundred jwunds Tax, recit- ing that the Snm of Seven hundred eleven pminda Ten shillinga and five jtence half penny, part of the said Eighteen hnndrefl

... „lc

pounds Tax by the before recited Act raised, was not applyed to that use, but Slade uae of for those Services for wliich Her Majesty's Revenue was raised by occasion whereof the said Debt due to the said Coll Peartree, amounting the third of December then next after the Act with Interest uuto the Sum of Six hun- dred forty Six pounds thirteen Shillings and four pence borrowed on the Credit of that Tax remain'd unpaid, and that it was reasoD- able, that Her Majestys Revenue should make good what had been borrowed out of that Tax and disbursed for the ordinary Charges of the Government; It was therefore Enacted, that the Collector and Receiver General of this Colony or such person or persons as for the time being should execute that Office, should pay out of the first Money that should come into his hands on any Itrancb of Her Majesty's Revenue whatsoever, the said Sum of Six hundred forty Six pounds thirteen shillings and four pence to the said Coll William Peartree, according to the true Intent of the aforesaid Act for niising Eighteen hundred pounds, under the penalty of Seven hundred pounds, to be recovered and apply'd

in such manner as in the said Act is Set forth, PRO'\''ID£D, nothin in the said Act should extend to release any person or persons who hfd receiv'd and misapply'd any of the said Tax, or other Taxes, bu only of so much as should be paid by Virtue of the said Act. AND by the said Act, IT WAS further Enacted, That in Case It should soe happen, Thfit the said Bum of Six hundred forty six pounds thirteen shillings and four pence should not be paid to the said Coll William Peartree before the said third Day of December then next, according to the true Intent of the said Act, That then it should be lawfull for the Lord Viscount Combury, the said Gerardus Beeltman and Caleb Heathoote op either of them, hia or their Executors and Administrators, by ^'irtue of the said Act, to have an Action against Coll Thomas Whenham and Peter Faueonier Esqr's their Executors and Administrators for the said Sum of Six hundred forty Six pounds thirteen shillings and four pence, having been Commissioners and Received the Moneys arising by the Eighteen hundred pounds Tax aforesaid, as by the said last recited Act may more at large appear. AND WHEREAS in pursuance of the said laSt recited Act the Sum of four hundred twenty five pounds twelve Shillings and eleven pence out of the Revenue aforesaid hath been paid unto the said Coll Peartree in part of the Debt aforesaid. AND WHEREAS the said Revenue Is long since expired, and the aforesaid Thomas Whenhamis since deceased, whereby the aforesaid last recltedAot

and for defects therein is become ineffectual! for the payment of the remaining part of the aaid Debt amounting to two hundred one and twenty pounds and Ave pence, that the aforesaid Gerardus Beeliman and Caleb Heathcote are still lyable to the payment of the same out of their own private Estate, with the lotereat thereof, amounting in all on the third Day of December next ensuing to the Sum ot Three hundred nine pounds eigiit Shillings and seven pence. '

XOW for the Supporting and maintaining the publick ffaith and Credit given for the said Act for raising the Eighteen bun- dled pound Tax before mentioned, and for the discharging the said Gerardus Beekman and Caleb Heathcote from the Secaritys soe entred into by them upon the publick Credit given by the same Act, And to prevent any further Interest or Charges that may accrue on the same.

BE IT therefore Enacted by the Govemour Council and Assembly, and by the Authority of the Same, That the Treasurer of this Colony shall and do pay, out of the publick Moneys that shall Come to his bands after the Arst Day of May next ensuing, (and not particularly appropriated) the aforesaid Bum of Three hundred nine pounds eight Shillings and seven pence unto the said Coll William Peartree or his Assigns, And that the several bonds or Securitys entred into by the several persons for the Security of the same to the said William Peartree delivered op and Cancelled, with the said William Peartree's Receipt for every particular Snm received, shall be a sufficient Voucher to the Treasurer for paying the same. And that the said above recited Act of General Assembly Entituled An Act for the Refunding Seven Imndred and eleven pounds ten Shillings and five pence half penny misapply'd in the Eighteen hundred pounds Tax, and every Clause and Article therein Contained, be and it is hereby Repealed, Annulled and made Void.

[CHAPTER 257.]
(Chapter 257. of Livtntraton & Smith nnd Van RcbaHck. where the titl only Is printed. Printed in fnll in Bradford's 1715 ed.. p. 161, onlr Is printed in BaBkett, p. 145. Expired. April. 1713.]

An Act for Electing or Appointing Four

Assessors in the City and County of Albany.

(Passed, December 10, 1712.]

BE IT Enacted by the Governour Council and Assembly, and

Vj the Authority of the Same, That the Inhabitants of the Second

Lc;-,:uJbyCc>Ot^lc

Ward in the Citj of Albanj shall upon Warning given from the Justices of the said City and County or from any Two of them, Elect one (freeholder of the said Ward, to Serve as an Asseasor, iu stead and room of Mr. Johannes Cuyler; And that the Inhabitants of the third Ward in the said City shall in like manner Elect Two flEreeholders of that Ward, to Sen'e in stead of

Mr. Hendrick Hanssen and Mr. Wessell tea Broek; And likewise That the freeholders and Inhabitants in the Manner of Renalaerwyck Do in the same Manner as aforesaid Elect One flreeholder of the said Manner to Serve in stead of Captain Jonas Uow, at any time on or before the twenty fifth Day of December next ensuing. But if the Inhabitants and Freeholders as afore-said upon such Warning given as above should neglect of all or any of such Election as aforesaid, Then the said Justices or any Five of tbem shall^have Power and are hereby Authorized and required to appoint such ffour Persona, to Serve as AssessMV as afore expresed, by Warrant under their bands and Seals, iintill the first Tuesday in April, which will be in the Year of our Lord one thousand seven hundred and thirteen; And such persons, so Elected or appointed as aforesaid, shall be Subject to •iich pains and penalties as other Assessors of this Colony are.

[CHAPTER 258.1

[Chapter 2S8. ot Llvlnfreton & Smltb and Van Scbsack. where the titl only Is printed. Trinted fn (nil In Brodford'e 1715 ed.. p. 161. 1G only is printed Iu Basbett. p. 14G. Expired, November 1, 1713. See chapter 235. Revived by cbapter 2G0.]

An Act for reviving an Act, entitnled, an Act for the better Setling the militia of this Province & making it more Usefull for Security & defence thereof & for repealing; all former Acta heretofore made In this Province relating to the Same.

[Passed, December 10, 1712.)
Be it Enacted by the Govern'r Conncil and Assembly and by the Authority of the same. That an Act, entitnled an Act for Setling the Militia of this Province, and making it more Usefull for Security and defence thereof, and for repealing all former Acts heretofore made in this Province relating to the Same, made in the first year of Her Ma'tys Reign expir'd by Its owne LImittation shall be hereby Enacted by the Autiiority aforeaaid

Digi-jzedbyGoOgiC

to be of Force from the publication hereof until the flret day of November w'ch will be in the year of our Lord SeveBteen hundred and thirteen.

THE FIFTEENTH ASSEMBLY,

First Session.

(Begun May 27, 1713, 12 Anne, Robert Hunter, Goremor.)

[CHAPTER 259.]

[Chapter 250. of LlvlDRBton & Smith and Van Schaack, where the title onlj Is prtnttid. rrinted lu full iu Biadford, 1715. ed., p. ItlS. iB printed In BaaUett, p. 140. The original of thin act Is not Id of the Secretary of State. This copy was made from Bradford, 1715 e From the Minutes of the Couucll It appears thut an act of this tit elKiied by the Governor. July 1, 1713. (See Journal of Legislative C p. 361.)1

An Act for a Supply to be granted to her Majesty for Supporting the Government.
[Passed, July 1, 1713.1

BE it enacted by his Excellency the Governour, Council and General Assembly, and by the Authority of the same, That then; be given and granted to her Majesty, Her Heirs and Successors, for the Support of her Government in the Colony of New-York, for one Year, commencing from the thirteenth Day of June Anno One Thousand Seven Hundred and thirteen, Seven Thousand Ounces of Plate of the Spanish Coyns of Sevill, Pillar and Mexico or the Value thereof in Lyon Dollars or half Dollars, at thirteeu Penny weight and eighteen Grains each Dollar, or in Bills of Credit current in this Colony, to be paid to Her Majesties Receiver CJeneral, for the Time being, out of the Duties and Impositions herein after-mentioned, to be Collected in manner following, (that is to say)

For every Pipe of Wine, and so in proportion for a greater or Ic'saer Quantity, Imported into this Colony in Bottoms wholly owned by the Inhabitants of this Colony, five Ounces of Plate aforesaid.

For every Pipe of Wine, and so in proportion for a greater or lesser Quantity, Imported in Bottoms not entirely owned by the

said Inhabitants, Seven Ounces and a half of Plate aforesaid.

For all European Goods, Imported into this Colony from Boston, Twelve Ounces and a half of like Plate for every hundred Pounds iValne prime cost, so Imported, and so pK^rtionably for a greater or smaller quantity. And

.., C A.>(.>gle

Fop all European Goods, Imported into this Province from any other of Her Majeaty'B Plantations, Eighteen Ounces aud three quarters of Plate aforesaid for every hundred Pounds value pE'ime cost so Imported.

For every QalloQ of Bum Imported into this Colony in Vessels wholly owned by the Inhabitants thereof, fifteen Grains of plate aforesaid. Aud

For every Gallon of Bum, Imported into this Colony in Bottoms not solely owned by the said Inhabitants, twenty five Grains of Plate aforesaid.

And Be it further Enacted by the Authority aforesaid, That for the due and orderly Collecting of the aforesaid Duty on Hum, Wine, and European Goods, the Merchant or Owner of the said Goods shall forthwith, after he or they have made an Entry thereof in the Custom-House, deliver or cause to be Delivered a (3opy of such Entry to the Receiver Genera), who, after havini; compared the Copy of the aforesaid Entry, delivered to him as aforesaid, which he is hereby required forth-with to do, after the Receipt thereof, the Merchant or Owner of the said Goods, shall pay or secure to be paid to the said Receiver General, within three moneths after the said Entry made, the aforesaid Duty on Rum, Wine and European Goods. And in Case the Merchant or Owner of such Wine, Rum, and European Goods shall neglect or refuse to pay the said Duty, then and in such case it shall and may be lawful for the Receiver General to take and Detain the said Bum, Wine or European Goods, until the Duty by this Act required is and shall be piiid and satisfied.

And be it further enacted by the Authority aforesaid, That if

the Duties aud Customs herein Granted shall not amount to the said Summ of Seven Thousand Ounces of Plate, such Deficiency shall be made good by the Treasurer of this Colony, out of the Excise, or Duties on Tonnage, Slaves, Vendues, or any other publick Money that shall come into his Hand, and paid to Her Majesty's Receiver General of this Colony, And that the said Beceivep General, for the time being, shall lay before the Gover- nour, Council or General Assembly for the time being, when required, a true Account upon Oath of the Receipts and Payments of the Duties and Customs hereby laid and imposed.

This Act to be in force until the first Day of July, which shall be io the Year Seventeen bandred and fourteen, and no longer.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF KEW YOBK.

[CHAPTER 260.]

[Cbapter 260, of Llvingstoa & Smith uud Van Scbaack, where the title only is printed. Printed In full in Bradford, 1715 ed., p. IGU. Tit only U printed In Boskett, p. 149. Tlie original of this act Is no office of the Secretary of State. This copy was made from the Bradi 1715 ed., p. IGO. From the Mluutea of the Council it appears tliat of this title was signed by the Governor, July 1, 1713. (See Journa LeglslaUve Council, p. 361.) See chapter 258. Revived by cbapter

An Act Reviving and Continuing an Act, entituled An Act for the better Settling of the Militia of this Province, and making it more useful for the Security and Defence thereof; and for Bepealing all former Acts heretofore made in this Province relating to the Bame.

[Passed, July 1. 1713.]

BE it enacted by the Govemour, Council and AsBembly, and it Is hereby Enacted by the Authority of the same, That a late Act, entituled, An Act for the better Settling the Militia and making it more Useful for the Security and defence thereof, and for

Bepealing all former Acts heretofore made in this Province relating to the same, made in the first Year of her present Majesty, shall be and is hereby Enacted by the Authority aforesaid, to be of force for and until the full End and Term of one whole Year, and no longer, to Commence from the last day of October next ensuing.

[CHAPTER 261.]

[Chapter 261, of Livingston & Smith, vrhere the title only la printe Chapter 2G1, of Von Schaack, where the act la printed In full. Prin full Id Bradford, 171B ed., p. 169; Baakett, p. 147. The otiginal o act Is not Id the office of the Secretary of State. This copy was from Bradford, 1715 ed., p. 1«9. Prom the Minutes of the Council. I oppears that an act of this title was alfmed by the Governor July <See Journal of Legislative Council, p. 361. See cbapter 172.)]

An Act for Repealing part of a Clause in an Act, entituled. An Act for the more Effectual presen'atlon of Deer and other Game, and the Destruction of Wolves, Wild-Cats and other Vermine.

[Passed, July 1, 1713.]
BE It enacted by the Govemour, Council and Assembly and by the Authority of the same. That that part of a Clause relating to

Digi-jzedbyGoOgiC

the reward for destroying or killiDg Bquerrils, Crows and their Young ones, Bla^k-birds and their Yonng ones, mentioned and Expressed in an Act for the more effectual preservation of Deer and otLer Game, and the destruction of Wolvea, Wild-Cats and olliei- Vermine, made in the Seventh Year of Her Majesties Beign, Be and is hereby Repealed, made Nail and Void, to all Intents and purposes whatsoever, from and after the publication of this Act.

[CHAPTER 262.]
[Chapter 202. of Livingston & Smith and Van Schaacb, wbere the ttt]« ouly U priuted. This act 1b not printed In Bradtord, 1715 ed. Print lu full In Baskett, p. 147, The original of this act la not tn th

of the Secretary of State. This copy was made from Baebett, p. 147. From ttie l>Itnutea of the Council, it appears that an act of thia signed by the Governor July 1, 1713. (See Journal of Legislative Cou p. 361.)]

An Act to Impower Fredericli FhillipBc, a Minor, to Remove Kings-Bridge to a more commodious Place, and for Confirming the Toll thereof.

tPassed. July 1, 1713.]

WHEREAS Frederick Phillipse, late of the City of Xew-York, Esq; docQased, was, in his Life-time, by several Grants and Patents, and Mean-Conveyances and Assurances in the Law, seized and possessed of divers Tracts and Parcel* of Land in the County of Westchester; which by another Grant or Patent tinder the Btvad Seal of this Province, bearing Date the Twelfth Day of June, in the Year of our Lord Christ, One thousand six hundred ninety three, were incorporated into a Lordship or Manor, by the Name and Title of the Manor of Phillipsburgh, within the Bounds and Limits therein mentioned, with Power,Authority,and I'rivilege, to Erect and Build a Draw-Bridge npon the Ferry, then commonly called Spiten-Divel Feri-y, and thenceforward to be called Kings-Bridge, and to receive the Rates and Tolls men- tioned in the said Grant: And whereas there have been consider- able improvements made in the said Manor, and that the said Bridge has been found of great Utility and Convenience to Travellers; Be it Enacted by the Governor, the Council, and the Assembly, and by the Authority of the same, That the said Grant, and every Clause and Article thereof, shall be and hereby is Ratified and Conflrmfd unto the Heirs of the said Fredericl; Phillipse, to be held by them In such manner as the same is l>evised by his Last "Will and Testament, hearing Date the Twenty sixth Day of October, in the Year of our Lord Christ,

One thousand seven hundred, in such full and ample manner, to all intents, Constructions, and purposes, as if the said Orant and the said Will were herein at large reuited.

And whereas by means of Spring-Tidee, not only the Causey leading through a Meadow from Manhattans, or York-Island, to the Bridge erected in pursuanoe of the said Grant, but likewise

the Bridge itself is often difQcult and unfit for Travellers to pass notwithstanding the Labour and Cost employed to make the same commodious; Be it Enacted hy the Authority aforesaid, That it shall and may be Lawful for Frederick Phillipse a Minor, (unto whom, among other things, the said Bridge, with all the Tolls, Bights, and I'rivileges thereunto belonging, by the said Last Will and Testament is Devised) and to his Heirs or Guardian, to Erect and Build another good and sufficient Draw-Bridge between the Xeck, or Island of Papparinnemo, and York or Manhattans-Island, at such Place or Places to the Westward of the present Bridge, as to him or them shall be thought most proper and con-venient, and to joyn and afBx the same to or in any Land on York-Island, and to dig away or level any Part or Parts thereof, both to secure the Bridge, and to make the Path or entry thereto commodious and convenient for Travellers. And when another Bridge shall be so Built (which is to retain the Names of Kings-Bridge) it shall and may be Lawful for him and them to pull down the Bridge heretofore Built, as aforesaid.

And to the end the Power and Authority given by the said Grant for receiving the Bates and Tolls therein mentioned, and hereby Batifled, may the better be enforced; Be it further Knacted by the Authority aforesaid. That the several Bates and Tolls for passing and repassing Kings-Bridge, mentioned in the said Grant, shall be paid unto the said Frederick Phillipse, and to his Heirs, or to such person or persons as he or they shall depute or to such SB shall, from time to time, Bent or Farm the same; and that a Table thereof shall be hung or fixed up in the Ferry or Toll-house; which several Tolls being reduced from the Bate nt which Money was Current at the time of Passing the said Grant, are hereby ascertained in Troy Weight, and are accord-ingly to he paid and received in good Mexico or Sevile Plate, after the Bates here under mentioned; That is to say. For every Man and Horse that shall pass the said Bridge in the Day-time, Fifteen Grains; For each head of "Seat Cattle that shall pass the same. Fifteen Grains; For each Rcore of Hogs, Calves, or Sheep, that shall pass the same. Two peny Weight and a half,

Lc;-,:.tll:yC00t^lc

and 80 proportionably for a greater or leBser Number; For every

Boat, Vessel, or Canoe, that shall pass the Bridge, and cause tie same to be drawn up. One penj Weight and Twenty one Grains; For each Coach, Cart, Waggon, or Sledge that sbal) pass the same. One peny Weight and twenty one Grains: And after Sun-set, For every Passenger that shall pass the said Bridge, Ten Grains; For each St-ore of Hc^s, Calves, or Sheep, Five peny Weight; For t-ach Head of Neat Cattle, One peny Weight and Sir Grains; For each Score of Hogs, Calves, or Sheep, Five peny Weight; For each Boat, Vessel, or Canoe, Three peny Weight and Eighteen Grains; For each Coach, Cart, Waggon, or Sledge, Three peny Weight and Eighteen Grains.

And for as much as some evU disposed Persons have sometimes refused to pay the said Toll, and others gone or rid away without paying the same, notwithstanding it is so moderate and reason- able; Be it Enacted by the Authority aforesaid, That if any Person or Persons shall hereafter go from the Ferry or Toll-honse before he, she, or they pay or satisfle the Toll due by virtue her such person or Persona so endeavoring to defraud the said Pay- ment, shall pay Treble the Toll to which he, she, or they were liable, and Double Damages and Chaises in obtaining the same, to be Recovered upon the Oath of One Person before any Justice of the Peace within this Colony, who is hereby Impowered and Required to give Judgement accordingly, and to commit the Offender, until he, she, or they pay or satistle the same.

Provided nevertheless. That (in pursuance of a. Heaervation in the Grant before mentioned) Her Majesty, Her Heirs and Successors, shall have free Egress and Regress of all Her and their Forces, Horse and Foot, Coaches, Waggons, Stores of War, Ammunition, and Expresses, that ahall, from time to. time- pass the said Bridge for Her or their Service; any thing contained in this Act to the contrarj- hereof on any wise notwithstanding.

And to prevent Disputes about Repairing High-ways, so far as it relate to Kings-Bridge, Be it Enacted by the Authority afore- said, That the said Bridge, from the time it shall so Built, as aforesaid, shall be kept and maintained in good Repair by the Owners thereof; and liltcwiae, that half of the Causey between the main Land tind the said Neck, or Island of Papparinnemo, which adjoyns next unto the said Neck, in like manner as has been heretofore used and Practised; and that he or his Heirs, shall not be obliged to repair or maintain any more of the High- ways at his or their proper Cost and Charge.

D,g,;izeclbyG0OgIt\

THE FIFTEENTH ASSEMBLY.

Second Seaaion.
(Began Oct 15, 1713, 12 Anne, Kobert Hunter, Governor.)

[CHAPTEE 263.]

[Chapter 2«3, ot LlvlngstoD & Smith and Van ScbaacK, where the act la printed tn full. Printed in full In Bradford, 1T15, ed.. p. 179; Kushett, p. 152. The original of this act la not In the office of tiiry i>f State. Thla copy was made from Bradford. 1715 ed., p. 179 the Minutes of the Council, It appears that an act of this title w by the Governor, October 15, 1713. LlvlugBton & Smith and Van Schaac and Baskett, atate that tlie act was confirmed, June 17, 1715. See In ConncU conflnnlng, In Doc Rel. to Col. HU. of N. Y., VoL V.. p Contlnned by diapters 204, 676, 933, 1325.]

An Act for laying an Excise on all Strong Liquors Retailed in this Colony.

[Passed, October 15, 1713.1

BE it Enacted by the Gorernour, Council and General Assembly, and by the authority of the same, That there shall be gifen and granted unto Her Majesty, her Heirs and SuccesBors, from the first day of November, which shall be in the Year of our Lord 1714. until the first day of November, which shall be in the Year (it our Lord 1734. for the uses herein after mentioned, an Excise upon all strong Liquors Betailed throughout this Colony, under the Quantity of five Gallons (Beer and Syder only excepted) to wit, the eighth part of an Ounce of 8e\il, Pillar or Mexico Plate, for each Gallon so Retailed; and likewise three quarters of an Ounce of the said Plate for every Barrel of Beer and Syder.

And be it further Enacted by the Authority aforesaid. That the Mayor and Aldermen of the City of New-York, the Mayor, Aldermen and Justices of the Peace of the City and County of Albany, and the Justices of the Peace of the other Counties, within this Colony, to which they belong, or the Major part of

them, for the time being, are hereby required. Authorized and Impowered to let to Farm the aforesaid Excise in their respective Cities and Counties, by publick Out-Cry, Auction or Vendue, yearly and every year on the first Tuesday in October, or some, other day in that week in which the said first Tuesday shall happen, to the highest bidder, or to the several Retailers of such Liquors, in each respective City, Town, Burrough, Manner or Precinct, as the said Mayors, Aldermen and Justices of the Peace
99

D,g,;,zeclbyG00t^Ic

respectively, in tlieir discretions shall think fit for the better advuDcement of the Duty and Excise herehy to be granted and Ic'vyed, publick Notice being first given of the time such fanning Is appointed tu he made hy aflixing Advertisements thereof, in the moat publick places in each respective City, Town, Mannor and Precinct, Ten days at least before such Auction or Vendue is made.

And the said Mayors, Aldermen and Justices of the Peace as aforesaid, are hereby required to take good Security's by Becog-nizances, with Bufiicient Sureties, of all and every person or per-sons that shall Farm the Excise, as aforesaid, with Condition, that they pay the same quarterly, by equal and even payments, into the hands of the Treasurer of this Colony for the time being, who is herebj' appointed to receive the same; And also after two months after the same Excise or any part thereof, shall be let to farm, or agreed for, to transmit to the Treasurer a true Accoaot of the same respectively, with the Recognizances for the due payment thereof, according to the intent of this Act.

And be it further Enacted by the Authority aforesaid. That if any or either of the said Mayors, Aldermen or Justices of the Peace, as aforesaid, shall neglect, deny or refuse to let to Farm the aforesaid Excise, in manner aforesaid, or to pot this Act in Execution, so far as they are required and impowered, according to the true intent and meaning hereof, that then, he or they bo offending shall each of them respectively forfeit unto her Majesty, her Heirs and Successors, the Sum of Fifty Pounds current Money of New-York, to he recovered in any of her Majesties Courts

within this Colony, by any person or persons, who will and shall inform and sue for the same, by Action of Debt or Information, the one half of which Forfeitures to be to her Majesty, her Heirs and Successors, to be paid in to the Treasurer, and applyed towards the Support of the Government, and the other half to th* Informer.

And be it further Enacted by the Authority aforesaid, That where there shall be no Parmer of tlie Excise in manner before expressed, the Afayors, Aldermen and Justices of the Peace of the several Cities and Counties respectively, shall and may either agree with the Retailers, whom they respectively shall License, at least for the highest of such Sum or Sums by the Tear, as such Retailer or Retailers at any time formerly had or have paid, to be paid into the Treasurer Quarterly, as aforesaid, or other-wise to make such Retailer or Retailers enter into BecogDlzance,

.., Cookie

with BOfficient Sureties, (or tlie true and due paymeut of the Excise herein before appointed, to be paid and granted according to the true meaning hereof.

And for the due and orderly Collecting the Excise hereby Given and Granted, Be it further Enacted by the-authority afore-said. That all Retailers of strong Liquors within this Colony, shall upon all their Receipts of all such Liquors before expressed, iiud Exciseable, come to the Farmer of the Excise (if any be) or lo the Mayor, Aldermen or Justices of the Peace respectively, and on default thereof, alt such Liquors as shall be found in any Retailers House or Ware-house, Celler or other place belonging iinto him, her or them, within this Colony, and have not been duly entered and paid the Duties of Excise, as aforesaid, then and in such Case upon Conviction by Oath of one or more Credible Witnesses, before any Justice of the Peace within this Colony, the said Retailer or Retailers so Offending in the Premises, shall forfeit all such Liquors, and three times the value thereof, the one >foiety to her Majesty, her Heirs and Successors, to be jmid to the Treasurer of this Colony, for the time being, for and to be applyed towards the Support of this Government, and the other half to the person that will sue for the same, before any

Justice of the Peace in this Colony, who is and every of them are hereby required and Iinpowered summarily, and at his discretion solely to hear and determine the same, and to Issue his Warrant for sezing all such Liquors to be forfeited, as aforesaid, and for committing to the Common Goal all such Retailers of Liquors, who have not entered and paid the Duties aforesaid, and shall be eo convicted thereof, there to remain without Bail or Mainprize, until they shall satisfy and raalce Payment of three times the value of such Liquors seized and forfeited, as aforesaid, as also for arresting and causing to be brought before him any Person or Persons informed against for Retailing without Lisence, pro-vided he, her or they have Liberty to appeal to the next Sessions of the Peace, giving sufficient Security to answer the same.

And be it further Enacted by the authority aforesaid, That if any person or persons within this Colony, not duly Lisenced, shall either by Land or by Water, at any time presume to sell by retail any Strong Liquors, that is to say, any Quantity under five Gallons, as aforesaid, the person or persons so offending shall pay the Sum of Five Pounds current Money aforesaid, for every such offence, being thereof convicted in manner aforesaid, to be applyed and paid as aforesaid.

Lc;-,:uJbyCc>OglC

And be it further Enacted hy the Authority aforesaid. That no Retailer of strong Liquors within thife Colony, shall sell any strong Liquors to any Xegro or Indian Slave, under the Penalty o(Forty Shillings for every such Offence, to be recovered before any one of her Majestys Justices of the Peace, by him or her that sball sue for the same, and to be applyed as aforesaid.

And be it fuither Enacted by the authority aforesaid. That no Persoa or Persons enabled to sue for any Penalty, by virtue of this Act, siiall compound, remit or make any abatement of or for any of the Penalties herein mentioned, but that the aame may be prosecuted to effect, and paid and applyed as herein before expressed.

And be it also Enacted by the authority aforesaid. That Lyon Dollars and half Dollars shall be received and be of equal Value

to Thirteen Fenny weight and eighteen Grains of Sevil, Pillar and Mexico Plate, as aforesaid, for each I>oUar, for the Duty hereby intended to be raised.

And be it furtherEnactedby thesame Authority, That the Mayor and Aldermen of the Burrough-Town of Westcliester, are hereby impowered and required to let to Farm the Excise of the Bnrroi^h-Town in the same manner, and under the same Regulations ns tl'e Mayor and Aldermen of the City of New-Yorh, or the Mayor and Aldermen of the City of Albany are by this Act impowered, directed and required to do.

And be it further Enacted by the authority aforesaid. That all and singular the Moneys arising by virtue of this Act, during The whole time aforesaid, shall be applyed to and for the Faying and Discharging the Publick Debts of this Colony, such, and in such manner as shall be directed and ascertained in an Act of General Assembly for that purpose hereafter to be made. And it it shall eo happen that the said Excise shall amount to more than will pay and discharge the publick Debts of this Colony aforesaid, that then and in such case, the Sum that remains over and above, in the hands of the Treasurer aforesaid, after such Publick Debts shall be folly paid and Discharged, shall be applyed to the Use of this Colony, in such manner and to such Purposes as the Govemour, Council and General Assembly, for the time being, shall direct, and not otherwise.

H;-,:.tll:yG00gIC

[CHAPTER 204.]
[Chapter 204, of Livingston & Smitli and Van Scbaack, where the titl only la prluted. Title only Is printed In Brndrord, 1710 od., p. ia p. Ud. Ttae orlginul of tlilH act Is not In tlie omce of tli« Sec State. From tLe MlDutes of tbe Council, It appears that an act of title was signed by the Governor, October 23, 1713, (See Journal ot iegUatlTO Cotindl, p. 366.) See chapters 263, 272.1

An Act for continuing an Act, entitled,
An Act for laying an Excise on all Strong
Liquors retailed in this Colony.

[Passed, Octol>er 23, 1713.1
[CHAPTER 265.]
[(Chapter 266, of UvlDgaton "& Smith and Van Schoack, where the titl only ia printed. Title only Is printed Id Bradford, 1715 ed., p. 18 Boskett. p. 150. The original of this act is not In the office of tary of State. From the Minutes of the Council, it appears that an •if tUis title was signed by the Governor, October 23, 1713. (See J of LeglBlaUve Council, p. 366.)]

An Act for the Treasurer's paying stindry Sums of Money to several Persons hereafter named.

[Passed, October 23, 1713.]

[CHAPTER 266.]
[Chapter 266, of Livingston & Smith and Van Scbaack, where tbe title ouly is printed. Title only is printed In Bradford, 1715 ed., p. 18 Baskett, p. 157. Tbe original of this act is not in the office of tary of State. From tbe Minutes of tbe Council, It appears that this was signed by the Governor, October 23, 1713. (See Journals of Legls latlve Council, p. 36ti.)i

An Act for the Treasurer's paying the Sum of One Hundred and Twenty five Ounces of Plate, unto Peter van Bmgh and Hendrick Hansen, Esqrs. Commissioners at Albany.
[Passed, October 23, 1713.]
[CHAPTER 267.]
[tJhapter 267, of Livingston & Smith and Van Schaack. where the titl only Is printed. Printed In full In Bradford. 1715 ed., p. 170. only Is printed In Baskett, p. 157. The original of this act is offlce of the Secretary of State. This cop; was made from Bradfor 1715 ed.. p. 170, From the Minutes of the Council It appears tha act of this title was slRned by the Governor, October 23, 1713. Joonkal of Legisl&Uve Council, p. 366.) Provided for by chapter 291

An Act for laying a Duty on Goods sold by Anctlon, Vendue or Out-Cry.

[Passed, October 23, 1713.]
BE it Enacted by the Govemour, Council and General Aseem- Wy of the Colony of New-York, and by the Authority of the same^

. '.^t>(>gle

7ay L.i.\vs of the coLo^'Y of new yobk.

Tliat there be given and granted to her Majesty, her Heirs and BuccesBora, for every hundred Poonds, current Money of Kew-Yorb, of Goods, Merchandize, Houses, Lands, Stiips, Sloops ot Vessels, Slaves, and other Things whatsoever, that sliall be sold within this Colony at publick Auction, Vendue or Ont-Cry, (the Excise, Goods and EfEecta of all deceased PersMis, exposed to Sale by Executors or Administrat<H-8, or Goods talcen in Execu-tion, only excepted) The Sum or Quantity <rf Ten Ounces of Plate, from the Publication of this Act, during the space (rf one whole year.

And be it further enacted by the Authority aforesaid. That for the better securing the payment of the Duties on all Goods sold at Auction or Vendue, the Vendue-Master, or whatsoever other ptTBOU or persons shall expose any of the aforesaid Goods, Mer-chandize, Houses, Lauds, Ships, Sloops, Slaves, and other thing whatsoever, (except what is before excepted) at publick Auction or Out-Cry, shall, at the expiration of every three Months, give an exact and true account to the Treasurer of this Colony for the time being, upon oath, which oath the Treasurer of this (/Olony is hereby impowered to administer, of all Goods, and other things above-mentioned, by biro or them sold by Auction, Vendue or Out-Cry, and pay, or cause to be paid to the said Treasurer of this Colony, for every Hundred Pounds value sold, as aforesaid, the Sum of Ten Ounces of Plate, to be applyed to such use or uses p.B the Qovemour, Council and General Assembly shall think fit.

And be it further Enacted by the Authority aforesaid, That every Vendue-Maater within this Colony, or such other person or persons as shall sell any of the Goods and Effects by this Act liable to pay the Huty, as aforesaid, in poblick Vendue, shall, in a Book for that purpose, keep J,n exact accohnt of all such Goods and Effects as be by him or them sold by publick Vendue, Out-Cry or Auction ; and for his troable and pains for keeping the 8.nid Hooks, rendring the Accounts, and paying in of the Money bj him, them, and each of them to the Treasurer of this Colony, shall retain in his hands the Bum of Three per Cent, of whatever he or they shall pay unto the Treasurer of this Colony, for the time being.

And be it further Enacted by the same Authority, Tliat if the Vendue-Master or whatsoever person or persons that shall expose any Goods, Merchandize, or other Effects whatsoever (except as above excepted) at publick Auction, Vendue or Ont-cry, shall

DgizedbyGoOgiC

neglect^ deny or refuse to give an exact account, and pay in the Money for all such Goods and other Effects sold hy him or them, lis aforesaid, at the expiration of every three ilonths, to the Treasurer of this Colony, every such Vendue- Master, or other person so ofFeuding, shall Forfeit, for every such offense, double the Duty imposed by this Act, if the same can be discovered, or, for want thereof, the Sum of Fifty Pounds current Money of this (jolony, to be recovered by the Treasurer of this Colony, for the time being, by action of Debt in any Court of Record within this Colony, to be applyed to such use as the Governour, Council and General Assembly shall think fit.

And be it further Enacted, That if the said Treasui-er shall neglect to Sue the Vendue-Master, or other person offending, aa above-expressed, he shall forfeit for every such neglect the sum of Sixty Founds, and be accountable to the Governour, Council and General Assembly for so much.

And be it further Enacted by the same Authority, That the ^'endue-Maater, or other person, selling Goods or Other Effects bj way of Auction, Vendue or Out-cry, shall, within one Week, after the Publication of this Act, enter into Recognizance to her Majesty, her Heirs and SuccessoPB, in Two Hundred and Fifty Pounds, with sufficient Sureties, to be approved of by the Speaker of the General Assembly, for the time being, to pay the Duty imposed by this Act, and to fullfil and comply with every Article and' Clause therein relating to the said Vendue-Master, or other person exposing Goods to sale by pnblick Vendue or Out-cry. And if any Vendue-Master within this Colony shall neglect, deny or refuse to give the Security of him and them required by this Act, every such Vendue-Master so Delecting, denying or refusing to give such Security, as aforesaid, is hereby declared incapable of executing that Office, until such time as he or they shall give the Security as by this Act is required.

[CHAPTER 268.]
[Chapter 268, of Ltvlnftston & Smith ana Van Scbaack, where the titl only Is printed. Title only la printed n Bradford, 1713 ed.. p. 182 p. 157. The original of this act Is not in the office of the Secr State. From the Sllnntes of the Conncll It appears that an act of title was signed by the Governor, October 23, 1713. (See Journal of Legislative Council, p. 3S7.)]

An Act to oblige the County of tUster, to satisfy what that County is in arrear to Col. Jacob Rutseu, and Adrian Gerritse, Esqrs.
[Paased, October 23, 1T13J

. Google

[CHAPTEB 269.]

[Chapter 2U&, of LIvlngetOD & Smith and Van Schaack, where the title only la printed. Prhited In full in Bradford, 1713 ed., p. ITl; Bas 150. Tlie original of tbie act is not io tlie office of the Secret Tills copy was made from Bradford, 1715 ed., p. 171. From the Minut of the Council It ap)>eara that an act of ttiis title was signed b Governor, Octol^er 2:!, 1713. (See Journal of Iiegislatlve Council, p. Expired in 1720. Revived by chapter 390.1

An Act for Mendiog and keeping in Repair the Post-Boad from New-York to Kings-Bridge.

[Paued, October 23, 1713.]

WHEREAS the Highways and Post-Road through ManhattenB Island, leading from the? City of New York to Kings- Bridge, and other the High-ways within the said City and County, are become very Ruinous, and almost impassible, very dangerous to all Per- sons that pass those Ways, occasioned chiefly by reason of dlverB disputes hiipening and arising among the Inhabitants of the said hereafter kept in good Repair, Be it Enacted by the Glovernour, (Mty and County, touching the Repairing and'Amending the same. For the ending of which Disputes, and to the intent the same

Council and Assembly, and by the Authority of the same, That BO much of the said general Highways and Roads, so far as'the Fresh-water only, shall be Repaired and amended by the Inhabitants of all the several Wards within the said City (except the Out- Ward) in respect to the great Charge and Expence the said' several Wards are at in the Paring, Cleansing and Repairing (he several Streets, Lanes and Allyes within the same; and that nil that i>art of the said Highways and Roads from the said Fresh- \A'ater to the Saw-Kill, shall be repaired, amended, and from time to time hereafter kept in good Repair by the Inhabit- ants of the Bowery Division of the said City, living within the same Limits. .\nd that part of the said High-ways, and Roads from the said Saw Kill, together with the Saw Kill Bridge, to the Limits of Harlem Patent, shall be, from time to time, made, repaired and amended by the several Wards within the said City, That is to B&y, by air equal number of Work-men of the five Wards on the South-side of the Fresh Water, and an equal num- ber of Work-men of the Out-Ward of the Bowry and Harlem Division. And all the remaining part of the said High-ways and Roads of the said Island Manhaten, from the Limits of Harl«n Patent, to the Cawse-way of Kings-Bridge, shall be, from time to time hereafter, cleared, repaired and amended by the InhabltantB

of Harlem Divisioo, as bath been formerly done. And that the said Post-Boad aod High-wa; shall be laid out the breadth of Four Bod, aDd cleared the breadth of Two Bod at least.

And for the better clearing, maintaining and repairing all and every the common High-ways, Cause-waja and Bridges witliin the City and County aforesaid, Be it further Enacted by the Anthorlty aforesaid, That the Mayor, Aldermen and Justices of the Peace of the said City and County at their General Quarter- Besnons, held for the said City and County, in the Month of February, next after the passing this Act, shall and may then, and ao from time to time in every year, nominate and appoint Three sufQciont and able Persons inhabiting within the City and County aforesaid, to be the Sur\-eyorB of the several High-ways, Bridges and Cause-ways aforesaid, for the year from thence next ensuing. And that the said Justices shall cause notice to be given to the said Surveyors, so chosen, in writing, of their said Choice. And in case of Death or Refusal, any two or more of tha said Justices of the Peace for the said City and County (whereof

one to be of the Quorum) under thir hands and seals, to aj^int, from time to time, others in their places; Which said Surveyors, and every of them, having no lawful Impediment, to be allowed by the said Justices, by whom they shall be chosen, in manner aforesaid, or any two of them {whereof one to be of the Quorum) within three Weeks next after such Notice to him or them given, shall, and are hereby required to view and survey the said seve- ral High-ways, Bridges and Cause-ways within the City and County aforesaid, and consider the Defect thereof, and the best method and means that can be used for the clearing, levelling, repairing and making good the sume, and make their Certificates thereof in writing, under their hands, or the hands of any two of them, to the Justices of the Peace of the said City and County, at their next General Quarter-Sessions held for the said City and Connty, or sooner, as the case may require, at a special Sessions to be held for that purpose, by three of the said Justices of the Peace {whereof one to be of the Quorum) which said Justices are hereby authorized and impowered to hold accordingly, who there- upon shall and may make such Order and Orders in and about the same, as to them shall seem good; Which said Order or Orders so to be made, shall be by the said Surveyors, and all othe Persons concerned in putting this Act In execution, duly observed and performed. And the said Bnrveyors are hereby Impovered
100

and authorized to summons aud give Botice to such and bo many of tlie iBhabitants of tlie Wards aforesaid, as tliey the eaid Surveyor shall think fit, at such times, places aud seasons (aB they the said Justices of the Peace, in manner aforesaid, shatl order and appoint) aud for bo long time as the said Surveyors shall appoint, to meet and convene with Carts and Carriages, Shovels, Spades, Pick-axes, Mattocks, and other Tools and Instru- ments, as by the suid Surveyors shall be thought necessary for the said Work, for the amending, clearing, repairing and making good the several High- ways, Boads, Bridges and Causeways within tlie several Districts and Limits herein before set forth. And all and every such Person and Persons summoned or having Notice, as aforesaid, either themselves, or a sufBcient working hand for them, eliall meet within their several Limits aforesaid, at the said time and place so appointed, and obey and perform such Orders and Directions as the said Surveyors (by order of

the said Justices of the Peace, in manner aforesaid) shall direct and appoint. And in case any Person summoned shall not by themselves:, or another sutScient Person in his place, appear, as aforesaid, every such Defaulter shall Forfeit Six Shillings current Money of this Province, for each Days absence, To be leryed (by Warrant from any one of the Justices of the Peace aforesaid, who is hereby authorized to grant such Warrant, directed to the Constable of such Ward or District where such Default is made) by Distress and Sale of the Offenders Goods and Chatties, at a publick Out-cry, and after payment of the said Distress and Charges, the Over-plus (if any) to be returned to the Owner. And every Team, with Cart and Waggon, and a Man to mannage the same, which the said Surveyors shall have occasion to use, shall be esteemed in the place of three Days Labour of one Work-man, npon pain of every Day making Default, Eighteen Shillings, like Money, to be levyed on the Goods and Chattels of the owner thereof, in manner and form aforesaid. 'Which said Forfeitures shall be paid to the Surveyors, to be by them disposed of in Repairing the High-ways aforesaid. Provided Nevertheless, That the Surveyors aforesaid shall imploy the respective Inhabitants within the several Wards and Districts aforesaid, justly and eqnally every year; and that no Person be compellable to work above eight Days in the year, nor at any time in Seed-time, Hay or (.'om-Harvpst.

And be it further Enacted by the Authority aforesaid, That every Surveyor (who shall be so chosen and appointed In manner

aforesaid) wbo shall refuse or neglect to do and perform the Duties and Services required "by him or them in and by this Act, shall Forfeit Fiye Pounds current Money aforesaid, to be Recovered by Action of Debt, Bill, Plaint or Information in any. Court of Record held within the City and County aforesaid, with Costs, one Third of which Forfeiture shall go to the Informer who shall prosecute the same to effect, and the other Two Thirds to be imployed by the direction of any two of the Justices of the Peace aforeaaid, whereof one to be of the Quorum, in the Repair-ing and making good the High-ways aforesaid.

And be it further Enacted by the Authority aforeaaid, That in case any Differeuce or Dispute shall arise between any of the Inhabitants of the respective Wards and Districts aforesaid, or

any of them, or hefween them and the said Surveyors, so to be chosen as aforesaid, of or concerning the Repairing or Amending the High-ways aforesaid, the same shall be settled and determined by any three of the Justices of the Peace aforesaid, (whereof one to be of the Quorum) or by the Justices at their General Quarter-Sessions, whose Order and Determination therein, made in Writing under their Hands, shall be Conclusive to all Parties.'

And be it Enacted by the Authority aforesaid, That every Justice of the Peace within the said City and County, that shall nnt put the several Fines and Forfeitures imposed by this Act, in Execution, shall Forfeit severally the Sum of Five Founds current Bloney of Sew-York, to be levyed, paid and applyed in such manner and form as the other Pines and Forfeitures in this Act are directed. This Act to be in Force until the first Day of June, One Thousand seven hundred and Twenty, and no longer.

[CHAPTER 270.]
[Chapter 270, of Livingston & Smith and Van Sohaack, where the title ODly is printed. Printed In fulF In Bradford. 1T15 ed., p. 175; Baa 155. The oriRlnal of tUlB act is not In the office of the Spcretat This copy was made from Bmdford, 1715 ed., p. 175. From the Minutes of the Conncil. it nppears that an act of this title was signed by Governor, October 23, 1T13. (See .lournal of I-eftlslatlve Council, p. A provision in flila act was repealed by chapter 372, The act Is c b7 chapter 380.1

An Act for the further laying out, Regulating and better Clearing Publick High-waya through-out this Colony.

[Passed, October 23, 1713.]
For the better attaining the End designed by an Act, entituled, An Act for the laying out, regulating, clearing and preserving

. '.".ooglc

publick common Highways tliro'-out this Colony, made in the second year of the Keign of her present Majesty, Be it Enacted by the Governonr, Council and General Assembly, and by the Authority of the same, That the Persons herein after nained shall

be and are hereby appointed Commissioners, and impowered, authorized and required to put the Berrices, intended by the said Act, in execution, through the respective Counties and Precincts for which they shall be named (that is to say,

For the County of Bnffolk, Capt, Benjamin Young, Mr. John Cooper, and Capt Joseph Wickham.

For Queens-County, "Mr. Thomas StephcDBon, ColL John Jackson, and Mr. James Clements.

For Kings-County, Mr. Benjamin van de Water, Mr. Joost Tan Brunt and Mr. Ryck Hendricksen.

For the County of Westchester, Adolph PhiHipse, Esq; Caleb Heathcote, Esq; Mr. Jos^h Drak^ Mr. John Stephenson and Mr. John Haith.

For the County of Ulster, Capt. Egbert Shoemaker, Mr. Adrian Gerretsen, and Mr. Joseph Haasbroek.

For Dutches County, Mr. Barent van Cleek, Mr. Jacob Yosbrugh, and Mr. Johannes Buscb.

For the City and County of Albany, Coll. KUian van Banslaef, Capt. Peter van Bnigh, Major Myndert Schuyler, Capt. JrAn Bronck, and Capt. Johannes Sanderse Glen.

For the County of Orange, Mr. Peter Heringh, Mr. Albert Meunen, and Mr. Isaac Blauvelt.

And be it Enacted by the Authority aforesaid. That the said Commissioners or the Major part of them respectively, for the respective Cities, Counties and Precincts for which they are nominated Commissioners, are hereby impowered and authorised to take a Ee-view of the Boads already laid out, and if they find any Inconvenience in said Boads, they, or any two of them have power to alter the same, and lay out the High-ways or publiclt Boads as they shall think most convenient for Travellers, as well as the several Towns, Villages or Neighbourhoods next adjacent

Provided always. That nothing in this Act contained shall extend or be construed to impower the Commissioners aforesaid to alter any Eoad that is already Commodious, so as to lay it ont through any Improved or inclosed Lands, without the consent of

the Owners thereof ; and if any Dispute shall arise by that means, the same shall be determined by any two Justices of the Peace,

Lc;-,:.tll:yG00gIC

and ail ot the principal Free-liolderB of the Neighbourhood, not having an; Interest in tbe Land about which such Dispute may arise.

And be it further Enacted by the Authority aforesaid, That if any person or persons within thia Colony have, do or shall hereafter, without the consent of the ConimissionerB appointed by this Act, alter, stop up, turn aside or lessen any Highway or Boad that has heretofore been laid out, or shall hereafter be laid out by the said Commissioners appointed by Act of General Assembly to lay out the same, shall Forfeit the Sum of Five Pounds, to be applyed by the Sur^'eyors of each respective Town towards repairing the High-ways, to be recovered by Warrant from the Surveyors of each respective Town, or the major part of them, directed to the Constable of the Town to levy the said Dis- tress, and within six days (after pnbliek Notice given) shall make Sale of the same, pay the Penalty and Charges, and return the Over-plus, if any be, to the Owner or Owners.

And be it further Enacted by the Authority aforesaid, That if any common publick Boad or High-way shall lead through any Meadow Grounds or Corn-fields, the Dimension of the breadth of the said Boad ahaJl be, and is hereby left to the Discretion of th said Commissioners of each respective County and Precinct, as aforesaid.

And be it further Enacted by the same authority, That the Inhabitants of the Towns, Mannors and Precincts, by and through which Lands any common publick Roads or High-ways have or shall mn, or be hereafter ascertained or laid out, are hereby obliged to clear and maintain the same, by cutting and stubbing the Brush np, pulling up the Stones that can be carried off, the breadth of a Rod, and the Limbs of Trees hanging over the said Boads to he lopt and carried off; and ao often as they or any of (hem shall have Notice from the Commissioners, Surveyors or Over-Seers of the High-ways, for the time being, through-out

this Colony respectively, by themselves or Servants shall clear, level and amend the Highways, not exceeding six Days in the year, under the Penalty of Three Shillings for each Day every Person shall neglect or refuse such Service, to be levyed by the Constable In each Town or Precinct, by Distress and Sale of the Offenders Goods and Chattels, by Warrant from the Commls-■fonere, Surveyors or Overseers of the High-ways, for the time

Digi-jzedbyGoOJ^Ic

beii^, in every County, Town, Mannor or Precinct, or tlie major part of them respectively, returning the Over-plus of such Sale to the Owner or Ownera.

Provided always, and be it further Enacted by the said a.utliority, That all Trees that stand in any Mans Land through which any common publick Boad or Highway is or shall be laid out, be for the proper use of the Owner or Owners of the same, but shall not hinder the Publick of making use of so much Timber as will amend and repair the said High-ways running through that Land.

And be it further Enacted by the said authority, That if the Commissioners for the County of Orange and Dutches County see cause to have any Boads laid out for a Waggon Boad, the Inhab-itants of said Counties shall be hereby obliged to clear the same.

And be it also Enacted by the same authority, That where any High-way from any Town or Plantation, to any Meadows, Mills, Watering or common Landing-places, shall run through any particular Persons Grounds, it shall and may be lawful for any such Person or Persons, by the approbation of the Commis-sioners of such Town, Mannor or Precinct, to place and hang good Swinging-Gates on such High-ways and keep them in repair at their own proper Costs. Provided, No Boads leading in or out of any Woods, Plains or Commons, where the Cattle belonging to any Town or Village usually pass to and from the Commons or Feeding-Ground, be clog'd or hindered by any Swinging-Gates, as aforesaid, but by the consent of the Inhabitants of the said Town OP Village. And the several Gates already standing and allowed, may or shall be approved and continued, or altered, as

the Commissioners herein appointed shall judge most convenient; and the same High-ways shall be amended and maintained by the Inhabitants of every Town, Mannor or Precinct where such Ways may Bnn.

And be it further Enacted by the Authority aforesaid. That if the Over-seers of the Boads and Highways shall think fit and have occasion of any Team, Cart or Waggon, and a Man to manage the same, the said Team, Cart or Waggon, shall be esteem'd to be for three Days Work of a single Man, and the Fine proportion-ably to be Tripple. And every Working Man shall be obliged to bring such Materials of Spades, Axes, Crows, Pick-axes, and other UtensilB, as shall be directed by the Overseers of the Highways.

Digi-jzedbyGoOgiC

And be it Enacted by the said autlioritj, That in case any person or persons shall stake or shore open any such Gate or Uates, as aforesaid, or otherwise ride over and through any Laod8,Meadow-Orounds orCtorn-flelds, tothe Damagecrf the Owner or Owners thereof, shall for every such Offence forfeit Six Shil-lings, to be applyed by the Surveyors of each respective Town towards repairing the publick High-ways or Boads, and pay all Daiuages, with the Costs, the Owner of the Soil or Tenant, shall suffer or sustain thereby, as any of her Alajesties Justices of the Peace of the Town, County or Precinct, wherein such Offence shall be committed, shall determine, whose Determination shall be a final Judgment.

And be it also Enacted by the same authority, That if any of the Ck)m mission ers appointed as aforesaid, shall neglect, refuse or delay to put the several Clauaea expressed in this Act, in Execution, as aforesaid, and required, it shall and may be lawful for the Justices of the Peace, or any two of them in such County or Counties, wherein such Refusal or Neglect shall so ha[^en, us aforesaid, to appoint another Commissioner or Commissioners in the room of those who have refused or neglected the Services, as aforesaid.

And be it further Enacted by the authority aforesaid. That the CcHumissioners ap^inted or to be appointed by virtue of this Act,

shall hare, take and receive Six Shillings per Day as a Reward for their care and pains in laying out and regulating the High-w'ays thro'out this Colony, in the same way and manner as is appointed and providod in an Act, entituled. An act for laying out, regulating, clearing and preserving publick common High-ways throughout this Colony, made in the second year of her Majesty's Reign.

And be it further Enacted by the same authority. That the High-ways in the County of Albany, shall, from time to time, be made and kept in repair by the Inhabitants of said County, as the Commissioners appointed by this Act shall order and direct, any thing contained in this Act to the contrary notwithstanding.

And be It further Enacted by the authority aforesaid, That for the County of Richmond the Surveyors of the High-ways, which are annually chosen in each Division by the Inhabitants of said County, shall have the same power and authority for laying out and regulating the High-ways within the several Divisions in said County of Richmond, and shall be liable to the same Fains,

LiOOgic

Penalties and Forfciturea as an; otber the ConmuBdonen appointed by this Act

Provided, That this Act shall continue in Force for Seyen Yean from the Publicatioa hereof, and do longer.

[CHAPTEE 271.]

[Chapter 271, of LlvloKBton & Smltb and Vau Scbaack, xrhere tbe titl only ia prloted. Printed In full In Bradford, 1716 ed., p. 17& Titl Is printed lu Baskett, p. 150. The original of th!a act la not In of the Secretary of State. This copy was made from Bradford, 1715 e p. 178. From the Minutes of the Council, It appears that this act Blgned by the Governor, October 23, 17ia. (See Journal of LegislatlTe Council, p. 367.)1

An Act for Dutches County to Elect a

Supervizor, a Treasurer, asseBsors and

Collectors.

[Passed, October 23, 1713.1
BE It Enacted by the Goremour, Council and Assembly, and by the Authority of the same, That the Justices of the Peace in Dutches County, or any two of them, shall, and are hereby required to issue their Warrants to the Constables of the said County, to give warning to the Free-holders and Inhabitants in the respective Precincts thereof, to assemble and meet at tbe most convenient place, as the said Justices, or any two of then shall appoint, at any time before iite first Tuesday in September next, there to make choice of one Free-holder, to be Supervizor, one Treasurer, two Assessors and two Collectors, in the said County, who shall have tbe same power, Authority, Office and Function, and do, perform, execute and serve, and be liable to the same Pains and Penalties as the Supervizors, Treasurers, Aseessors and Collectors of the several and respective Counties withia this Colony have, ought or are intended to have, do, perform and be liable to, by one Certain Act of General Assembly, passed in the year of our Lord 1703. entituled, An Act for the better explaining and more effectual putting in execution an act of general assembly, made in the 3d year of the late K. William and Q. Mary, entituled, an act for defraying the publick and necessary Charge thro'-out this Province, and maintaing the Poor, and preventing Vagabonds, until the first Tuesday in April next ensuing, and then one Supervizor, one Treasurer, and so many Assessors and Collectors to be chosen and elected annually, according to the direction of th*> said Art, who. shall be liable to such Pains and Penalties as in the said Act is expressed.

Lc;-,:.tll:yG00gIC

LAWS OP THE COLONY OF NEW YORK.

[CHAFEEB 272.]

[Chapttw 272, of Livingston & Smith and Van Schaack, where the tiUe oaij iB printed. Title only Is printed lu Bradford, 1715 ed., p. 16 Baskett, p. 149. The original of this act 1b not \b the office of tary of State, From the Mlnutee of the Council,, it appears that an

of this title was Blgned by the Governor, October 31, 17ia . (See of Legislative Council, p. 367.) See chapter 264.]

An Act to take away Doubts and Scruples relating to the Letting of the Excise.

[Passed, October 31, 1713.1

THE FIPTEENTH ASSEMBLY.

TJiird SessUm.

(Began Mch. 24, 1714, 13 Anne, Robert Hunter, Governor.)

[CHAPTER 273.]

(Chapter 273, of Livingaton & Smith and Van Schaack, where the title only la printed. Prtnted in full in Bradford. 1713 ed., p. 183. Tit la printed in Baskett, p. l&d. Expired, June 1, 1716. See chapt

An Act for Levying and paying tlie Several Duties therein Mentioned (or the Use of this Colony.

[Passed, June 21, 1714.]
Be it Enacted by his Excellency tlie Governour, by and with the Advice and consent of tlie Council, and General Assembly, and by the Aathority of the Same, That there be given and granted to Her Majesty, Her Heirs and Successors, the Duty and Imposition on the Tonnage of Vessels Trading in this Colony, and on Negroes and other Slaves Imported into this Plantation, hereafter expressed, That is to Say, Seven penny weight and a half in good Goyned Plate, or Bills of Credit made Current in this Colony, to the value thereof, P. Ton, for every Ton, accord-ing to the Tonnage of the Ship or Vessel (Coasting Sloops belong-ing to the Maasachusets, Rhode Island, Conneticut and the Jerseys, whilest their Navigation is to and from those parts, Ships and Vessels directly from Great Britain, Ships and other Vessels boilt in this Colony, or wholly owned by the Inhabitants thereof, only Excepted.) To be paid by the Master or Commander

D,g,;,zeclbyG00gIc

within Biz Daja after the Arrival of hia Ship or Vessel, upon Penalty ol Porfeitare of Two Ounces of Plate, as afor^aid, P. Ton, to be Becovered in an; of her Majesties Conrts, by the Oath of one Credible Witness, that they have not paid, or Befuse to pay the Same, two Thirds of the Said Forfeiture to be paid in to the Treasury of this Colwiy, and the other Third thereof to him that will Sue for the Same.

And t»e it further Enacted by the Authority aforesaid Tliat all Ships and Vessels of One deck, lyable to pay the Said Doty, Sliall be Reported on Oath, or Ouaged by the Length of the Keel on the Ontside, and the Breadth of said Vessel from outside to out-aide, by the Midship Beam, and the Depth of the Hould from the Ceiling to the anderpart of the Deck-Plank; And for a Two Deck Ship or Vessel, the Depth of her Hould and half the Heighth between Decks to be added to the Depth of the Hould, and the Length and Breadth as hereinbefore mentioned; The Length of every Ship and Vessel to be Multiplyed by the Breadth, and the Product thereof by the Depth, the whole to be Divided by Ninety Five, and the Quotient of Such Division Shall be the Contents of the Tonnage of eveiy Ship and Vessel measured, as aforesaid, accord-ing to the said Method and Bnle all VesaeJa shall be Measured, and the Duty Computed and paid accordingly by the Master or Owner.

And be it farther Enacted by the Authority aforesaid. That the OfQcer appointed for Collecting the Said Duty is hereby directed and required to keep a Register of all Entries in a Book for that Purpose, and give to the Govemour, Council and General Assembly of this Colony, when sitting (or either of them), and Requiring the Same, an Account fairly written of the Xames of such Masters or Persons who have so Entered or Reported, with the Names of Such Ships or Vessels and their Tonnage, and faith-fully account for Money received by virtue of his Office. And if the said Officer Shall Suspect any Master or Comander to hare made a short Report of the Guage or Tonnage of his Ship or Vessel, the said OBQcer or Such Sworn Surveyor or Guager as he Shall Imploy, Shall Immediately repair on Board such Ship or Vessel! by him so Suspected, to take the true Tonnage thereof, according to his best Judgment, and make true Entry thereof, as aforesaid, and if it be found the Entry of the Said Ship or Vessel short of Such Guage made by the said Officer, the Master or Per-

son making such short Entry, shall Forfeit and pay Two Ounces

and a qnarter of Plate, as aforesaid, for every Ton entered Short, to be Becovered & applyed ae aforesaid.

And be it further Enacted by the Aathority aforesaid, Tliat if EDj OfHcer belonging to her Majesties Onatom-HotiBe in thia Colony shall Clear any Ship or VeBsel, lyable to pay the Said Duty, until it shall appear to the Said OfQcers, tliat Such Ship or Vesse have Entered with the OfBcer appointed to Collect the Duty and paid the Same, as aforesaid, he or they Shall pay double the Tonnage of what Such Ship or Vessel oat to have paid, to be Recovered and applyed ia manner as aforesaid.

And be it further Enacted by the Authority aforesaid, Miat there shall be paid the Doty of Ten Ounces of good Plate aforesaid, or in Bills of Credit made Current in thia Colony, to the value thereof, by the Master or Comanden of any Ship or Vessel, or Owner of any Negro or other Slave that Sliall be Imported, pr otherwise brought Into this Colony, (all Negroes and other -Slaves belonging to the Navigation of any Ship, Sloop or other Vessel, and Slaves bel<Higing to the Neighboring Colonya, going to and from one Colony to the other, for the Service of their Master or Mistress, or Masters or Mistresses, only Excepted) within Forty Eight Hours after the arrival of the said Negro or other Slave. And that every Master or Commander of any Ship or Vessel Shall witliiu Forty Eight Hours after his arrival within this Colony after Notice given by the Said OtBcer, make Oath before the Mayor of the City of New-York or any Justice of the Peace for the time l>eing, what Number of Negroes or other Slaves he or they brought into thia Colony, and to whom Consigned, and on bis Neglecting or refusing to take Snch Oath, Shall Forfeit and Fay Forty Pounds current Money aforesaid, to be Becovered and applyed as aforesaid.

Provided always, That Negroes Imported directly from Africa, in vessels wholly owned by the Inhabitants of this Colony, shall pay only Seven Ounces and a half of Plate, or Bills ot Credit afor Biiid, P. head, according to the Begnlation of this Act, and no more.

And be it further Enacted by the Authority aforesaid, That if

the OfBcer appointed for the Collecting the Duties aforesaid Shall Suspect any Negro or other Slave to have been Imported or brought in by Land or Water into thia Colony, after the Publica- tion hereof, without having paid the Duty laid and required by this act, the Owner or possessor of any such Slave Shall be

Digi-jzedbyGoOJ^Ic

Obliged to prove by the Oath of one Oedible Witness, That the Said Duty haa been duly paid, or that the Said Slave wa« Imported bef<H% the Publication hereof, on falling thereof such Person or Persons, so Suspected, Shall forfeit double the Sum laid and Imposed by this Act on each Slave Imported, as aforesaid, to be Eecorered and applyed io manner before expressed.

And for the better and more effectual preventing the double payment of the Duty laid by thia Act on Negroes and other Slaves, Be it Enacted by the Authority aforesaid, That the Officer appointed for the Collecting and Keceiving the said Duty, ^hall, in a Book to be kept for that purpose, keep an exact account of the Names of all Negroes and other Slaves Imported, and of the Person Importing the same, the Time when, and in what Vessel Imported or brought in, as aforesaid, and shall upon the receiving the said Duty give a Receipt to the owner of the Said Slaves, expressing his or her name, the Sum Received of him, or her, the Time of his or her Importation, and in what Vessel Imported, and how brought in; which Receipt, upon the Sale of any of said Slaves, Shall be delivered by the Seller (rf a of the said Slaves to the Person or Persons buying the same, the better to enable him or them to make proof that the Duty laid by this Act was paid for the Same, according to the true intent and meaning thereof.

And be it Enacted by the Authority aforesaid, That ye OfBcer a^iointed to Collect the Duties herein before mentioned, is hereby Required to pay said Duties to be received and collected, to the Treasurer of this Colony for the Time being, and is hereby permitted to pay himself Sixty Two Ounces and a half of Plate P. Annum, for his Sallary. And That the OfBcer for Collecting the Duties aforesaid, Shall Enter into Recognizance to her Majesty, her Heirs and Successors, in the Rum of One Thousand Pounds,

with Security to the approbation of the Speaker of the AsseraMy, for the Time being, for the due Collecting and Recel\ing of the Said Duties by this Act to be collected and received, and to pay the Same into the Treasury in manner aforesaid.

And be it also Enacted by the same Authority, That the Moneys raised and levyod by this Act Shall be disposed of and applyed as the Oovernour, Council and Assembly shall Enact, and not otherwise, And thia Act shall remain in full force until the first day of June, in the year of our Lord Christ One Thousand Seven hundred and Sixteen.

Digi-jzedbyGoOgiC

LAWS OP THE COLO^'Y OF NEW YOKK.

[CHAPTER 274.]

[Chaptev 3T4, of LlrlugstoD & Smith and Vas Schaack, wbere the title ODiy Is printed. Printed In full In Bradford, 1715 ed., p. 188. Tit iB printed la Baskett, p. 160. Bxplred, Jane 1, 17ia EcTlred by cbapter 355.]

An Act for Licensing Hawkers and Ped-
lara within this ProTince for four Years.

[Pasaed, June 21, 1714.]

Be it enacted by bia Excellency the Governour, Councill and Generall Assembly, and it is hereby Enacted by the Antbority of the same, That from and after the first day of June, one thousand Beven hundred and fonrteen, until! the first day of June, one thou-sand seven hundred and eighteen, there shalh be answered & paid to her Majesty, her Heirs and Successors, by every Hawker, Ped-lar, Petty Chapman, or any other trading Person or Persons, going from town to town, or to other mens houseB, and Travelling cither on foot, or with horse, horses, or otherwise, within this Province of New York (Except as hereafter is excepted) carrying to sell or exposing to sale any Goods, Wares or Merchandizes, a Duty of Ten Pounds per annum; and that every Person, so travelling with a horse or other Beast bearing or drawing Burthen shall pay the summ of Ten Founds per Annum for each

horse or other Beast bearing or drawing Burden, be or she shall so travell with over and above the said first mentioned Duty of ten Pounds.

And be it further Enacted by the Authority aforesaid. That every Pedler, Hawker or Petty Chapman, and other trading Per- son or Persons, so Travelling as aforesaid, within this Province, shall before the first day of June, one thonsand seven hundred and fourteen, deliver or cause to be delivered in writing under, their hands & seals, unto his Excellency the Govemour of this Province, or Commander in Chief, for the time being, oc such Person or Persons Deputed by them, for the time being, a Note in writing ander his or her hand, or under the band of sonip Person. by him, her or them Authorized in that behalf, how and in what manner he or she will traveil and trade, whether on foot or with one or more horse or horses, or other Beast bearing or drawing burden for his or her so travelling and Trading, for which he or she thereupon shall pay unto her Majestys Collector or receiver

1 1., Google

GcDerall for the time being, to be appij'ed towards the 80w»rt of the Government of this Colony of New York, one Moiety of the Duty by this Act payable for the same, and give Security by Bond, with one or more Baffldent gureties, to be taken in her Majesties Name, for the true payment <rf the other Moiety of the Boid duties, twelve Months after the taking of the License, unless the Party shall chuse to pay Down the other Moiety of the said Duty, in which case he or she shall be allowed after the Rate of two shillings in the Pound, for Prompt payment of the same; and thereupon a License shall be granted unto him or her so to traveU or trade, by his Excellency the Qorernour or Commander in Chief, for the time being, under his hand and seal.

And be it further Enacted by the Authority aforesaid, That if any such Hawker, Pedlar or Petty Chapman, from and after the said first day of June, one thousand seven hundred and fourteen, be found trading as aforesaid, without or Contraty to such License, such Person shall for each and every such offence, for- feit and pay the summ of thirty Pounds Curr«tt Money of this Collony, the one Moiety thereof to tl^e informer, & the other

Moiety to the Poor of the Town or place wherein such Offender shall be discovered, and that every Person so trading, who upon demand made by any Justice of the Peace, sheriff, Constable or other Officer within this Province, where he or she shall so trade^ shall Refuse to Produce or show His, her, or their License, for so Ixading, to be granted as aforesaid, that then the Person so Refusidg shall forfeit fire Pounds to be paid to the Over-seers of the Poor where such demand shall he made, to the use of the Poor of that place, and for Non-pa.vment thereof shall suffer one Months Imprisonment.

And be it further Enacted by the Authority aforesaid, & his Excellency the Governour or Commander in Chief for the time being is by this Act desired & Authorized upon the terms afore-said, and upon the Receipt & security given as aforesaid, to grant a License under his hand & seal to every Hawker, Pedlar, Petty Chapman, or any olher trading Person for him or herself, or for him or herself with one or more horses or other Beasts beai ing or drawing Burden, wherewith he or she traveU with, as the Cases shall require; for which License there shall be paid the Bom of ten shillings, and no more, over and above the Dotys as aforesaid; and that the Receiver Generall for the time being shall

Digi-jzedbyGoOglC

keep a Distinct Account of the Dutys Beceiv'd by him by Vertue <rf this Act

Aod be it further enacted by the Authoritj aforesaid, That if any Person or FerBona shall forge or Counterfeit any License or Licenses to travell with, such forged or Counterfeited License, for the Purposes aforesaid, such person shall forfeit the stun of fifty pounds, one Moiety thereof to her Majesty, her Heirs & Suc-cessors, to be applyed towards support of the Government of this Province, the other to him or them that shall Prosecute or Sue for the same, to be recovered by Action of Debt, bill, Plaint or Information in any of the inferiour Courts within this Colony, in which no Esaoyn, Protection, wager of Law, or more then one Imparlance shall be Allowed.

And be it further Enacted by the Authority aforesaid. That if

any Person or Persons shall be sued, molested or troubled for pntting In Execution any the Powers contained in this Act, or for doing any matter or thing Pursuant thereunto, such Person or Persons shall and may Plead the Generall issue, not Guilty, and give the special! matter in evidence; and If the Plaintiff or Plaint iSa shall be prosecuted, or judgment be given against him or them, upon Demurrer, or Verdict pass for the Defendant, shall have his her or thdr Treble Costs, to be recovered In such manner as whereby Law Costs are given to Defendants.

AXD BE IT PUBTHER Enacted by the Authority aforesaid.
That if any sheriff, Constable, or other Officer, shall Refuse or Neglect, apon due notice, upon their own view, to be aiding and Assisting in the Execution of this Act, being thereunto required. Each and every such Officer & Officers being thereof convicted by the oath of one or more Credible Witness or Witnesses, before any Justice of the Peace in the Place where any such Offence shall be committed, shall forfeit for each and every such Offence Con- traiy to this Act, the sum of forty shillings, to be levyed by Dis tress and sale of. the Offenders Goods, by Warrant under the hand and seal of snch Justice of the Peace, the one Moiety to the poor of the place where such offence shall be committed, the other Moiety to the Informer who shall Prosecute for the same, rendring the Over-plus thereof to the owner, if any be.

AND BE IT FURTHER Enacted by the Authority aforesaid,
That it shall and may be Lawful! for any Person or Persons what- soever to sense & Detain any such Hawker, Pedlar, Petty Chai)- man, or other trading Person or Persons, as aforesaid, till such

., Coogic

time He, she or They shall Produce a License, id that behalf, it He, she or Tliey have any; and if he she or Thej shall be found Trading without a License, Contrary to this Act, for such Reason- able time as He, she or They may give Notice to the sheriff, under sheriff, or an; of the Constables, or some other Officer or Officers who are hereby required to carry such Person so seized before one or more of Her Majestys Justices of the Peace of the County or Place where such Offence or Offences shall be committed, which said Justice or Justices of Peace is and are hereby Authorized

and strictly required, either upon the Confession of the Party offending or due Proof of Witness upon Oath (which he is hereby impowered to Administer) that the Persoii bo brought before him or them, had so Traded, as aforesaid, and that no such License shall be produced by such Offender before the said Justice, by Warrant under his or their hands and seals, or under the liand and seal of any one of them, to cause the said sum of Thirty Pounds to be forth-with Leried by Distress and sale of the Offenders Goods, Wares, or Merchandize, rendring the Overplus, it any be, to the Owner or Owners thereof, after true Dedaction for the Reasonable Charge for taking the said Distress, and out of the said sale, to pay the said Kespective Penaltys and For-feitures aforesaid.

PROVIDED always, and be it enacted by the AuthOTity afore-said, That this Act nor any thing therein contained shall extend to Prohibit any Person from selling any fish, fruit or victuals, nor to hinder any Person or Persons who are the Real workers or Makers of any Goods or Wares of his, her, or their own making, in any Publick Market, fair, Markets, or elsewhere, nor any Tinker, Glazier, Cooper, Plummers, Tailor, or other Person usually trading in, mending and makeing of Cloaths, Kettles, Tubs, or Household Goods whatsoever, from going about and carrying with him or them Proper Materials for makeing & mend-ing the same.

PROVIDED ALSO, AND BE IT furtherEnactedbythe Author Ity aforesaid, That neither this Act nor any thing therein con-tained shall extend or be Construed to give any Power for the Licensing for any Hawker, Pedler, or Petty Chapman, to sell, or expose to sale any wares or Merchandizes in the City New Yoit and Albany.

Any thing herein contained to the Contrary Notwithstanding.

Digi-jzedbyGoOgiC 1

LAWS OF THE COLONY OF NEW TOEK.

[CHAPTER 275.]

[Cbapter 276, ot LlTlngston & Smitb aod Van Scbaacfc, where the titl

only Is printed. Printed In foil In Bradford, 1716 ed., p. 191. Tit ■■ printed in Baskett, p. 159.]

Aq Act for Collecting aod paying to tlie County Treasurers the Arrears of Taxes in the County of Ricbmood, for defraying the Publick and Necessary Charge of the same County.

[Passed, June 21, 1714,)
Whereas there are Sundry Arrearages of Taxes for the Defray-ing the Publick and Necessary Charge of the County of Rich-mond, that remain uncollected and in the hands of severall Col-lectors of said County.

BE IT therefore Enacted by his Excellency the Governoar, Council and General Assembly of this Ocriony, and by the Author-ity of the same, That the Severall Collectors in the County of Richmond, who were or have been at any time Chosen or Appointed to Levy and Collect all or any part of the County Taxes raised in the said County, since the Year One thousand seren hundred and Nine, or in Case of Death or Eemoral, the Collectors for the time being, shall and are hereby directed, required and impowered to Levy and Collect the Arrears of all or any part of said County Taxes, according to the severall Assessments thereof, and from the several! AND respective Per-Bcms in the said County Chargeable therewith, who have not paid all or still are in Arrears for the said Taxes, or any Part thereo and the sum so Levied and Collected, with the sums now Remain-ing in any Collectors hands of any Assessments, shall forthwith be paid unto the Treasurer of the said County, to be disposed as the Supervisors or the Major part of them shall Direct, for Defray-ing the Publick and Necessary Charge of the said County.

And be it further Enacted by the Authority aforesaid. That if any Person or Persons shall Deny, Neglect or Refuse to pay their Proportion of the said Taxes, Then it shall and may be LawfuU for the Collector or Collectors to l>vy the same by Distress upon the Goods and Chattels of the OfTenders, by Virtue of this Act, And to sell the same by Publick Vendue, and after the Sum Dis-

Digi-jzedbyGoOglC

trained for and Charges being Deducted, to return the Overplus unto tlie Owner, if any be.

Ai'D be it further Enacted by the Authority aforeeaid, That If any Collector or C<rflector8 shall Deny, Neglect or Erfuse to Collect and pay in the Money according to the true Intent and Meaning of this Act, They ahall respectively forfeit the Sum of Twenty Pounds Current Money of New York, to be Eeoovered in any Court of Record within this Colony, the one half of which Forfeiture shall go to the Person or Persons that sball be wronged, injured or Delayed, and shall Sue for the same, the other half of the said Forfeiture to be paid unto the Treasurer for Defraying the Puhlick Charge of the said County.

[CHAPTER 276.]

[Chapter 2TG, of Livingston & Smith and Van Scbaaclc, where the UUe only l8 printed. Title ouly 1b printed In Bradford, 171B ed., p. 20 Baakett, p. 160. See chapter :^8.]

An Act to Believe Bamll Bteel Com-
mander of the Ship Benjamin and all others concem'd in the said Ship and Cargofrom the Duty of seven and a half P. Cent Imposed by an Act of Assemblymade in the Twelfth Year of Her Majeetys Beign.

(Paased, June 21, 1714.]

Whereas Samuel Steel Commander of the Ship Benjamin hath set forth in his Petition to the Oeneral Assembly of this Colony now met and Assembled, that in July One thousand seven hun-
dred & thirteen He sailed from Bristoll tor the Port of New York, being there duly Registered and cleared for a Lawful Trade and Traflfick, And that by Adverse Winds He and his Company were Reduced to great Extremltys and forced to bear away for Antegna, where He was obliged to Dispose of some servants to help refit his Ship in order to proceed to this Port. And with some part of the Produce of his servants so Disposed of He Procured some Rum and Malloasos which He took oa board there. That on entring the said Rum and Maltossos the Deputy Collector of Antpgua did Detain from him the Cockets which He had from

Bristoll, giving to said Master a Certificate of the Contents of them under his hand and setU of his OfBce, Countersigned by the Coraptroaler there. That upon his Arrival at this Port the afore-

Lc;-,:.tll:yG.OpgIC

eaid Master not baring hie Cockete from BriBtol, Her Majestys Receiver Oeoeral here Demauda the Duty of seven and a half V. Cent for the European Goods pursuant to an Act of Assembly of this Colony entituled an. Act for a supply to be granted to Her Majesty for Supporting the Government made in the twelfth Year of Her Majestys Beign Humbly praying for some suitable Belief from the Hardship of his Case. Wherefore for the ease and Belief of the said Samuel Steel and all others concerned in the Cargo imported in that Ship, The Assembly Humbly pray his Excellency that it may be enacted, and Be it enacted by his Excellency the Govemour Council and General Assembly of the Colony of New York, and it is hereby Enacted by the Authorily of the same, That the said Samuel Steel and all others Con* cemed in the Cargo of the said ship Benjamin be Released and Discharged and are hereby Beleased and Discharged from the said Duty of seven and a half P. Cent Laid and Impowered by Virtue of the said Act of General Assembly past in the twelfth Year of Her Majestys Beign. Enti* tuled An Act for a supply to be Granted to Her Majesty for Support of the Government to be paid for all the Goods Wares aud Merchandizes taken on Board at the Port of BristoU in the Kingdom of Great Britain in Order to be Imported into the Port of New York in this CoUony and not Otherwise although the said Goods might be Comprehended within the Letter of the said Act, But not being within the intent and meaning of the same any thing in the said Act to the contrary Notwithstanding.

[CHAPTER 277.]

[Gliapter 27T, of LlvlngetoD & Smith and Van Scbaack. where the titl only U printed. Printed In full in Bradford. 1715 ed., p. 192; Bask 180. Expired In 1721. See chapter 170. Revived by chapter 423. B^waled by chapter 647, and therein provided for.]

An Act for Reviving an Act of Generall

Assembly of this Province, entituled, an Act to prevent Damages by swine in the Connty of West Chester, Queens County, and the County of Richmond.

[Passed, June 21, 1714.}
Whereas an Act of General Assembly of this Province, made Id the seventh Tear of Her Majesties Reign, Entituled, an Act

. Gooj^Ic

to prevent Damages by Swine In the County o(West Chester, Queens County and County of Richmond, is expired by its own Limitation, and the said Act having by Experience been found to be Tery Beneficiall to the said. Counties.

Be it therefore Enacted by the Governour, CouncUl and Oenerall Assembly of this Colony, and by the Authority of the same, That the said Act, and every Article, Clause, and thing therein con- tained, l>e revived and Continued, and the same Act is hereby Revive and Continued, and to remain in force for and during the term of seven Years from and after the Publication of thia present Act, and no longer

[CHAPTER 27a]

[Chapter 2T8, of Livingston & Smith aud Van Schaack, wbere the title only Is printed. Printed la full In Bradford, 1715 ed., p. 186. Tit only la printed In Baskett, p. 159. Expired, July 1, 1715.]

An Act for a Supply to be Granted to her Majesty for Supporting the Government for the ensning Year.

[PaBsed, July 6. 1714.]

Be it Enacted bj his Excellency the Governour, Council and General Assembly, and by the Authority of the same. That there be given and granted to her Majesty, Her Heirs and Successors, for the Support of Her Government in the Colony of New Y'ork, for one year. Commencing from ye thirteenth Day of June, Anno

one Thousand seven hundred and ffourteen. Seven thousand Ounces of Plate, of the Spanish Coyns of Sevill, Pillar & Mexico, or the value thereof in Lyon Dollars or half Dollars, at Thirteen penny Weight and Eighteen Grains each Dollar, or in Bills of Credit current in this Colony, to be paid to her Majesties Receiver General, for the time being, out of the Duties and Impositions herein after mentioned, to be Collected in manner following, That is to say;

For every Pipe of Wine, and so in Proportion for a greater or lesser Quantity Imported in Bottoms wholly owned by the Inhab- itants of this Colony, five Ounces of Plate aforesaid.

For every Pipe of Wine, and so in Proportion for a greater or lesser Quantity Imported into this Colony, in Bottoms not entirdy owned by the Inhabitants of this Colony, Seven Oonces and a half of Plate aforesaid.

D.gtizedbyGoOglC

For all European Goods Imported into this Colony from Boston, TwL'lve Ounces and a half of like Plate for every hundred Pounds Vaiue prime Cost, So Imported, and so Proportionably for a greater or Smaller Quantity, And

For all European Goods Imported into this Colony from any other of her Majesties Plantacons, Eighteen Ounces and Three Quarters of Plate aforesaid, for every hundred Pounds Value prime Cost so Imported.

And be it further Enacted by the Authority aforesaid, That for the due and orderly Collecting of the aforesaid Duty on Wine and European Goods, the Merchant or Owner of the said Goods shall forthwith, after He or They have made Entry thereof ia the Custom house, deliver. Or cause to be delivered, a Copy of such Entry to the Receiver General, who after having compared the Copy of the aforesaid Entry delivered to him, as aforesaid, which He is hereby Required forthwith to do, after the Receipt thereof , the Merchaut or Owner of the said Goods shall pay or secure to be paid to the said Receiver General, within three Months after the said Entry made, the aforesaid Duty on Wine and European,

Goods, and in Case the Merchant or Owner of such Wine and European Goods shall Neglect or Refuse to pay the said Duty, Then and in such Case it shall and may be Lawfnll for the Receiver General to take and Detain the said Wine and European Goods until the Duty by this Act required is and shall be paid and satisfied.

And be it further Enacted by the Authority aforesaid, That the sums of Money now in the bands of ye Receiver Generall of this Collony, {being what Accrued by virtue of an Act Entituled, an Act for a supply to be Granted to her Majesty for Supporting the Government, over and above the sum of seven Thousand Ounces of Plate, raised by virtue of the Act aforesaid) be paid by the said Receiver General to his Excellency Robert Hunter, Esqr, towards his Sallary for the present Tear as Govemour of this Colony, in part of the Seven Thousand Ounces of Plate, raised by this Act

And be it further Enacted by the Authority aforesaid. That if upon the n'easnrers Examining of the Receiver Oeneralla Quar- terly Accounts, which he is hereby Authorized to do, it appears That the Duties and Customs herein Granted shall not amount to the sum of one Tbonsand seven hundred and fifty Ounces of Plate, in each Qoarter, Such Deficiency shall be made good and

Digi-jzedbyGoOgiC

P0id by the Treasurer of thia Colony at the End o(Each Quarter, by Virtue of thia Act, out of the Excise or Duties ou Tonnage, BlaTes, Vendues or any other Publick Money, Not otherwise appropriated, to her Majeatys Beceirer General of this Colony, for and towards the Suj^rt of the Government of the same. And That the aaid Receiver General, for the time being, shall lay before the Governonr, Council or General Assembly, for the time l)eing, when Bequh^ a true Account, upon Oath, of the Receipts and payments of the Duties and Customs hereby laid and Imposed.

This Act to be in force from, the last Day of June this present Year, until the first Day of July which shall be in the Year of Our Lord One Thousand Seven hundred and fifteen, and no

Longer.

[CHAPTER 279.]

(Chapter 279, ot Livingston & Smith and Van Scbaack, where tbe title onlj Is printed. Title oal; 1b printed In Bradford, 1715 ed.. p. 20 Bukett, p. 159.]

An Act for the Treasurers paying to his Excellency a sum ot money for Presents to the Five Nations <^ Indians and for his E^qtence In going to Alimny to treat with them.

[Pamed August 6, 1714.]
BE IT EKAOTED by the Governonr Council and General Assembly and by the Authority of the same That the Treasurer of this Colony shall pay to his Excellency Robert Hunter Esqr Governonr of this Colony or his Assigns the sum of One Thousand Ounces of Plate of the Spanish Coyns of Sevil Pillar or Mexico Lyon Dollars or half Dollars at thirteen Penny Weight and Eighteen Grains for each Dollar or In Bills of Credit made Cur- rent in this Colony out of any Publick Money not otherways appropriated now in his hands or that shall be by him received, to be laid out for Presents to the five Nations of Indians at Albany and for his Excdlencya Expences in going thither to treat with them. And That the Receipt of his Excellency or his Assigns shall be to the said Treasurer a suffltdent Discharge (rf the same.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF NEW YOKK.

[CHAPTER 280.]

{Chapter 280, of Uvingeton & Smith, TCbere the act 1b printed In fu Chapter 280, of Van Schaack, where the title only Is printed. Title iB printed la Bradford, 1715 ed., p. 206. The act Is printed In

Baakett, p. 160. The original of this net is not in the office ol tary or State. This copy was made from Livingston & Smith, by whom It iras copied from a London edition. From the Minntes or the Counc

appears that an act of this title was signed by the Qovemor, Septem 4, 1714. (See Journals of legislative Council, p. 380.) Livingston & Smith and Van Schaack, and Baakett, state that the act was confirmed the Crown, June 17, 1715. (See copy of order in Council, conflrming Doc Rel. to Col. His. of N. Y., Vol. V„ p. 412). Explained by cba See also chapters 450, 631.]

An Act for paying and diBchar^g the . several Debts and Sums of Money claimed as Debts o(this Colony, to the Beveiral Persons therein named, and to make and enforce the Currency of Bills <rf Credit, to the Value of Twenty Seven Thousand Six Hnndred and Eighty Pounds, for that Purpose; also to make void all Claims and Demands made, or pre- tended to be due from this Colony before the first Day of June, One Thousand Seven Hun- dred and Fourteen, and to prevent this Colony from being in Debt for the Future.

[Passed, September 4, 1714.]

WHEBEAS there are several Persons who claim Sums of Money, as due to them from this Colony, for Services formerly done, or Money and Effects advanced by them for the necessary Service thereof, by Directions from the former Governors of this Colony, or those who have executed the Authority of the same; for many of which Sums of Money, Warrants have been drawn by the said Governors, by and with the Consent of the Council of this Colony, upon the Collector and Beceiver-General for the Time being, payable out of such funds or Sums of Money, as have from Time to Time been raised and paid by the Subjects inhabit- ing this Colony, for the Support of the Government of the same; which Warrants nevertheless, have not been complied with, nor the Claimants paid; but great Part of the Funds and Sums afore- said, misapplied, and extravagantly expended, by some of the former Governors of this Colony, contrary to the true Intent for which such Sums were raised; which Misapplication, unjust and extravagant Expending of the Revenue given by the loyal Sub-

DgiizedbyGoOgiC

Jecta aforesaid, to her Majea^, and to her Boyal PredeoeeaorB,

Kings and Queens of England, sufBcient for the honourable aa well as necesBary Support of their GoTerament here; bae ia a great Measure aunt the Credit of the said Government; discour-aged and disabled the Subjects Inhabiting therein, from raising such Supplies as the; would otherwise be inclinable to do, and has occasioned the Demands now made by most of the Claimants aforesaid, for the Services done, and Sums of Money advanced by them; which, if not complied with in some Measure, will be the utter Buin and Undoing of many of the said Claimants, and prove a great and irreparable Loss to most of them; And although this Colony, in strict Justice, is in no Manner of Way obliged to pay or discharge many of the said Claims, having from Time to Time provided Sums sufBcient to have prevented most of the said Demands, had the said Bums been duly applied; yet, in Regard many of the Warrants drawn as aforesaid, have passed in the Nature of Bills of Credit, and many of her Majesty's Subjects would be great Sufferers, if not relieved; Therefore, in order to discbarge the said Claims, restore the publick Credit, and fix it on such a Foundation as will be most conducive to the Bervlce of her Majesty, and her Royal Successora, aa well as the Good ot her Subjects inhabiting this Colony, and to settle and quiet the Minds of the same, bury all Strifes, Animosities, and Dividons, that might otherwise arise, for, about, or concerning any of the said Claims, as well as in tender Commiseration of the Condition of many of the Claimants, who, without any Act of General Assem-bly, are wholly Remediless;

L BE IT ENACTED by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same, That the Sum of Twenty-seven Thousand Six Hundred and Eighty Pounds, be, by the Treasurer of this Colony, paid to the several Persons hereafter named, their Executors, or Assigns, in such Manner as is hereafter expressed; That is to say:

[Here follow the several Payments to be made to the Persons mentioned in this Act, which beiu)? undoubtedly made, and being private In their Nature, we thought it unnecessary to publish them.]

n. And for the better and more effectual preventing of the Paying over again, or nndue Payment of all or any of the Sums above mentioned, or of any Part thereof; BE IT ENACTED by the Governor, Council, and General Assembly, and it is hereby

Digi-jzedbyGoOgiC

Enacted by the Authority of the aame, That all and every the Persona above-named, their Executors, AdminiBtrators, or ABBigQB, shall, <m the receiving of the* Beveral and respective Sums directed to be paid them, as aforesaid, sign a Beceipt on the Back, or some Part of each Account or Warrant, in these Words:

I A. B. do acknowledge to have received full Satisfaction for the Money claimed by the above, or within Warrant or Account; as Witness my Hand.

In which Receipt, shall be mentioned the Circnmstance of the Beceiver, whether Executor, Administrator, or Assign; which Warrants and Accounts, shall, by the Clalmers of any of the Bnma of Money aforesaid, their Executors, or Assigns, be deliv-ered to the Treasurer of this Colony, and by him carefully num-bered and kept; and Accounts of them, and the Dates, together with the Sums demanded and paid, shall be fairly entred in a Book for that Purpose, by the said Treasurer to be kept; to each of which, the Persons claiming or receiving the Money, shall sign a Beceipt, as aforesaid, and shall also make Oath in the follow-ing Form:

I A, B. have not, directly nor indirectly, formerly received the Sum now to be paid me, or any Part thereof, or any Consideration of any kind whatsoevei', for the Services mentioned in the War-rant or Account for which I am directed to be paid by the General Assembly of this Colony, nor any other Person for me, or by my Privity, Consent, or Procurement; nor do I know or believe, that the said Sum, or any Part thereof, or any Consideration, hath been paid or given to any Person whatsoever, for the Services therein mentioned : So help me GOD.

Which Oath, the Treasurer of this Colony for the Time being, Is impowered, appointed, directed, and required to administer, to the several Persons aforesaid, or to their Executors, Adminis-trators, or Assigns, before their receiving of any of the said Sums, as aforesaid, and not otherwise to pay any of the Sums men-tioned aforesaid, or any Part thereof, to any Person demanding the same, and refusing to sign Receipts, and make Oath, as before directed, '

m. PROVIDED ALWAYS, That whereas several persons directed to be paid by this Act, live remote from the Habitation of the Treaanrer aforesaid; BE IT THEREFOBE ENACTED by the Authority aforesaid, That any Person directed by this Act to be paid any Sum of Money, every such Person may take the Oath
103

Lc;–,:.tll:yC00gIC

before mentioned, before any >t her Majesty's Justices erf the Peace in tlie Colony, who are hereby inipowered to administer the same; which being certUled by the Oath of any one Witness present at the Time of administering the said Oath, and hearing the same, unto the Treasurer aforesaid, the said Treasurer shall pay any of the Bums aforesaid, and take Heceipts, as aforesaid.

IV. PROVIDED ALSO, AND IT IS HEKEBY ENACTED, That his Excellency ROBERT HUNTER, Esq; shall only declare upon his Word and Honour, that the Sum mentioned in this Act, Is truly, and bona fide, due to him, and that he hath not received any Payment or Consideration for the sams, or any Part thereof.

V. AND IT IS FURTHER ENACTED by the Governor, Coun- cil and General Assembly, and by the Authority of the same, That any Person or Persons, having given in any Warrant or Account to the Commissioner for stating of the publick Accounts, or to the CUerk of the General Assembly, and shall hereafter make Oath before the Treasurer of this Colony, or any Justice of the Peace, as by this Act is before directed; and if it shall afterwards happen to be made appear, either by the Oath of two credible Witnesses, or by Receipts or Accounts under the Hand of the Person or Persona assigning, transferring, deliver- ing over, bringing, sending, or claiming of the Sums mentioned in such Warrant or Account, or any Part thereof, or by the Minutes or Council, or Books of Accounts of or belonging to the Auditor, Deputy- Audi tor. Receiver, or Beceiver-G-eneral, or CommiBsioner, or CommisBioners for executing the Office of ReceiverGeneral, or by any Manner of Ways or Means whatsoever; that the Sums mentioned in such Warrants or Accounts, and claimed aB a Debt dne from this Colony, have been paid and discharged, either in

Whole, or in Part, before such Claims made, or Oath tak:en; e^ery such Person who hath assigned, transferred, delivered over, bought, or sent any such Warrant or Account, or claimed the Sum mentioned by the said Account to be due, or any Part there<rf, or receivinp any of the Sums appointed by this Act to be paid, as aforesaid, or any Part thereof, and knowing that the said Sum, or any part thereof, hath been paid before; shall repay the Bum received, and be fined to her Majeety, her Heirs and Successors, in the full Sum so claimed, to be applied towards the Support pf the G-overnment of this Colony.

VT. And for the better and more speedy and effectnal Pay- ment of the several Sums before mentioned, and other the Sums

Di^izedbyGoOgiC

appointed to be paid by tMa Act; BE IT ENACTED bj the Gover- nor, Council, and General Assembly, and it is hereby Snacted by the Autliority of the same, That Bills of Credit to the Value of Twenty-seven Thousand Six Hundred and Eighty Pounds, shall be printed; that is to say; Five Hundred Sixty-eight Bills, of Twenty- five Ounces of Plate, or Ten Pounds Value each; Five Hundred Bills, of Eighteen Ounces Fifteen Penny Weight of Plate, or Seven Pounds Ten Shillings, Value each; Seven Hundred Bills, of Fifteen Ounces of Plate, or Six Pounds Value each; Seven Hundred and Twenty Bills of Twelve Ounces Ten Penny Weight of Plate, or Five Pounds Value each; One Thousand Bills, of Seven Ounces Ten Penny Weight of Plate, or Three Pounds Value each; Eight Hundred Bills, of Six Ounces Five Penny Weight of Plate, or Two Ponnds Ten Shillings Value each; Eight Hundred Bills, of Three Ounces Fifteen Penny Weight of Plate, or One Pound Ten Shillings Value each; Ten Hundred BiUs, of Three Ounces Two Penny Weight, and Twelve Grains of Plate, or One Pound Five Shillings each; Twelve Hundred Bills, of One Ounce Seventeen Penny Weight and Twrfve Grains of Plate, or Fifteen Shillings Value each; Fifteen Hundred Bills, of One Ounce Ten Penny Weight of Plate, or Twelve Shillings Value each; Two Thousand Bills, of Fifteen Penny Weight of Plate, or Six Shillings Value each; Four Thousand Bills, of Seven Penny Weight and Twelve Grains of Plate, or Three Shillings Value each; Upon which Bill, shall be impressed on the Left Side of the

said Bills, about the Middle of the Side, the Arms of tiie City of New- York; and the said Bills shall be in the Form following, viz.

THIS indented Bill, of Ounces of Plate, or

due from the Colony of New- York, to the Possessor thereof, shall be in Value equal to Money, and shall be accepted accordingly, by the Treasurer of this Colony for the Time being, in all publick Payment, and for any Fund at any Time in the Treasury. Dated in New-York, the first Day of July, One Thousand Seven Hundred and Fourteen, by Order of the Governor, Council, and General Assembly.

Which Bills shall be slgn'd and numbered by Robert Walters, Esq; Bobert Lurting, Esq; David Provoost, Esq; and John Cmgep, Esq; or any three of them; and in Case of the Death of any of the said Persons, the said Bills shall be sign'd and num- bred "by the major Part of the Persona above mentioned, then allre. Whicli Bills of Credit to be made and issued out by Virtue

■ ■■■ ,Jc

of this Act, shall be, and continue currect for and during the Space and Time of Twenty-one Years, and shall he received and paid for the same Value, and equal to the current Coin passing in this Colony, for GJoods, or any other Thing bought and sold by all Persons whatsoever, residing and passing through this Colony, according to their Ilates, and the Tender of the said Bills for Pay ment, or discharging of any Debt or Debts, Bargain, 8ale trf Land, or other Things, Bonds, Mortgages, Specialties, and Contracts whatsoever, shall be as effectual in the Law, to all Intents and Purposes, as if the currect Coin in this Colony had been offered and tendred for the Dischat^ of the same, or any Part thereof.

vn. AND BE IT PUBTHEB ENACTED by the Authority aforesaidi. That if any Person or Persons, Credit*^ or Creditors, Obligee or Obligees, and Party or Parties to any Contract, Cove- nant, Bargain, or Agreement whatsoever, already made, or here- after to be made, at any Time during the said Twenty-one Years, shall, upon Tender of all or any of their Debts, Dues, and Demands whatsoever, or any Fart of them, In the Bills of Credit made current by this Act; refuse to accept or receive the said

Bills of Credit in Discharge of the said Debts, Dues or Demands, or any Part of them, according to their Value and Bates; he, she, or they, so refusing to accept the said Bills of Credit in Dis- thai^e, as aforesaid, shall lose the said Debt or Debts, Sum or Bums of Money, or such Part of the same, so refused; and ttaey and every of them, their and every of their Heirs, Executors, or Administrators, shall for ever be barred from bringing his, her, or their Actiwi for the Recovery of the said Debt or Debts, Sum or Sums of Money, so refused, as aforesaid; and the Defendant may plead this Act in Bar to any Action or Actions that shall be so commenced.

vm. AND BE IT FURTHER ENACTED by the Authority aforesaid. That if any Person or Persons whatsoever, within this Colony, shall, during the said Twenty one Years, offer to sell, or expose to Sale, any Goods or Chattels, Lands or Tenements what- soever, and deny or refuse to sell, or ask a greater Value for the same, unless Payment be made in current Silver Money, Gtold Plate Dollars, or other Species whatsoever, and not in the said Bills of Credit (whereby the Credit of the said Bills may be impaired) then, and in such Case, the person so exposing to Sale, and refusing, as aforesaid; shall, if the Qoodg or Chattels exposed to Sale, be under the Value of Five Pounds, Forfeit the Sam of

J b> Google

Forty StiilliDgs for each Offence, to be recovered before any Jtia- tioe of the Peace within tliis Colony, upon the Oath of any Two WitnesBes; and if the Value of the Goods or Chattels, Lands and TenemenlB, be above Five Pounds, and under Fifty Pounds, the Exposer to Sale shall forfeit the Sum of Five Pounds; and if the Oceds or Chattels, Lands or Tenements, be above the Value of Fifty Pounds, and under One Hundred Pounds, the Exposer to Sale shall forfeit the Bum of Ten Pounds; and if the Value of liie G-oods or Chattels, Lands or Tenements, be above One Hundred Pounds Value, the Exposer to Sale shall forfeit Fifty Pounds; to be recovered by Action of Debt, in any Court of Record within this Colony, with Cost of Suit; the first Forfeiture to the Uae of any Person that shall sue, for the same; the other three Pop feitures, the one Half thereof to the Use of such Persons as ^all sue for and prosecute the same to Effect; the other Half to the

Use of the Queen, her Heirs and Successors, to be applied towards the Support of the Government of this Colony ; any Law, Custom or Usage to the Contrary, in any wise notwithstanding.

IX. AND BE IT ENACTED by the Authority aforesaid, That the Persons appointed for the Signing of the said Bills of Credit, shall take an Oath before any one Justice of the Peace of this Colony, for the true Signing and Delivering of all the said Bills of Credit, and no more than the Number mentioned in this Act, to the Treasurer of this Colony, according to Ihe tme Intent and Meaning of this present Act.

X. AND BE IT ENACTED by the Authority aforesaid. That the Quantity of Plate that each Bill shall be current for, and the Value of the same, be printed on the Top of each Bill.

XI. AND BE IT ENACTED by the Authority aforesaid, That Robert Walters, John Cruger, Robert Lurting and David Provost Esqrs, appointed hereby to sign the Bills of Credit made currentliy this Act, shall, for such their Service, have paid unto each of the or each of their Executors, or Assigns, by the Treasurer aforesaid, in Bills of Credit made current by this Act, the Sum of Fifty Pounds, as a Reward for their Trouble, in signing and numbring the Bills aforesaid.

Xn. AND BE IT ENACTED by the Authority aforesaid, That If any Person or Persons whatsoever, shall presume to counter- feit any of the said Bills of Credit, he, she, or they, being con- victed thereof, shall Incur the Pains and Penalties of Felony, without Benefit of Clergy, and shall suffer accordingly.

Lc;-,:.tll:yG00gIC

XTTT. And that the said Bills of Credit may be truly and bona fide sunic, as the Fund arising by Virtue of an Act, entitled, An Act for laying an Excise on all Strong Liquors retailed in this Colony, is paid onto tlie Treasurer of tbia Colony for the Time being; BE IT ENAOTED by the Governor, Council, and G(i?neral Assembly, and it is hereby Enacted by the Authority of the same, That Robert Walters, John Crugcr, Darid Provost, and Robert Lurting aforesaid, or the major Part of them

living, or that shall be living, shall twice yearly and every Year, viz, on the first Day of June, and on the first Day of December, r.udit the Accounts of the Money received by Virtue of the Act aforesaid; and shall within one Week thereafter, at&x, Advertise- ments in the most publick Places of the City of New- York, setting forth what Quantity of Money hath been received, and is In the Treasurer's Hands, by Virtue of the Act aforesaid; which Money shall, by the Treasurer aforesaid, be given in Exchange for Bills of Credit made current by this Act, to any Person or Persons bringing in the same; and the said Bills of Credit shall, on or before the Expiration of one Month after the Time of such Audit, be sunk and destroyed, In Presence of Robert Walters, Robert Lurting, John Cruger, and David Provoost, or the major Part of them then alive, appointed by this Act to audit the Accounts of the said Treasurer, having first compared the said Bills of Credit with their flounterparts, and entred Into a Book, to be kept for that Purpose, the Number and Value of such Bill of Credit BO sunk and destroyed: But if it so happen, that all, or an Part of the Sums arising by Virtue of the Act aforesaid,^ shall be paid unto the Treasurer of this Colony in Bills of Credit aforesaid; that then, and in such Case, the said Bills shall be sunk in Man- ner aforesaid, immediately after the said Account of the Treasurer is audited, and publick Notice tdiall be given of the Value of the Bills so sunk and destroyed, as also of the Quaotl^ of Money in his Hands (if any be) within the Time before prescribed.

XIV. IT le ALSO ENACTED by the Authority aforesaid, That the Treasurer shall receive no other Bills of Credit for the Funds arising by Virtue of the Act before mentioned, than those made current by this Act, until all the said Bills shall be sunk; any Thing to the contrary in this or in any other Act notwithstanding.

XV. AND BE IT ENACTED by the Authority aforesaid, That the now Treasurer of this Colony shall, within one Month after the Publication of this Act, take the following Oath, viz.

. LiOOglc

I A, B, appointed Treasorer of the Colony of New- York", will faithfall; and truly discharge the Trust reposed in me, as Treas-

nrer of the same: I will not issue, or cause to be issued or paid any Money that now is, or may hereafter come into my Hands, as Treasurer aforesaid, otherwise than is, or shall he directed by an Act or Acts of the General Assembly of this Colony; and I will keep true and faithful Accounts of all the Money or EfEects that has been, is, or may come into my Hands, or be issued or paid by Virtue of any such Acts, with the Time of my receiving and paying of the same. So help me OOD.

XVL And in Case of the Death or Hemoval of the now Ti-aaaurer of this Colony, the Treasurer for the Time being, to be nominated and appointed by the General Assembly of tlilB Colony, shall, upon his taking upon himself the OfBce of Treasurer aforesaid, take the Oath before mentioned; to be administred by any one of her Majesty's Council, or any Justice of the Peace in this Colony, who are hereby impowered, directed, appointed, and required to do the same; and any Treasurer neglecting or refusing to take such Oath, shall be disabled from executing that Trust; and any of her Majesty's Council, or Justices of the Peace, refusing to administer the said Oath, when by the Person appointed Treasurer of this Colony required to do the same; shall, for every such Befusal, forfeit the Sum of Five Pounds; to be recovered by the said Person appointed Treasurer, or any other Person that will sue for the same, in any Court of Record within this Colony, wherein there shall be no Essoign, Protec- tion, or Wager of Law, or any more than one Imparlance; and the said Treasurer shall notwithstanding execute the said OfBce of Treasurer; any Thing in this Act to the Contrary in any wise notwithstanding; And each of the Auditors appointed by this Act, to audit and examine the Accounts of the said Treasurer, with Relation to the Money received by Virtue of the Act afore- said, entitled, An Act for laying an Excise on ai! Strong Liquors retailed in this Colony; and to see, compare, and sink the Bills of Credit as by this Act is directed, shall take the following Oath, viz.

I A. B. aiqwinted to audit and examine the Accounts of the Treasurer of this Colony, will truly, faithfully, and impartially, examine and audit the said Accounts, and compare and sink the said Bills of Credit, as directed in an Act, entitled. An Act for the Paying and Discharging the several Debts and Sums of Mone^ claimed as Debts of this Colony, to the several Persons

therein named; and to make and enfore the Currency of Bills of Credit to the Value of Twenty-seTen Thoasand Six Hundred and Eighty Pounds, for that Purpose; also to mate Toid all Claims and Demands made or pretended to be due fr<Hn this Colony, before the first Day of June, in the Year of our Lord One Thon-sand Seven Hundred and Fourteen; and to prevent this Colony from being in Debt for the future: And will truly and faithfully do and perform, according to my best SkUl and Abilit;r, every Thing directed and appointed by the before mentioned Act, for me, as Auditor, to do and perform. So help me GOD.

XVIL AND BE IT FLTITHER ENACTED by the Authority aforesaid, That any Person or Persoas, who shall neglect or refuse to demand of the Treasurer aforesaid, the Sum or Sums of Money appointed by this Act to be paid to him, her, or them, and to take the Oath appointed by this Act to be taken by the Claim-ere or Beceivers of the Sum op gums of Money so demanded or received, within Twelve Months after her Majesty's Boyal Assent to this Act is signified in this Colony; every such Person so neglecting or refusing, shall for ever hereafter be precluded and debarred from receiving any of the said Sums appointed by this Act to be paid them.

XVnL AND BE IT PXTBTHEK ENACTED by the Authority aforesaid, That the Persons before named, appointed to audit and examine the Acoounts of the Treasurer, as aforesaid, shall, for such Examination and Auditing, receive the Sum of Forty Shil-lings, each Time of their Examining and Auditing such Accounts; to be paid by the said Treasurer, out of the Fund arising and accruing by Virtue of the Act aforesaid, entitled. An Act for laying an Excise on all Strong Liquors retailed in this Colony: And if it shall so happ^, that after the Time of Twelve Months after her Majesty's Royal Assent to this Act Is signified in this Colony, there be any Bills in the Hands of the Treasurer (rf this Colony, not demanded within Twelve Months, as before directed; such Bills are, by the Auditors and Treasurer hereby directed, be first sunk, and an Account of the Rums mentioned In the said Bills, and the Numbers of them, together with the Names of the Persons neglecting or refusing to claim the Sums of Money appointed to be paid by this Act, fairly entred In a Book to be kept for that Purpose.

XIX. AND BE IT FTIBTHEE ENACTED by the Authority aforesaid. That the Treasurer of this Colony for the Time being,

shall keep an exact Account of the particular Sum and Sums of

itonej, paid by Virtue, and according to tlie Direction in this Act, with SeceiptB or DlechargeB from the Person or Persons, tlieir Executors, or Assigna, to whom the said SnmK are payabie, at any Time to be produced by him, for View and Examiaatioa of the Governoi", Council, and General Assembly of this Colony, or either –of them, on Penalty of making good and refunding any Sam or Sums of Money which shall not be so vouched and dis- charged, according to the true Intent and Meaning of this Act

XX. And whereas snfBcient Notice hath been ^ven, so that all Persons having any Claim upon this Colony, might have brought in their said Claims; TIS THEBEFOBE ENACTED by the Governor, Council, and General Assembly, and by the Authority of the same, Tliat the Sums paid by Virtue of this Act, shall be ta^en, deemed, esteemed, and accounted, to be an ab80> lute, full, and entire Satisfaction, for all the Claims made, and Debts said to be due from this Colony; and the Persons bringing, claiming, or demanding the same, their Heirs, Executors, or Administrators, shall for ever be precluded and debarred from claiming, demanding, or receiving any other Payment, Acl^nowl- edgment, or Reward for the said Claims, or any Part thereof, than what is before mentioned and appointed by this Act; and all Persons what soever, are by this Act, for ever precluded and debarred, from pretending or making any Claim for the Payment of any Service or Services, Goods, Wares, Merchandizes, or Effects, done, advanced, or expended by them, or any of them, their, or either of their Predecessors, Constituents, or Implo.vers, or by any Person or Persons whatsoever, for the Use of this Colony, at any Time before the first Day of June, in the present Year of our Lord, One Thousand Seven Hundred and Fourteen.

XXI. PROVIDED ALWAYS, AND IT IS HEREBY FUR- THER ENACTED, That neither this Act, nor any Part thereof, shall be construed to debar any Person or Persons having a Right to the same, from claiming and receiving from the Receiver General of this Colony, by Virtue of a Warrant drawn by the Governor in Council, their Part, Share, and Pr<^)ortion, of the Sum of Two Thousand eight Hundred Pounds, raised by an Act of Assembly of this Colony, for and towards the Support of the Government of the same. And provided also, That neither this

Act, nor any Part thereof, shall he constnied to bar the Chief Justice that now is, or any Member or Officer of the General Assembly that now is, or that heretofore hath been, from clalmii^

104

,Coot^Ic

826 LAWS OF THE COLONY OF NEW YORK.

or demanding tlie Salaries, Fees, or Rewards due to thrai, u Members or Offleere of the said General Assembly.

XXIL BE IT ENACTED by the Governor, Council and General Assembly, and by the Authority of the same, That all Slonies whatsoever, that shall for the future be raided by Actw Acts of General Assembly in this Colony, and directed by the said Act or Acts to be lodged in the Hands of the Treasurer of the same, shall not, on any Pretence whatsoever, be disposed of, but by Virtue and Direction of the said Act or Acts, or of aj Act or Acts of General Assembly for that Purpose to be made; and all Monies whatsoever, raised or accruing by Virtue of any Act or Acts of General Assembly of this Colony, made or to be made, for and towards the Support of the Government of this Colony, and by the said Act or Acts appointed and directed to be lodged in the Hands of the Receiver General for the Time being, appointed or to be appointed by her Majesty, her Heirs, or iSnccesBors, shall be issued by Warrants sign'd by tlic Governor, or Commander iu Chief for the Time being, in Council, by and with the Consent of the greater Part of the Council theo present

XXIIL AND BE IT ENACTED by the Authority aforesaid, That the Treasurer of this Colony for the Time being, shall pay in the Bills of Credit made current by this Act, unto each of the Persons hereafter named, the several Bums of Money hereafter expressed; that is to say;

[Here follow again several Payments, which are omitted for the Reason before.]

XXrV, AND BE rr enacted by the Authority aforeeaid. That the Sum of Ninety Pounds, in Bills of Credit aforesaid, bt

paid by the Treasurer of this Colony, for printing the said Bills of Credit.

XXV. PBOATDED ALWAYS, AND BE IT FDRTHEB ENACTED by the Authority aforesaid. That none of the Bills of Credit intended to be made current by this Act, shall be fflgn'd, or pass current within this Colony, before this Act, as also an Act, entitled, An Act for laying an Excise on all Strong Liquors retailed in this Colony, published the fifteenth Day of October, One Thousand Seven Hundred and thirteen, be, and are passed her Majesty's Royal Assent, and the said Assmt be first signifirf within this Colony; any Thing in thia Act to the Oootrary notwithstanding.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 281.]

{Cbapter 281, of LlylUKston & Smltb and Van ^chaack, where the act prmted In fuU. Printed In fuU In Bradford. 1715 ed., p. 203; Basket 190. Baskett states that this act was conflrmed, Februaiy 13, ITia]

An Act for preventiDg the Multiplicity of Law Soita.

[Passed, September 4. 1714.]

BE IT ENACTED hy his Excell the Govemour Council and 0«ieral AasembI; [of this Colony and by the Authority of the same,] That if any two or more dealing together, be indebted to each other upon Bonds BiUs, Bargains, Promises, Accounts or the like and one of them Commence an Action in any Court of this Colouy if the Defendant oannot gainsay the Deed Bargain or Assumption upon which he is sued. It shall be Lawfull for such Defendant to Plead payment of all or any part of the Debt or sum demanded Oiveing Notice in Writeing with the said plea of what he will Insist upon at the Tryall for his Discharge and give any Bond, Bill, Receipt, Account or Bargain soe given Notice of in Evidence, and if it shall happen that the Defendant hath fully paid or satisfied the Debt of sum demanded, The Jury shall find tor the Defendant and Judgment shall be Entred, That the plaintiff

shall take nottung by his Writ, and shall pay the Costs. And if it shall appear that an/ part of the sum demanded ia paid, then so much as is found to be paid shall be Disco^nnted, and the Plaintiff shall hare Judgment for the Residue, only with Costs, of Suit But if it appear to the Jury that the Plaintiff is over paid, then they shall give in their Verd'ct for the Defendant and withal Certify to the Court how much They find the Plaintiff to be indebted or in arrear to the Defendant more than will answer the Debt or sum demanded and the Sum or Sums so certify'd shall be Recorded, with the Verdict, and shall be deemed as a Debt of Record; and if the Plaintiff refuse to pay the same, the Defendant for Recovery thereof shall have a scire facias against the Plaintiff in the said .^LCtion, and have Execution for the same with the Costs of that Action, any Law usage or Custom to the oontrary in any wise Notwithstanding.

Digi-jzedbyGoOgiC

ICHAPTEB 282.]

[Chapter 282, of Livingston & Smith and Van Schaack, where the title only la printed. Printed in full In Bradford, 171D ed., p. 199. TlU IB printed In Baakett, p. 201. Expired, September 4, 1716. Rerlved b chapter 335.]

Ad Act for Encouraging the Indian trade at Albany,

[Pasaed, September 4, 1714.)

Whereas great Encleavours have, from time to time, been used by her Majesties Oovernours and Commanders in Chief of this Colony to settle a Trade and to have CJommewe with such Indian Nations as live beyond our five Confederated Nations, which in Process of time might not only be very Advantagious, but also of great Security to the Fronteers of this Colony at and near Albanv, in time of War; And several of the said Indians being lately come to the City of Albany, in order to Trade with the Inhabitants thereof, but severall Private Persons, not Regarding the Safety of this Colony, but only Designing their own Private Lucre, have

and do daily use many Indirect means to Engross the said Trade into their hands, by their Contrivance with those who are Employed by the said Indians to carry them in their W'a^rons to Albany, and having once gotten the Peltrj", Beavers; or other furrs of the said Indians, in their Possession, hinder them to make the best of their Market, to the Buine of the said Trade, and the alienation of the affections of the said Indians from this Colony, and instead of securing the friendstiip of the said Indians, will, if not prevented, cause them to be our Enemies, for the pi-eventing whereof, and that the said Trade may be fairly man-aged to the best Advantage and Security of this Colony, BE IT Enacted by his Excellency the Govemour, and Council, and Assembly, and it is hereby Enacted by the Authority of tbe same. That No person or persons who shall at any time or times here-after be Imployed b^' tbe said Indians to carry them, or any of their Wives or Children, their Peltry, Beavers or other Furrs in his or their Waggons, from any place in the County of Albany, sliall not bring them or either of them, or their said Effects, any Higher to the said City, than the Limitts or Bounds of the same Extend to the South or Northward, and on the Westward, no less than Six hundred Yards distance from tbe stockadoes of the said City, upon pain of forfeiting the sum of five Pounds Lawfull Money of New-York, for every Indian, Male or female, or any of

J b> Google

tbeir said Effects 80 carrjed in his or their Waggons, contrary to this Act, to be recovered in the Majors Court of the said City of Albany, by Bill, Plaint or Information, wherein no Essoyn, Pro-tection, wager of Law, or any more than one Imparlance shall be admitted or allowed.

And he it further Enacted by the Authority aforesaid, That if any Person or Persons within the said City of Albany shall at any time or times hereafter snfter any of the said Indians, or thei Peltry, Bearers or other Furrs, to remain in bis or their houses, Ware-houses or shops after sun set, or at any other time of the night. Every Person or Persons so offending shall for every Indian, or his or their Effects so found there, after the time afor said, forfeit the sum of thirty shillings Current Money aforesaid, to be recovered before the Mayor, Recorder -or any of the

Aldermen of the said City.

And be it further Enacted by the Authority aforesaid. That it shall and may be Lawfull for the high-sheriff of the said City & County, or his Deputy or Deputys, at any time before the hour of Ten at night, to search the houses, Ware-bouses or shops of such Person or Persons, with'in the City aforesaid, where such Indian or Indians are suspected to be, remain, or are Entertained after the time aforesaid, and finding any such Indian or Indians there, or their Peltry, Beavers, or other furrs, to order the Master or ilistress of the said house, Warehouse or shop, to turn the said Indian or Indians, & their Effects aforesaid, out of Doors which if he or she shall Refuse or neglect immediately to do and p<>rform, such Person or Persons shall forfeit for every such Offence, over and above the thirty shillings before mentioned to be paid for Entertaining or suffering any of the said Indians in tlieir houses. Ware-houses or shops after sunset, as aforesaid, the sum of Five Pounds Current Money aforesaid, to be recovered in the Mayors Court at .\lbany aforesaid, in manner aforesaid.

And for the preventing the abuses which of late have been put upon the said Indians by Persons who having got any Peltry Beflver or other furrs belonging to the said Indians, or any of them, in his or their Possession, constrain them to trade with! them on their own terms, and the said Indian nr Indians for want of Lawfull Evidence, not being able to prove that his, her or their goods are soe detained from them or any of them.

Be it Enacted by the Authority aforesaid, That upon Com- plaint made by the said Indian or Indians, so ahuaed, as aforesaid to the Mayor, Recorder or any of the Aldermen of the City afore

. '.".oogle

said, of any Persoo or PersoDs refosing to deliver onto Uiem, or any of tli^n, their or either of their Peltry, Beaver or other (orrs, which they may have brought into the houses, Warehouaee or shops, or otherwise are come to the Possession of ye Person or Persons complained of, whereby he or they are debarr'd from having the free Disposition thereof, that it shall and may be Lawfull to and for the said Mayor, Becorder or Aldermen to

whom such Complaint shall be made, to cause such Person or Persons to be summoned and brought before him, to be Examined of upon or Concerning the Premises, and upon his or their denying of having any Peltry, Beaver or other furrs belonging to the Complainant or Complainants, the said Mayor, Recorder or Alderman is and are hereby impowered to Administer an Oath to the Person or Persons bo denying to have any of the Goods aforesaid, belonging to the Complainant or Complainants, in his, her or their Possession, to make true and direct answer to the matter of the Complaint aforesaid; and every such Person or Persons refusing to take the said Oath, in manner aforesaid, shall foi-feit the sum of Ave Pounds Lawfull Money aforesaid, to be recovered in the Mayor's Court aforesaid, in manner aforesaid (which said sum it to be applyed for the Defraying the Necessary Charge of the said City) and make such further satisfaction to the party grieved, by the said Court shall be directed and appointed.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons within the City and County of Albany, shall, and do at any time or times hereafter, Imy or trade with an Christian or Christians, Indian or Indians, any Deer, Buck or Doe-Sklna in the hair, that are not in season, or having flesh, bones or Claws on them, shall forfeit for every such skin so bought or traded for, the sum of five shillings Cnrpent Money aforesaid, to be recovered before the Mayor, Recorder or any of the Aldermen of the City aforesaid, who are hereby further directed to cause every such Skin & Skins to be publickly burned.

And be it further Enacted by the Authority aforesaid. That the Mayor & Aldermen of the said City do on or before the first day of January next Ensuing ye Date hereof, appoint a good and sufDcient person to Visit. Survey and Inspect all Deer, Buck and Doe-skins as shall be Exposed to sale by any Christian in the said City, or offered to be ship'd off. with Power to seize al such Skins as aforesaid, that are not in season, or have flesh, bones or Claws on them, and deliver them to the Mayor, Recorder, Dr any of the Aldermen aforesaid, in order to be burned; and

.., C A.>(.>glc

tbe person or persons ao Exposing them to be sold, or offering to

ship them off, to be fined for every each Skin by the said Mayor, Recorder or aldermen, the sum of five stiiilings Current Money aforesaid ; And tlie said Mayor, Recorder and alderman are hereby fully Impowered to appoint such reasonable fees to the said Person bo by them to be appointed, for his trouble and pains^ as they in their Discretion shall think tit.

And be it further Enacted by the Authority aforesaid, That no Deer, Buck or Doe-skins in the hair shall be transported by lacd or Water out of the said City and County, before they have been surveyed and Inspected by the Person thereunto to be appointed, as aforesaid, on the Penalty of five Pounds Current Money aforesaid, to be paid by the party that shall cause the same to be transported contrary to this Act, to be recovered in the Mayor's Court aforesaid, in manner aforesaid.

And be it further Enacted by the Authority aforesaid. That if any Master of any Sloop, Boat or Cannow shall receive or take on board his said Veasell any Deer, Buck or Doe-akins, as aforesaid, without a Certificate from the Person so appointed to Survey the same, that they have been duly surveyed by him, Every such Master and Masters shall forfeit for every such offence the sum of five Founds Lawful Money aforesaid, to be recovered In the Mayors Court aforesaid, in manner aforesaid.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Mayor, Recorder or any of the Aldermen of the said City, upon Complaint to them or any of them made, or upon suspicion that such skins, aa aforesaid are shipped on board any Vessel for Transpordug the same out of the said City and County, by Warrant under his hand and seal, to order and Direct the person so appointed to Survey the same, to go on board of any Vessel, and search for such skins, and npon finding any of them on board such Vessel, for which no Certificate has been obtained, in manner aforesaid, to cause them to be seized and brought on shore to the said Mayor, Recorder, or any of the Aldermen aforesaid, and the owner of the said Skins shall forfeit the same, with Double the Value thereof, to be recovered in the Court aforesaid, in manner aforesaid.

And be it further Enacted by the Authority aforesaid. That all the Fines and Forfrfturee arising by this Act not herein par-- ticolarly disposed of, are by the said Mayor, Recorder and Aldermen to be disposed of, for the use of tbe uiid City, for and towards the defraying the Necessary Charges thereof, and the

other half to the Informer, any Law, Ueage or Cuatome to the OoDtrarj' hereof in any wise Notwithstanding. This Act to Continue for and During the space of two Years, and no Longer.

[CHAPTER 283.]

[Chapter 283, of Llrlugston & Smith aud Van Sctaaacb, yrbere the tit only iB printed. Printed In full In Bradford. 1715, ed., p. 196; Ba p. 199. Expired. December Zi, 1721. Provided by chapter 4H-]

An Act for RegolatiDg Fences for the several Cltys and Countya within this Colony.
[Passed, September 4, 1714.]

Whereas the Respective Oltys and Countya within this Colony of New Yoric are ao Circumstanced as to hare Different and Distinct Ways in the Improvement, Tillage & Pasturage of their Lands, Gardens, Orchards and Meadows, and that it is altogether Necessary that the said respective Gitys and Countya may be made Capable in the Law to make Prudential Rules, Orders and Directions for the Making, amending and Maintaining their Customary Circular, and Pertition Fencea

Be it therefore Enacted by his Excellency the Oovernour, Councill and General Assembly, and by the Authority of the same, That the Freeholders and Tenants In Possession of every town mannor & Precinct within feachX^ty and County within this Colony, are berelqf impowered annnally, after the Publicatinu of this Act, to meet and Assemble themselves together, at such times and places as shall be appointed and Directed under the hands and seals of any two of her Majesties Justices of the Peace, one whereof to be of the Quorum, i which meetings the said Free-holders and Tenants iu Possession, are by this Act Impowered, by the Majority of Votes, to make and Establish such Prudential Orders, Rules and Directions for the making.Maintainlng and Amending of their Accnstomary Partition and Circular Fences for their Lands, Gardens, Orchards and Meadows, as they shall judge mtyat Proper and Convenient, which Orders, Rules and Directions, so made as aforesaid, being Entered upou the Pnblick Records of such City, Town or County, shall remain and be of full force until the several and Respective Pree-holders and Tenan in Possession shall think fit, by the like Majority of Votes, to al

all or any part of the aforesaid Orders, Rules and Directions, so m as aforesaid, which Alteration & Alterations, from time to time, bein Likewise Entered upon Record, as aforesaid; shall Continue and Remain in full force until the same be New made and Altered, as aforesaid.

And whereas the Freeholders aod Tenants in Posseaaion in some ol the Citys and Countjs of this Colony, are Accustomed to make Circular fences, for the Surrounding their Land and Meadows which they Manure, Either in Tillage or Pasturage, by which means great QuaDdtys of Lauds and Meadows are Surrounded by the said Circular Fence, and those who are in the Middle of said Lands and Meadowa, have their Fields secured by the said Fence, without Contributing their Proportion of the Charge of the said Fence, To the end the s may be remedied for the future,

Be it further Enacted by the same Authority, That if any Lands or Meadows shall lye within any Circular fence, except where any Town within this Colony have already agreed to the Contrary, the Owner or PoBseBsor thereof shall in Proportion to the Quantity of Land and Meadow they have within the said fence. Pay and Contribute to the making and Maintaining the said Fence. And if any Person or Persons shall Deny, Neglect or Refuse to pay, make and Maintain, or Contribute his or their Proportion of the said Circular Fence, as af said, then it shall and may be Lawful for any Justice of the Peace of said County, Residing near where such Default shall happen, upon View of the said Defect, to assess the Proportion of the said Fence as aforesaid, and Levy the same, by Warrant under his hand and seal directed to the Constable of the Precinct where such Default shall happen, npon the Goods and Chattels of him or them who shall so have Land and Meadows within the said Circular Fence, and shall nor will not make, Contribute or pay towards making the same, to be applyed to the making of the said Circular fence, Returning the Over pins, if any be, the Chirge of Distress and sale beini? first Deduc

And be it further Enacted by the Authority aforesaid, That where any Person or Persons already have, or hpreafter shall set his or t fence in the Partition Line, on Lands and Meadows between him op them, his or their Xeighbonr or Neighbours, they shall make and Maintain the Division-fence Equally between them; and if either of them Refuse or Neglect so to do, then the other may make and repai the said Division Fence wholly, and shall Recover the Charges of the

Party or Parties Refusing, by Action of Debt, if above forty shillin in any Court of Record, if under forty shillings, before one of hep SInjesties Justices of the peace, as the same shall be valued by th Over-seers of the Fences, appointed by this Act. and said Charge so Valued, as aforesaid, shall be Levyed on the Goods and Chattels of the Party or Pniiyd so Refusing, as aforesaid: if above forty shilli with the Cost of Snit. bv Execution Directed to the Sheriff; if und forty shillings, by Warrant under the hand and Seal of one of her
106

. '.".Dogle

Majeatja Justices of the Peace, directed to the Constable, Ketumii^ the Overplus, if any he.

And hf it further Enacted by the same Authority, That the several! and Bespective Pree-holders and Tenants iu l*ussesi=icn, at the times of their Annual Meetings, as by this Act is Directed, are hereby Impowered to make Choice of two sufficient Persons to be Viewers, Over-seers and Judges of all and every the Respective Fences within each City, Town, Maanor and I'recinct, for the Ensuing Y^ear; and all or any of the Over-seers and Viewi^rs of Fences, so Chosen, as aforesaid, that shall Deny or Refuse to perform the Duties and ser- vices incumbent by him or them to be done. Pursuant to the true Intent and Meaning of this Act, all and every such Person or Person BO Denying and Refusing, shall forfeit and pay the sum of Ave Ponnd Current Money of this Colony, to be recovered in the Court of Com- mon-Pleas in the City or County where the Refusal and Denial shall happen to be made, and apply'd to the Defraying the Publick Charge of the said City and County Respectively.

And be it further lEnacted, that it shall and may be lawfull for t Mayors, Aldermen and Commonalty of the Citys and Countys of New- York and Albany, for the time being, in Common Council Conven'd, to make such further Orders, Rules and Directions, for the making , Amendingr and Maintaining the Partition Fences between the Freeholders and Tenants in PosseBsion, of the several and respec- tive Lotts, Oardens and Orchards, within their several and Respective Jurisdictions, as they shall Judge most Proper and Convenient, and to lay such Fines, Forfeitures and Amerse- ments on the Person or Persons Denying, Neglecting or Refusing

to obey such Orders, Rules and Directions so to be made by them Respectively, as aforesaid, as they shall think fit, and to Amend and alter the same from time to time.

And be it further Enacted by the Authority aforesaid, That all acts of General Assembly formerly made within this colony, for such part as Relates to Fences, be nnd are hereby Repealed, and every Clause and Article therein Contained, to all Intents, Conatractlona and Purposes.

Provided always, and be it further Enacted by the Authority afore-said, That the Height of the out-side Fences for the County of West-Chester, shall be four foot and four Inches, and not under, and the height of the Partition Fences four foot, &not under, as also, that Height of both out-side and in-side fences for QOeens county shall be four foot, and not under.

This Act to remain in force during the time of seven Tears, and no Longer.

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 284.]

IGbapter 2&1, of Llvlugstou & Sniltb and Van Schaack, where the titl only Is printed. PriDted In full In Bradford, 1715 ed.. p. 193. TlU iB printed In Baskett, p. 198. Continued b7 chapter 301.]

An Act for appointing CommiBBionerK to let to farm the Excise tlirougtiout this Colony.
[Passed, September 4, 1714.]

Whereas by an Act of the General Assembly of this Colony made in the Twelfth Year of Her Majesties Reign Entituled an Act for laying an Excise on all Strong Liqnors retailed in this Colony it is amongst other things Enacted. That there shall be given and Granted unto Her Majesty Her Heirs and Successors from the first Day of November in the Year of Our Ijord Seven-teen hundred and Fourteen until the first Day of November which shall be in the Year of Our Lord Seventeen hundred and Thirty four for the Uses in the said Act mentioned and Ezpres'd an Excise upon all strong Liquors retailed throughout this Colony under the Quantity of five Gallons (Beer and Cyder only Excepted)

to wit, the eighth Part of an Ounce of Se\1i Pillar or Mexico Plate for every Gallon so Retailed and likewise three Quarters of an Ounce of ye said Plate for every Barrel of Beer and Syder to the end therefore That the said Duty of Excise may be orderly Collected and Managed to the best Advantage for and towards the uses in the said act Expres'd.

Be it Enacted by the Govemour Council and General Assembly and by the Authority of the same That the Persons herein after Named shall be and are hereby appointed Commissioners for the Year Ensuing to let the said Excise to farm throughout the Respec-tive Citys and Countys of this Colony for which they shall be Named that is to say.

For the City and County of New York John Cruger Esqr and Mr. Phillip Schuyler.

For the City and County of Albany Philip LivingstODe and David Schuyler Esqrs.

For the County of Suffolk Mr. Andrew Gibb

For Queens County Major Isaac Hicks Esqr

For Kings County Collo Richard Stilwcll Esqr

For the County of Westchester Capt. Joseph Budd

Digi-jzedbyGoOgiC

For the County of Ulster Major Johaunis Hardenbergh and Mr. Johannis RutseD.

For Dutchess County Capt. Leendert Lewis

For the County of Bichmond Abraham Lakemao Esqr

For the County ot Orange Capt John Corbitt

And be it further Enacted by the Authority aforesaid That the said Commissioners respectively for the Citys or Countya for which

they are Xamed are hereby required authorized and Impowered to let to Farm the Aforesaid Excise in their Hespective Citra and Countys to the several Retailers of strong Liquors dwelling withia the same on the first Tuesday in October or at any time thereafter such Bum or sums of Money aa the said Commissioners respeotirely in their Discretiohs shall think fit for the better advancement of t Duty and Excise granted by the said Act Publick Xotice being first given of the time such farming is appointed to be made by affixing advertisements thereof in the most Puklick places in each respective City Town Mannor and Precinct Ten Days at least before the time the same is to be farmed as aforesaid, and the said Commis^ionera are hereby required to take good Securitys by Bocc^QizaDces with snfAcient Sureties of all and every Person or Persons that shall far the same as aforesaid which each Respective Commissioner is hereby Impowered to take with Condition That they pay the same quarterly by ei|ual and even payments fiito the hands of the Respective Com- missioners that shall let the same who are hereby appointed to receiv the same and also after two Atonths after the same excise or any p thereof shall be let to farm or agreed for to Transmit to the Trea urer of this Colony a trne Account of the sum and sums the-same haa b(*n let to farm foraccording to tho Intent of this Act.

And be it further Enacted by the Authority aforesaid That it shall and may be Lawful to and for the said Commissioners respectively to Examine upon Oath every Retailer they shall respectively agree with for the Excise aforesaid what they paid for the same formerly

And be It further Enacted by the Authority aforesaid That it shall and may he Lawful to and for the said Commissioners Respectively and they are hereby required and Impowered to Sue all and every such Retailer and Retailers their Surety and Suretys that shall not duly pay the sum and sums of Money he she or they have agreed for to pay for the Excise aforesaid at the time and times in their several RecognlKanres Mentioned and Express'd before any three -of Her Majesties Justices of the peace

Digi-jzedbyGoOgiC

one whereof to be of the Quorum of the City or County where such Betailer op Bttailei's do Beside, who are hereby Authorized

and Impowered to make out Procesa against such Betailer or Betaitera and finally to hear and Determine the same and Award Execution upon hie her or their Becognizanco or Becognizancea against the Goods and Chattels Lands and Tenements of the said Betailer or Eetailers his her and their Surety and Suretys any Law Usage or Custom to the Contrary hereof in any wise Notwithstanding.

And be it further Enacted by the Authority aforesaid That the said Commissioners and every of them do enter into Bond or Secognizance to Her Majesty her heirs and Buccesaors at or before the first Day of October next with sufBcient Suretys to be npiHVTed of at least by two of Her Majesties Justices of the Peace of each Respective City and County within this Colony.

For the City and Countv of New York the sum of Twelve hun-dred FoandB.

For the City and County of Albany the sum of two hundred Pounds.

For the County of Ulster the sum of Sixty Pounds
For Dutches County the sum of Twenty Pounds
For Orange County the sum of Twenty Pounds
For Westchester County the sum of sixty Pounds,
For the County of Richmond the sum of Sixty Pounds
For Kings County the sum of sixty Pounds,
For Queens County the sum of One hundred & Fifty Pounds
And for Suffolk County the sum of one hundred and Fifty Ponnds, with Condition That they pay Quarterly by even and oqnal Payments' into the hands of the Treasurer of this Colony for the time being who is hereby appointed to receive the same all witli sum and sums of Jfoney as Tliey shall have respectively rerfived for the Excise aforesaid within Thirty Days after the Bame is come Respectively to their or either of their hands together with on Exact Account of what is not by them received and for which they have put the Rec<^nizaDcefi in Suit if any there be, which when recovered they are forthwith to pay into the Treasurer in manner aforesaid.

And be it further Enacted by the Anthority aforesaid That the said Commissioners and pvery of them shall and may retain in his and their hands out of the Moneys arising by the said Duty and Excise for their trouble and services the sum and sumi herein after mentioned and Express'd that is to say.

Lc;–,:.tll:yC00gIC

The Oommissioners for the City and County of New York the sum of seven and a half P. Cento,

The CommissionerB for the City and Coonty of Albany the sum of seven and a half P. Cento.

The Commissioner for the County of Suffolk the sum of ten P. Centa
The Commissioner toe Queens County the sum of ten P. Ceata
The CommiBsiouer for Kings County the sum of ten P. Cento
The CommisBioner for the County of Weetchester the Bum of toi P. Cento

The Commissioner for the County of Ulster the sum of ten P. cento
The Commissioner for Dutchess County the sum of ten P. cento
The Commisaioner for the County of Richmond the sum of tea P. cento

The CommlsBioner for the County of Orange the sum of ten P. cento.
Aod be it further Enacted by the Authority aforesaid That upon the Publication of this Act all and singular the Powers and Authoritya heretofbre Granted to the Mayor and Aldermen of the City of New Ygrlt, the Mayor and Aldermen of the City of Alliany t Mayor and Aldermen of the boroi^h Town of Westctiester and the Justices of the Peace of the other Countys of this Colony for letting the Excise to farm in and by the aforementioned Act of Asse bly made in the Twelfth Year of Her Majeaties Beign Entituled an Act for laying an Excise on all strong Liquors retailed in this Col shall cease and Determine and become absolute Void and all the Articles and Clauses in the said Act contained so far as they relat to the Powers therein and thereby given and Granted to the said Mayors Aldermen and Justices of the Peace for the letting the Excise to Farm are hereby to all Intents and Purposes repealed and declared Null and Void The said act or any other Law Usage or Custome to the contrary hereof in any wise Notwithstanding.

And be it further Enacted by the Authority aforesaid That if any of the Respective Commissinners Appointed by this Act shall Dye

Deny or Refuse to serve then it shall and may be Lawful for The Mayors & Aldermen within the Citys of New Yort, and Albany and the Justices of the peace in the Severall Countys within this Colony or the Major part of them under their hands and Seals to Appoint other Commissioners in their Stead and the Commissioners soe appointed shall have the Same power and Authority as the Com- missioners hereinbefore appointed until the Governour Councill and Assembly shall either Oonfirm them or appoint others.

D.cnzedbvGoOglc

[CHAPTER i85.]

tCbapter 28S, of LlTlogetOD & Smith aod Van Schaacb, where the tlUe only is printed. Title only in printed In Bradford, 1715 ed., p. 20 In Cuil In Baskett, p. 195. Expired, Septemtwr 4, 1721.-)

Ad Act to Entitle Garret De Graeuw and bis AsBigDS to the Fishery of Porpoises dur- ing the Term of sereu Years.

[Passed, September 4, 1714.]

Whereas the Fishery of Porpoises and other Fishes of that Nature will tend to the benefit of Trade in this Colony, and add to the facilitating the returns of the same; And Whereas Garret De Graeuw in bis Petition presented to the General Assembly has set forth. That by certain New Inventions by him found oat he has perfectly enabled himself and is actually ready to the sure and successful! carrying on tbe said Fishery, humbly praying, That, in regard of bis peculiar Industry and great Charge, It may be Enacted in Ms Favour and for his Encouragement That none but tbe said Garret De Graeuw his Executors Administrators and Assigns shall be permitted to carry on the said Fishery by the same Inventions for a certain Term of Years.

Be it enacted by his Excellency tbe Governour, the Council and General Assembly, and by tbe Authority of the same. That no person or persons whatsoever, from and after the Publication of this Act, shall undertake or presume to carry on the Fishery of

Porpoises and other Fishes of that Nature by the said Inventions In the seas. Harbours, Rivers and other Waters within this Col- ony, for and during the Term of seven Years, but the said Garret De Graeuw his Executors Administrators and Assigns, to whom only the sole benefit, profit and Advantage arising from the said Fishery by the said Inventions shall belong and appertain. Saveing nevertheless the Right of ^er Majesty her heirs and Ruccesoors.

And be it further Enacted by the said Authority, That if any person or persons, from and after the Publication of this Act, »hall undertake or carry on the said Fishery, by tbe Inventions of tbe said Garret De Graeuw contrary to and Frustrating the true intent and meaning of this Act, he or They shall forfeit and pay the sum of one hnndred Pounds Current Money of this Col- ony of New York to be recovered in any Conrt of Justice within this Colony by Action of Debt, one half thereof to her Majesty

J by Google

lier Heirs aod Succeesors, and the other half to the said Uarret De Oraew his Executors Adminiatrators or Assigns who shall sue foi" and recoTer the same

And be it further Enacted by the Authority aforesaid, Tliat in Case the said Garret De Graeuw, his Executors Administrators or Assigns, do not within the time of Twelve]^lontha from the publication hereof putt bia said Inventions in Effectual —Practice and execution then it aball and may be lawful for any other per son or persons to undertake and carry on the said Fishery, with- out incurring the penalty mentioned in this Act, any thing con- tained in this Act to the Contrary hereof in any wise Notwithstanding.

[CHAPTER 286.]

[Chapter 286, of LlTlDgston & Smltb and Van Scbaack. where the Utle only Is printed. lltle only la printed In Bradford, 1715 ed., p. 20 Bukelt, p. IKi.]

An Act for the Treasurers paying tie

Moneys therein mentioned.

[Passed, September i, 1714.)
TIE IT Enacted by the OoTemonr Council and Assembly and by the Authority of the Same, That the Treasurer of this Colony Due, out of the publique Money now in or that shall hereafter come into his bands, pay unto Roger Mompesson Esqp his Executors Administrators or Assigns the Sum or Quantity of Nine hundred Seventy Ave Ounces of Sevill Pillar or Mexico plate for hia Services done t this Colony for three Years, ending the thirteenth Day of June last past in this present Year of Our Lord One thousand seven hundred, and thirteen; And that the Receipt or Receipts of the said Roger Mompesson bis Executors or Administrators or Assigns to the said ^Treasurer shall be a aufBcient discharge unto him for the Same.

[CHAPTER 287.1

[Chapter 297, of Livingston & Smith and Van Scbaack. where the title only Is pi'hitcd. Title only la printed la Bradford, 1715 ed., p. 2 JBaskett^ p. l^-l

An Act for the Treasurers paying the Arrears Due to the Clerk, and Door-keepers to the General Assembly of this Colony, And Paying the printers Salary.

[Passed, September 4, 171-1-1
Be it Enacted by His Excellency the Govornour Council and General Assembly, and IT IS hereby Enacted by the Authority of the

Digi-jzedbyGoOglC

Siinif, Tliat tUe Treasurer of this Colony for tbe time being shall is hereby required and directed to pay in good plate of Sevill, Pil and Mexico, or Dollars and half Dollars equal to the Value of thirteen pennyweight and eighteen Grains each Dollar, or Value in Bills of Credit of this Colony, out of any publiek Money that is or shal tome into his hands, to Gabriel Ludlow Clerk to the Assembly, the Widow of William Churchill late Doorkeeper, and Cornelius Post the present Doorkeeper to the Assembly, such Sum and Sums of SToney respectively as shall appear under the hand of the Speaker

of the said Assembly for tbe time being, to be due to the Persons said. The IJeceipts of which said several & respective persons their executors or Assigns, shall be to the Treasurer of this Colony a sufficient discharge for so much as any of the said persons shall r of tbe same.

AXD BE IT further Enacted by the Authority aforesaid. That the said Treasurer shall likewise pay unto William Bradford, his Execu-tors or Assigns, the Sum of four hundred and twenty-flve Ounces ot good plate for three Years Salary, ending the thirteenth Day of Jiine Anno one thousand seven hundred and thirteen. And the Sum of One hundred Ounces of plate for Printing the Bills of Credit mad Current in this Colony in the Tenth Year of Her Majesty's Beign. And the Sum of fifty five Ounces of good plate for two and twenty liooka of Acts of Assembly delivered by Order of tbe House of General AsBembly of this Colony. And The Receipts of the said William Bradford his Executors or Assigns for the several end •-espective Sums shall be to tbe said Treasurer a sufficient Discharg

[CHAPTER 28&]

[No law Is Inserted under this chapter number. This chapter nnmber I onittted from I.irlnKstoD & Smith, apparently by mistake of the print and Is iQeiclv Inserted here In order to preserve uniformity of numb la conformity therewith.]

[CHAPTER 289.]

[Chapter 288. of LlvlnestoD & Smith and Van Scbaack, where the title only Is printed. Printed In full In Bradford. 1715 ed., p. 203; Bas ISO. Livln^ton & Smith nnd Van f^('haack, state that the act was i-ppenlcd by the King, January 20, 1721.)

An Act for shortening of Law Suits, and
Regulating the Practice of the Law,

[Passed, September 4, 1714.]
Be it Enacted by Govemour, Council and General Assembly,
^nd it is hereby Enncffd by the Authority of the same, That
106

. ... tioogle

every Peraon on whom a Capias ia served b.v the Sheriff, or other Proper Officer, shall enter his Appearance at the Court to which the said Cnpias is Returnable, or give in Special Bail to the Action, aa the Law and Nature of the Cause requires; and in case such Person do's Neglect or BefuBe to enter such Appear-ance, or give such Speciiil Bail, as aforesaid, the Bail Bond shall be Assigned, uuless tlie Court do's think fit to allow a further time for the putting in of special Bail, which They may do at their Discretion; Always Provided, such time shall not exceed the Term of Twenty Days in the Supreme Court, and Ten Days in the Inferiour Courts.

And be it Enacted by the Authority aforesaid, That every Plaintiff shall File his Declaration in the Clerks Office during the Bitting of the Court, to which each Capais is Retamable; op in case time is allowed by the Court, at or before the Expiration of sach time so allowed, and shall give Oyer Of the Specialties or other Instruments mentioned in the said Declaration, together with Copies of the same, to the Defendant or his Attorney, or leave them In the Clerks Office, on Penalty of being Kon-suited, in Case the Plaintiff or his Attorney neglect to do the same.

And every Defendant shall File his Plea in the Clerks Office and give Oyer of such Instruments as are mentioned in ye said Plea, together with Copies of the same to the Plaintiff or his ' Attorney, or to the Clerk of the Court in which the Declaration ts Uk'd, nitliin such time as is hereafter Directed, That is to say to the Clerk of the Supream Court within Ten Days after such Declaration is filed, and to the Clerk of any Inferiour Courts of common Pleas, within Twenty Days after the Declaration is filed, and if the Defendant shall Neglect or refuse to enter his said Plea within the times by this Act directed and appointed: That then and in such Case, Judgment shall be enter'd against him for Boch his Default.

And if it BO happen y't Replications or Rejoynders are Neces-sary to be made, such Replication shall be filed by the Plaintiff In the Clerks Office of the Supream Court, within twenty Days after the time appointed by this Act for filing the Plea, and in t Clerks Office of any of the Inferiour Courts of Common Pleas, within twenty Days after the time appointed by this Act for filing Ihe said Pleas or be non suited. And the Rejoynder shall be filed by the Defendant in the Clerks Office of the Supream Court within twenty Days after the time appointed by this Act, for fil-

ing the Replication and in the Clerks Office of any of the Infer-

ionr Courts of common Pleas within twenty Days after the time appointed by this Act for Filing the said Replication, and if the Defendant Neglect or Refuse to file such Rejoynder within the time prescribed by this Act, then Judgment shall be enter'd against the said Defendant bo Neglecting, for snch his Default; and where fnrther pleadings are not Necessary, Issue shall be Joyned, and the case tryed the next Court after that to which the Capias was returned; and where further Pleadings are Necessary, the time of such Pleadings shall be appointed by the next Court following.

And be it further Enacted by the Authority aforesaid, That the Plaintiff shall come to Tryall the next Court after Issue Joyned, or be Non suited, unless the Court see cause to the contrary; And if the Defendant do's not appear upon the Tryal, the PlaintUC shall Proceed In his Default.

Provided always and it is hereby further Enacted by the Authority aforesaid, That in case of a Nonsuit, or Judgment by Default, no Execution shall Issue thereupon till after the next Court following such Non suit or Judgment by Default.

And be it Enacted by the Authority aforesaid, That every Person desiring the same, shall be permitted and allowed to enter Appear-ance, and plead his own cause or causes himself, or by his Attorney or by both, in any Court of Record within this Colony,

And be it Enacted by the Authority aforesaid That all Process shall be sealed by the Respective Clerk of each Court of Record wit this Colony, and ye Writs of Capias shall be signed underneath on the right hand by the Clerk, and on the left by the Plaintiff or Attorney, otherwise the Writ shall abate.

And be it Enacted by the Authority aforesaid, That every Attorney on filing a Declaration or Plea in any Cause, shall enter his Warra of Attorney, and leave a Coppy thereof in the Clerks Office, under the Penalty of paying all the Costs, And the Action shall Discon-tinue. And every Attorney having undertaken, or that shall undertake to Plead a Cause or Causes, shall manage the same, until it be fully Determined (unless Discharged by his Imployer)

under the Penalty of paying all the Cost and Damage that shall be sustained by his Imployer or Imployers, if the cause shall happen to Miscarry through his Default, to be recovered by such as shall be agrieved, from such Attorney or Attorneys by Action of Debt in any Court of Record within this Colony.

And l)e it Enacted by the Authority aforesaid. That when any Nonresident of the County where the Action shall be brought, shall

. '.".oogle

take out a Writ of Cupais against aa Inhabitant, be shall give bond unto ye Defendant, with Security dwelling in the said County, in the I'enalty of ten Pounds upon Condition to pay the Costs if Cast Kon suited, Discontinue or withdraw liia Suit without Consent of the Defendant, which Bond ehall be left with the Clerk of that Court in which the Action is commenced. And when any Non resident of this Province shall take out a Writ or Capais against any Person within this l^vince, He shall give Bond unto the Defendant, with Security, dwelling in the said Province, in the Penalty of Ten Pound upon condition to pay the Cost if Cast, None suited, Discontinue or withdraw his suit without the Consent of the Defendant which Bond shall be left with the Clerk of the Court in which the Action ia Commenced. And any Clerk Neglecting to take such security, shall pay the Defendants Costa, to be recovered, as aforesaid. And in all Actions above the Value o(Ten I'ounds, the Defendant shall give special Bail, if required, except in Actions of Slander, Quare Clausum freigit. Assault and Battery, unless it be otherwise ordered by the Court.

And be it Enacted by the Authority aforesaid, That no Person or Persona whatsoever, after Publication hereof, shall Commence, sue or Prosecute any Suit or Action whatsoever, in ye Supream Court of Judicature of this Colony, wherein the true and real cause of Ac shall not exceed the sum of Twenty I'ounds of Current Money of this Colony, over and above all the Costs and Charges of the Suit (Except where Titles of Land are any ways concerned) under the Penalty of paying to the Defendant all hia Coats & Damages which shall Accrue by such Prosecutions to be recovered by Action of Debt in any of the Inferiour Courts of common Pleas within this Colony.

And be it further Enacted by the Authority aforesaid, That no

Suit or Action Whatsoever (except where Titles of Land are con-
cerned) shall be removed fror the Inferiour Courts of Common Pleas
nf any County within thia Colony, by habeas Corpus, or any otherwise
unless by Writ of Error after Judgment given, except where the sum
or value of the Suit or Action Commenced, as aforesaid, shall exceed
the aum of Twenty Pounds, Current money aforesaid. And if any
Person or Persons ahall Bemove, any Action contrary to the true
Intent and meaning of thia Act, he she or they so offending shall
to the party or parties injured all the Coats and Damages sustained
by Btich Removol, to be recovered as aforesaid, any Law Custom, or
TTaage, to the contrary Notwithstanding.

And be it further Enacted by the Authority aforesaid. That If any
Person or Peraons shall bring a Writ of Error upon a Judgment
obtained in any of the Inferiour Courts of Common Pleas, Betum-

DgizedbyGoOgiC

aUe to the Supream Court, such Person or Peraons shall give Security
w'itbia tec days after the Writ of Error ia brought, to prosecute h
Writ of Error to Effect and to pay Double the Costa of the other
party, if the Judgment giTen Ib the said luferiour Courts shall be
affirmed.

Provided always. That no Execution shall Issue upon such Judg-
ment of the Court of Common Fleas, after the Plaintiff in Error hath
given Notice to the Defendant, by showing him or his Attorney the
said Writ, unless He shall Neglect to give in security as aforesaid.

And be it further Enacted by the Authority aforesaid, That all
Process, Pleadings, Entries and Proceedings Whatsoever, in all the
Courts of Judicature within this Colony shall be in the English
Tongue.

THE SIXTEENTH ASSEMBLY.

First Sessimt.
(Began May 3, 1715, 1 George I; Robert Hunter, Governor.)

[CHAPTER 290.]

[Utiapter 290, of LlvlDgston & Smith and Van Scbaack, wbere the titl onlr is printed. Friuted in full In Bradford, 1715 ed., p. 222; Bas p. 215, Expired, July 19, 1720. but provided for by chapter 532.]

. . An Act for Preserving of Oysters.

[Passed, May 16, 1715.]

Be it Enacted by the Governour Council & General Assembly & by the Authority of the same, That from & after the Publica- tion of this Act, it shall not be Lan'fuU for any Person or Persons Whatsoever {Native free Indians only excepted) from & after the first day of May, until the first day of September Annually to gather, Rake, take op, or bring to the Market, any Oysters what- soever, under the penalty of Twenty shillings for every Offence, to be recovered before any of His Mat'ys Justices of the Peace, who are hereby Authorized & required to hear & finally Deter- mine the same, one half thereof to him, her or them, that shall IH^secute the same to Effect, & the other half to the Poor of the place where the Offence shall he Comitted. ^

And be It further Enacted by the Authority aforesaid That it shall not be La^'full for any Negro, Indian or Maletto Slave to Sell any Oysters in the City of New York at any time whatsoever, upon the Penalty of Twenty Shillings for every Offence to be paid by the Master or Mistress of Such Slave or Slaves, to be recovered and applyed as aforesaid. This Act to be in force from the PubH- cntion hereof During the term of five Yeares, & no Longer.

. Google

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 291.]

[Chapter 291, of Livingston & Smitb, where the act Is printed in fn Chapter 291 of Van Schaack, where tbe title only la printed. Printed fnU In BradfortI, ITU ed., p. 236; Baskett, p. 208. See chapter 2

An Act for the better Explaining One Act of General Assembly past in the Year of Our Lord One thousand seven bundred aud

fourteen Eotitnled, An Act for paying and discharging the several Debts and Sums of Money Claimed as Debts of this Colony, to the BeTeral Persons therein named; And to make and enforce the Currency of Bills of Credit, to the Value of Twenty seven thousand six hundred and eighty pounds for that Purpose. Also, to make void all Claims and Demand* made or pretended to be due from this Colony before the first Day of June, One thousand seven hundred and fourteen And to prevent this Colony from being in Debt for the future. tPaBBed, Mar IB. 1715.1

FOR the preventing and resolving all disputes, doubts and nfis- constructions that have been made, or may happen and arise, in, about or upon One Act of General Assembly, made and past in the Y^car of Our Lord One thousand seven hundred and fourteen, Kntitulcd, An Act for paying and discharging the several Debts and Bums of Sloney Claimed as Debts of this Colony, to the Beveral persons therein named and to make and enforce the Cur- rency of Bills of Credit to the Value of Twenty seven thousand six hundred and eighty Pounds for that purpose. Also, to make void all Claims and Demands made or pretended to be due from this Colony before the first Day of June, One thousand seven hun- dred and fourteen And to prevent this Colony from being in Debt for th'; future, BE IT Enacted by the Govemour Council and <Seneral Assembly, And it is hereby Declared and Enacted by the Authority of the Same, That nothing in the said Act is meant or intended, or shall or may be construed to extend to hinder, barr or exclude any person or persons whatsoever, having any just Claim or Demand on this Colony, who at the Time of the making aud passing One Act of General Assembly, made in the Eleventh Year of the Reign of Her late Majesty, Queen Anne, (of blessed

Digi-jzedbyGoOgiC

Uemor;) Eotituled, An Act to appoint CommissionerB to Examine anil State the eeveral Claims alleged as Debts of the Oovernment, Or at the time of the making and passing The said Act of Assem- bly, Entltuled, An Act for paying and discharging the Several Debts and Sums of Money Claimed as Debts of this Colony, &

Was within the Age of Twenty one Years, Feme Covert, Kone compos Mentis, Imprisoned, or Beyond the Seas, BUT that all and every sach person or persons, having any just Claim or Demand on this Colony, after their coming to, or being of full Age, Dis- covert, of Sane Memory, fit Large, and returned from beyond the gieaa, (or in Case of his, her or their remaining beyond the Seas, by his, her or their Attorney, Agent or CommlBsioner) Shall and lawfully may make and pursue any such their just Claim and Demand, and obtain and have such Remedy and Relief, as if the said Act of Assembly, Entituled, An Act for paying and discharg- ing the Several Debts and Sums of Money Claimed as Debts of this Colony, &c., had never been made, Any thing in the eame or any other Act of Assembly to the contrary hereof in any wise notwithstanding.

[CHAPTER 292.1

[Chapter 292, ot Livingston & Smith, where the act Is printed In MI Chapter 202, or Van Schaack, where the tlUe only la printed. Printed full In Bradford, 1715 ed., p. 207; Baakett, p, 204. Contlnned by c 803. See chapter 431.]

An Act for a Supply to be granted to hia Majesty for supporting his Government in the province of New York & for Striking Bills of Credit for that Purpose.

[Passed. July 6, 1715.1
FOB the better defraying the publick and necessary Charges and Expenses of this his Majesties Government BE IT ENACTED by the Qovemour Council and General Assembly And It Is hereby enacted by the Authority of the same That from and after the first day of July in this present year there be raised levycd Collected & paid the several and respective Dutys & Ouatoma hereafter specifyed which are hereby given and Granted unto his Majesty his heirs and Successors for the space and Term of five years.

FOR every pipe of Wine that shall be imported into this Colony directly from the place of Its Growth production or Manufacture the sum of seven Ounces and a half of plate of the Spanish Coins of S pillar or Mexico or the value thereof in Lyon Dollars or half Dolla at thirteen jwnnyweight and eighteen Grains each Dollar or In Bills

-!lc

of Credit Current in tljia Colony and so in proportion for all Grea & Smaller Quantity's imported as aforesaid.

FOB every pipe of Wine Imported from any other place then that of its Growth production or Manufacture the sum of fifteen Ounces cf plate aforesaid and so in proportion for a greater or iaaser Quantity.

FOB every Gallon of Rum Brandy or other Distill'd Liquora imported directly from the place of its production or manufacture tbe sum of gfteen Grains of plute aforesaid.

FOB every Gallon of Bum Brandy or other Distill'd Liquors not directly imported from the place of its production or Manofacnire or imported in any vessel which has Traded TrafBckqued or Broke Bulk in any other port or place after the same has been loaden on lioard here and before her c(Hning into this Colony, the sum of thi Oraina of plate aforesaid Cases of Evident necessity only excepted.

FOB every hundred weight of Cocoa imported directly from the place of its Growth or from any Island part or place of the West Indies one Ounce of plate aforesaid

FOE every hundred weight of Cocoa not directly imported from the place of its Growth or from any I^nd part or place of the West Indies Two ounces of plate aforesaid

FOB all European Goods imported into this Colony from Boston twelve Ounces and an half of like plate for every hundred pounds value prime Cost & bo in proportion for a greater or Smaller quanti

FOR all European Goods Imported into this Colony from any other of his Majesties plontationa Eighteen Ounces and three Quarters of]ilate aforesaid for every hundred pounds value prime Cost so Imported & so In proportion for a Greater or smaller Quantity

FOB every Negro imported directly from Africa in Vessels wholly own'd by the Inhabitants of this Colony five Ounces of plate afore- said and no Greater or other sum whatsoever any former or other Law to the contrary hereof in any wise Notwithstanding.

FOR every Negro or other Slave imported from the West Indies Twelve ounces and a half of plate aforesaid & no greater or other whatsoever nny former Law to the contrary hereof notwithstancling

FOR the Tonnage of all Vessells trading into or out of this Colony the sum of seven penny weight and an half of plate aforesaid fw each Ton and no Greater or other sum whatsoever Coasting Sloops bclonj^ng to the Massachusetts Bhode Island Connecticut or New Jersey ivliilst their Navigation is to & from those parts Ships dire from Great Britain Ships and other vessells built in this Colony or wholly owned by the Inhabitants thereof only excepted any former Law to the contrary notwithstanding

D,g,;,zeclbyG00gIC

ASD bo it further Enacted by tlie Authority aforesaid that for the Elfectuall collecting the aforesaid Dutiei) imposed hy this Act OD the Tonnage of vessells & on Negroes in manner aforesaid the person or persoiis appointed or to be appointed for Collecting the same shall be invested with all & every the powers and Author- ilys mentioned and Contained in an Act of General Assembly of this Colony past in the thirteenth year of her late Majestys reign Entituled an Act for levying & paying the several Duties therein mention'd for the use of this Colony and the said respective Dutys shall be Levyed Collected & paid under the same pains and pen- al tys Kegulutions Restrictions Conditions & forfeitures & in like manner and method as is prescribed and directed in and by the said Act any Law Custom or usage to the Contrary in any wise ttotwithstajiding

AND be it further Enacted by the Authority aforesaid that all Bread & flower exported from this City of New York be brought to his Majes^s Beam & weighed and that there be paid for weighing the same unto his Majesty his heirs and Saccesaors the snm of. ten Grains of plate aforesaid for every hundred weight so weighed. PROVIDED nevertheless that all & every person or persons inclinable to Transport any Bread or flower without weighing the same which they are hereby permitted to do shall l>e obliged before he or they ship the same to Deliver a Copy of bis or their entry of said Bread or flower made by him or them In the Custom House to the weighmaster or his Deputy and at

the same time pay unto the said Weighmaster or his Deputy for the use of his Majesty his heirs and Successors the snm of five Shillings for every sixteen half Barrells of flower & two shillings six pence for every eight Barrells of Bread & so in pro- portion for a greater or smaller quantity. And that all Cocoa whether Imported or Exported be brought to the Beam aforesaid and weighed & that there be paid to hia Majesty bis heirs and Successors the sum of thirty Grains of plate aforesaid for tvery hundred weight of Cocoa so weighed & so in Proportion for any greater rpiantity, And be it further Enacted by the Anthority aforesaid that for the better & more Regular collecting, & paying the rates and Dutys hereby given and Gninted for the weighing the goods Wares & Merchandizes before mention'd All & every piTBon & persons who shall Export from or Import into the City of New Torli any of the anid Goods Wares and Merchandizes of the weight or Quantity aforesaid without weighing the same at
107

:yGoogIe

his Majestjs iieam and auBwering & paying the rates and Dutya tifurcsuid shall forfeit & pay' the sum of ten shillings for every huDdi'cd weight so imported or Exported as aforesaid contrary to the meaning of tliis Act without weighing the same at his Majestys Ueam as aforesaid to be recovered before any one of his WajeBtys Justlceu of the Peace of the said City one half to bis Majesty his heirs and Successours and the other half to him who shall prosecute or sue for the same and for the Due & orderly collecting the rates & Dutys before imposed on Wine Rum Brandy or other Distill'd Liquors and European Goods and Cocoa & for pieventing frauds and Embezlements of those rates & Dutys BE IT further Enacted by the Authority aforesaid that the Master Mate or Purser of all and every Bhip or Shipps Vessel or Vessells That shall come into any Creek port or Hariwur within this prov- ince to Trade or Trafflckque shall repair and Come to his Majestys Custom house and there make report of all such parcell or parcells of Goods Wares or Merchandises as he or they hath or have on board his or their Ship or Bhips Vessel or Vessells and also Declare upon Oath that he or they have not broke Bulk since his or their arrival within this province before he or they made such Report as aforesaid And all Merchants who hare any

Goods Wares or Merchandizes on board any such Ships or Ves-
sells as aforesaid shall at the said Custom House make a true
and Distinct entry of all and every such parcell or parcells of
Goods Wares or Merchandize as he or they hath or have on board
all or any and every such Ship or Ships Vessell or Vessells as
aforesaid And if any Difference shall arise about the value of the
European Goods so entred the Collector for the time being or his
Deputy is hereby Authorized and required to administer an Oath
to all and every such person or persons making such entry as
aforesaid That the said entry la according to the Invoice or
Invoices sent to him or them from the place or places from whence
such goods or Merchandizes did come And if the Collector
or his Deputy shall not rest Satisfyed therewith the Merchant
or Merchants entring such European goods shall give proof upon
Oath to the value of the same as near as may be and pay the
Duties accordingly And be it further Enacted by the Authority
aforesaid that if any Jfaster Mate or purser of any Ship or Vessel
whatsoever or any Merchant ftactor or other shall Break Bulk or
land any Goods Wares or Merchandizes whatsoever before he or
they make report & entry and pay or secure to be paid the Dutys

DigiMzedbyGoOglC

hereby imposed All the G«ods bo landed or taken from on board
without or before report and entry made shall be forfeited one
third part whereof to be to bi» Majesty his heirs and Successonrs
to be apply'd to the Support of his Majestys Goverment in this
Colony one third part to the GoTernour of this Colony for ye time
being and the other third part to the person who shall sue for the
same by Bill plaint or Information in any Conrt of Record within
this Province where no Essoin Protection or Wager of Law shall
be allowed.

AND be it further Enacted by the Anthority aforesaid that
all and every person & persons importing into this province any
European Goods Cocoa Wine Rum Brandy or other Distilled
liquors shall upon entring the same pay to his Majesty his heirs
and SaccesBours the Duties herein before given & granted thereon
or well and SntQciently secure the same to be paid as aforesaid
within the Space of three months from the day of the entry
thereof and if any person or persons shall refuse or Delay to pay

or secure to be paid the said Duties that then and in snch Case it shall and may be It^wfull for the Collector to take and Detain the said European Goods Cocoa Wine Rum Brandy or other Dis- till'd Liquors for the space of three months or untill the Duty given by this Act is and shall be paid and Satlsfyed and if the Dntys be not paid within the said Three months that then the Collector shall & may at the Expiration thereof expose to sale the Goods Wares and Merchandizes so detain'd returning to the Owners the Overplus if any be the Duties and Charges of the sale being first deducted.

PROVIDED always and it is hereby further Enacted that if the Owner or Importer of any Cocoa shall upon the Importation thereof enter into Bond to his Majesty with SuflQcient surety in the penalty of twenty pounds for each Ton to export the same or any part thereof directly to Great Britain within the apace of fifteen months from the time of its Importation That then and in such Case the Owner or Importer shall pay the afore mentioned Duty or Dntys for no greater or other Quantity then such as he Khali not as aforesaid enter into Bond to Export in manner before menlion'd And in case such Owner or Importer shall neglect or refuse to export the Quantity which he or they shall so as afore- said Oblige themselves to Export in the time mention'd in the Bond thnt then he or they shall pay the aforesaid Dntys respec- tively given on the said Cocoa & be debarr'd from the benefltt

Digi-jzedbyGoOglC

of any Drawback tbereon tho' he should at any Time after Export it Aud to prevent any frauds or Abases the Exporter of any Cocoa - ^hall at the time of his Entring the same for Transportation make Oath That the same is all op such part of such a parcell or Quan- tity of Cocoa imported into this province at such a time in such a Vessell from such a glace expressing the parcell or Quantity of Cocoa imported the time when the Vessells name & from what place or if the said Exporter shall have bought the Cocoa so by him eutred for Exportation from any other person or persons in this province then he shall give proof by the person or persons from whom he bought the same or by- the person or p'sons who Imported the same that the said Cocoa so by him entred for l^xporlation is all or such part of such a parcell or Quantity of

Cocoa imported into this province at such a time in such a Vessell from such a place expressing the Quantity imported the time when the Vessells name & from what place as aforesaid AND BE it furtlicr Enacted by the Authority aforesaid That the several £ respective Dutys hereby laid and given shall be paid to the Trca"r of this Colony for the time being who is "hereby impowered to receive the same

AND be it further Enacted by the Authority aforesaid That upon the Importation of any European Goods Cocoa Bum Brandy or other Distill'd Liquors aforesaid the owner or Owners Importer or Importers thereof shall give to the said Trea'r a Copy of the entry of the respective Quantitys of the several Ovods aforesaid so by him entred with the Collector and pay or secure to be paid for the same the Duties aforesaid and (hat upon such payment or Security given the said Treasurer shall give to the Importer or Owner aforesaid without ffeo or reward a Certifi- cate signifying that the Duty for such and such Quantitys of Ooods Wares and Merchandizes as are by him Imported are paid or secured to be paid upon which Certificate the Collector shall p'mitt the Owner or Owners Importer or Importers to unload and land the said Goods Wares and Merchandizes and not otherwise.

AND IJE IT FURTHEK enacted by the Authority aforesaid y't ye afore mention'd Dutys on Negroes and the Tonnage of ^'es- sells & the Dutys given for weighing at his Majesties Beam shall be paid to the Said Trea'r by the respective Officers appointed or to be appointed to collect & receive Those Duties when & so often as they shall be thereunto respectively required by

Digi-jzedbyGoOgiC

^aid Treu'r whose receipt ahall be a Sufficient discharge for the same

AND WHEBEAS the Indian Xations are very much wavering iu their faith & Allegiance to ye Crown His MajestjB fforla & ffortiQcatioQS in this province very much gone to Decay & the necesaitj of bis Majestyg Goverment in many Cases such as well and Do Demand a more speedy Supply then can from time to time

com*! in by the Duties Given by this Act BE IT THEREFORE Enacted by the Authority aforesaid that Bills of Credit to the value of fifteen Thousand Ounces of plate shall be forthwith printed That Is to say Two hundred Bills of twenty fire Ounces of Plate or ten pounds value each two hundred Bills of twelve ounces and one half of plate or five pounds value each two hun- dred'Bills of Ten Ounces of plate or four pounds value each two hundred Bills of five Ounces of plate or Two pouuda Talue each One Thousand Bills of two Ounces and an half of plate or twenty shillings value each One Thousand Bills of one Ounce & a quar- ter of plate or ten shillings value each Twelve hundred Bills of twelve pennyweight and an half of plate or five shillings value ■each On which Bills shall be impressed on the left side of the snid Bills about the Middle of the side the Arms of the City of New York & the said Bills shall be la Form following, vizt: ■

THIS INDENTED BILL OF Ounces of Plate or

Due from the Colony of—New York to the pos- sessor thereof shall be in value Equal to money and ahall be accepted accordingly by the Trea'r of this Colony for the time being in all publick payments & for any fond at any Time in the Treasury dated in New Tork the first day of July 1715 By order of the Gtovernour Council & General Assembly. Which Bills shall be signed & Numbered by Robert Walter John Cmger David Provoost Junr and John Reade Esq'rs or any three of them and in Case of the Death removal or refusal of any of the said p'sons the said Bills shall be signed & numbered by the Major part of the persons abovementioned then alive Which Bills of Credit to be made & Issued by virtue of this Act shall be and Continue Current for and during the space & time of five years to be computed from the days of their respective Dates and shall be received & paid for the same value & be Equal to the Current Coin passing in this Colony for goods or any other thing boucht nnd Sold by all persona whatsoever residing In and passing through this Colony according to their rates and the tender of

Digi-jzedbyGoOglC _

the said Bills lor payment or Discharging of any Debt or Dehts Bargain Sale of any Land or Lands or other things Bonds Mort-

gages Specialtys and Contracts whatsoever sliall be as Effectnal In the Law to all Intents & purposes as if the Current Silver Ccri of this Colony had been oflEered & tendered for the discharge o(the same or any part thereof AND be it further Enacted by the authority aforesaid That if any p'sou or p'sons Creditor or Cred- itors Obligee or Obligees and partie or parties to any Contraci Covenant Bargain or Agreement whatsoever already made or hereafter to be made at any time during the Coirfncy of tUe said Bills shall upon Tender of all or any theit Debts Dues and Demands wtiatsoever or any part of them in the Bills of Credit made Current by this Act refuse to Accept or receive the said Bills of Credit in Discharge of the said Debts Dues or Demand! or any p't of them according to their values and rates he she or they so refusing to accept the said Bills of Credit in Dischai^ as aforesaid shall loose the said Debt or Debts sum or sums of money or such part of the same so refused and they and every of them their & every of their Heirs Executors or Administrators shall for ever be barr'd from bringing his her or their Action tor the Recovery of the said Debt or Debts sum or sums of money so refused as aforesaid And the Defend'ts may plead this Act in Barr to any Action or Actions that shall be so Commenced Be it further Enacted by the Authority aforesaid That if any person or persons whatsoever within this Colony shall at any Time during the Currency of the said Bills offer to Sell or Expose to Sale any Goods or Chattels Lands or Tenements whatsoever and Deny or refuse to sell or ask a greater value for the same unless payment be made in Current silver Money Gold plate Dol- lars or other Specie whatsoever and not in the said Bills of Gi^dit fwhereby the Credit of the Said Bills may be impaired) Then and in such Case the person so exposing to sale and refusing as afore- said shall if the goods or Chatties exposed to Sale be under the value of five pounds forfeit the sum of forty shillings for each offence to be recovered before any Justice of the peace upon the Oath of any two Witnesses And if the Value of the Goods or (Chatties Lands or Tenements be above five pounds and onder fifty pounds the Exposer to sale shall forfeit the sum of five pounds and if the goods Or Chatties Lands or Tenements b'' above the value of fifty pounds & under one hundred pounds the Exposer to sale sliall forfeit the sum of ten pounds And if the

Digi-jzedbyGoOgiC

value of the Goods or Chattels Lands or Tenements be above one hundred pounds the Ezposer to sale shall forfeit fifty pounds to he recovered hy Action of Debt in any Court of Record within this Colony with Costs of suit the first forfeiture to the use of any p'son that sluill sue for (the same, the other Three forfeitures the one half thereof to the use of such p'son as shall sue for) a prosecute the same to Effect the other half to the use of his Majesty his heirs and Successours to be applyed towards the Support of the Goverment of this Colony any Law Custom op usage to the Contrary in any Wise Notwithstanding.

AND BE IT ENACTED by the Authority aforesaid That the persODS appointed for the signing of the said Bills of Credit shall Take an Oath before any Justice of the peace of this Colony for the true signing and delirering of all the said Bills of Creditt & no more than w't is mention'd in this Act to the Trea'r of this Colony according to the true Intent and meaning of this present Act

AND be it Enacted by the Authority aforesaid that ye Quan- tity of plate that each Bill shall be Current for and the value of the same shall be printed on the Top of each Bill.

AND be it Enacted by the Authority aforesaid That Robert W'alter John Cruger David Provoost Junr & John Reade afore- said appointed hereby to sign the Bills of Credit made Current by this Act shall for such their service have paid unto each of them or each of their Executors or Assigns by the Trea'r afore said in Bills of Credit made Current by this Act the sum of thirty seven Ounces of plate and a half as a reward for their Trouble in signing numbering Compairing & Cancelling the Bills afore said and the Trea'r of this Colony Is hereby directed to pay the same accordingly anything to the Contrary in this Act in any wise Notwithstanding.

AND be it Enacted by the Authority aforesaid that If any pepj sons or p'sona w'tsoever shall presume to Counterflt any of the said Bills he or they being Convicted thereof shall incur the pains and penaltys of felony without benefltt of Clergy & shall Suffer accordingly

AND that the said Bills may be trucly and bona fide sunk' aa the fond arising by virtue of this Act is paid onto the Trea'r of this Colony for the time being Be it Enacted by the Authority

aforesaid That the Treasurer of this Colony shall yearly retain in his hands the sum of three Thousand Ounces of plate out of the

first money yearly arisiog by virtue of this Act ^hich said Sum uf three Tliousaad Ounces of plate bo retained in his bauds shall jearly & every year on the first day of July during the Continuance of this Act & on the first day of July w'ch shall be in ye year of our Lord one Thousand sevtu hundred & twenty by the Trea'r aforesaid Be given in Exchange for Bills of Credit made Current by this Act to any p'son or p'sons bringing in the same And the said Bills of Creditt shall on or before the Expiration of one month after the said first days of July yearly be sunk and destroyed in the presence of the said Kobert Walter John Cruger David Provooat Junr & John Iteade or the Major p't ot them then alive having first Compared the said Bills with Their Counter parts & entred in a Book to be kept for that purpose the Number and value of each Bill of Credit so sunk & Destroyed.

AND be it enacted by the Authority aforesaid that the Trea'r aforesaid shall within one month after the publicatioD of this Act take the following Oath Vizt, I, A. B, appointed Treasurer of the Colony of New York will faithfully and truly discharge the Trust reposed in me as Trea'r of the same I will not Issue Dispose or apply or cause to be Issued Disposed applyed or paid any moneys that now is or may hereafter come into my hands as Trea'r aforesaid otherwise then is or shall be db*ected by this or any other Act or Acts of the General Assembly of this Colony and I will keep true and faithfull Acco'ts of all the money or Effects that is or may come into my hands or pos'sion & that shall be Issued and paid by me by virtue of any such Acts with the times of my receiving & paying of the same so help me God Which Oath shall be Administred by any one of his Majestys Council or any Justice of the peace in this Colony who are hereby impowered & required to administer the same

PROVIDED always & it is hereby further Enacted That in Case the said Robert Walter John Cruger David Provoost Junr OP John Eeade aforesaid shall happen to dye or refuse to Act or remove beyond the Seas before the Duties and services hereby required of them be p'formed and accomplished y't then & in such Case the Gov'r for the time being with the advice & Consent of Ihe Council may appoint and Nominate the like Number of other

Substantial ffreeholders of the City of New Y'ork to execute all and every the powers hereby given to the aforesaid Kobert Walter John CniKer David Provoost Jnn'r & John Reade who shall con- tinue in like manner To Execute The same till others he appointed

Digi-jzedbyGoOgiC

hy Act uf Oeoeral Aesembl; and receive the aame reward for tiieii- services herein in the same proportion as ia before directed to be paid to the said Bcbert Walter John Cruger Barid Provooat Juu'r & John Beade.

AUD be it further Enacted by the Authority aforesaid that the Trea'r of this Colony shall pay or Cause to be paid the Bills of Credit hereby made Current and likewise all & every sum & :iunis of money y't shall come to hia hands by virtue of this Act over and above the said Bills of Credit to such p'son & p'sons & in such manner as he shall from time to time be directed by Warr't or Warrants to be past in Council under the hand & Seal of the (iovernonr or Gommand'r in Chief of thla Colony for ye time being by and with the advice & Consent of the said Council Which Warr'ts endorsed by the persons to whom they are made payable shall be a Sufficient discharge to the sold Trea'r. Which Warrants ahall be numbered & paid in Course according to their Xumber And to the end the Trea'r may at all times know what Warranta are Drawn the Clerk of the Council for the time being U hereby directed & required immediately after the Drawing of any Warrant or Warr'ts to signifye to the Trea'r under his hand Ihe name or Names of the p'aon or p'sona to whom auch Warr't or Warr'ts are made payable together with the stuna & Numbers of the same

PRO^'IDED always & it is hereby Enacted by the Authority aforesaid that the Trea'r of this Colony shall nevertheless pay or Cause to be paid in Bills of Credit hereby made Curr't to all & every the Members of the General assembly of this Colony ten Shillings P. Diem for each Day they have served or shall serve from the first day of this present session of Assembly to the flrat day of January next ensuing upon a Certificate to be produced to him by each & every the said Members signed by the Speaker of the said Assembly for the time being Expressing the Number of

Days that each Member has attended the Service of the said General Assembly within the said time and the receipt of each of the said Members endorsed on his Certificate shall be a Sufficient discharge to the said Trea'r for so much AND be it further Enacted by the Authority aforesaid that the Certificate for the Speakers service in the house shall be signed by the Majority of the house & the Trea'r is hereby ordered to take notice of it & p it accordinclv and the sd. Sppakera receipt shall be a Discharge to the said Trea'r for so much
108

D,g,;,zeclbyG00gIe _

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 293.]
[Chapter 203, ot Livingston Sc Smitb and Van Scbaacb, where the act printed la full. Printed In full iu Bradford, 1T15 ed., p. 216; p. 211.]

An Act declaring that all Persons of Forreign Birth heretofore Inhabiting within this Colony and dying Seized of any Lands Tenements or Hereditaments shall be forever hereafter Deemed Taken and Esteemed to haTe been Natoralized, and for Naturalizing all I'rotestiints of Forreign Birth now Inhabiting within this Colony.

[Passed, July 6, 1715.]
WHEIbEAS by Letters Patents under the Great Seale of Fin- land Dated the Twelfth day of March in the Sixteenth year of Charles the Second the Soyle and Government of this Colony was by the Said King given and granted to his then Dearest Brother James Duke of Yorlc his heirs and Assigns and amongst other the Powers therein and thereby given to the Said Duke it was granted that it Should and might be Lawfull for the Said Duke his heires and assigns or any of them at all and every time and times there- after to take lead carry and transport for and towards the Plan- tation of this Colony not only any of the Subjects of his then Majesties Realmes and Dominions but any other Strangers who would become Subjects to the said King and live under his

alliegance AND whereas by the Articles made on the Surrender of this Province to the Crown of England it was among other things Stipulated that all People Should continue free Denizous and enjoy their Lands and houses wheresoever they were within this Colony and dispose of them as they Pleas'd That any People might come from the Netherlands and Plant in this Country And that any of the then Military Officers and Soldiers belonging to the Dutch Garrison that would Plant Should have Pivcty Acres of Land Set out for them. AND whereas in Pursuance of the Said Articles made on the Surrender aforesaid and in order to Invite itnd encourage people to come and Settle in this Colony and Improve the same Sererall Letters of Denization were given by Severall Governors Setting forth that the Persons receiving the Same Had by virtue of the Articles made on the Said Surrender and the Said Tjetters of Denization Privilege and Power to Pur-chase receive take have hold buy and Possess any Lands Tene-

Digi-jzedbyGoOgiC

inenta or hereditamentB within this Government and them might Occupy and enjoy give Bell alien and bequeath as they Should See cause AND whereas tor the Invitation and farther Encourage-ment of People to come and Settle in this Colony and in order to quiet the minds of his Majesties Subjects then Inhabiting the Same Sir Edmond Androsse then Governor of this Province wnder bis Boyall nighnesa then Duke of Yorlt in a Proclamation by him Emitted the Ninth day of November One Thoueand Six hundred Seveanty four by command of the Said Dulie did Pro-fjlaime and declare that all former Grants FrivilegeB or Con-cessions before that time granted And all Estates Legally Fosseat by any under his Boyall Highness before the late Dutch Govern-ment were thereby confirmed and the Poasessors by virtue thereof to remain in Quiet Possession of their Rights. AND whereas for the farther quieting the minds of hia Majesties Subjects of Forreign Birth Inhabiting this Colony and for the farther Invitation and encouragement of Such as would come Inhabit and Improve the Same An Act of the Generall Assembly of this Province was assented to In the year One thousand Six hundred Eighty three by the then Governor Colonel Thomas Dongan Entitnled An Act for Naturalizing all those of Forreign ITations, at present Inhabiting within this Province, and Pro-

fessing Christianity, and for Encouragement of others to come and Settle within the Same, And Exprest in the following words, "FORASMUCH as Several persons of divers Forreign Nations, Professing Christianity, now are, and for divers Years past have been actual and Settled Dwellers and Inhabitants within this Province, under the Allegiance of his Majesty of Great Britain, oar Dread Sovereign, and the obedience of his Roya! Highness, and So desire to continue and remain, and Be Naturalized, and become as his Majesties Natural bom Subjects, Be it Enacted by the Governor, Councill and Representatives now asaembled, and by the Authority thereof. That all and every Such person or persons of what Forreign Nation Soever they be, Professing Christianity, and that now are actuall Inhabitants within this Province, and have taken or Subscribed or that shall take or Subscribe to the Oath of Allegiance, are and Shall be hereby Naturalized, and in all Respects be accounted and esteemed as his Mfijesties Naturall Born Subiects, and shail have and enjoy nil Such Privileges, ffreedoms and Immunities within this Province, as other his Majesties Subjects do, have or enjoy, Pro-

.,■, Cookie

vided nothing contained in this Act U to be construed to discharge or Set at Liberty any Servant, Bondman or Slave, but only to have Relation to such persons as are free at the making liereof. AXD be it further declared and Enacted by the authority aforesaid, That all and every person and persons, Forreigners, of what Xatiun Soever, Profeasing Christianity, that at any time hereafter shall come and arrive within the Said Province, with an intent to become bis Majesties Subiects, and to dwell. Settle and Inhabit acc6rdingly, and take the Oath of Allegiance to his said Majestic, and Fidelity to his Royal Highness, the Lord Proprietor of this Province, every Such person or persons may be Naturalized by Act of Assembly, and from thenceforth shall in all respects be Accounted, Deemed and Esteemed as his Majesties Natural Born Subiects, and shall have and enjoy all Such Privileges, ffreedomes and Immunities within this Province, as other his Majesties Subiects have and enjoy. AND whereas Pursuant to the Powers granted to the then Duke of Yorit Several Strangers, willing to become his Majesties Subiects, and live under his allegiance, were Imported into this Province, and did

Settle in and Improve the Same, acquiring to themselves, with the consent and approbation Of the Government, Set'eral Lands, Tenements and hereditaments. AND whereas on a flnne Dependance on the Publick ffaith, for the Inviolable adherence to and ffaithful performance of the Articles made on the Sur- render aforesaid, many of the Subiects of the High and Mighty States of the United Provinces, remaln'd in this' Colony, as bis Majesties Subjects, and quietly held and enjoyed the Lajids they were possest of, and acquired other Lands, Tenements and here- ditaments within the Same. AND whereas by the Inritationfl and great Encouragements given by the Governors of this Prov- ince, under his then Royal Highness, and Particularly the great Encouragement given by the before recited Act of Assembly, assented to as aforesaid, great numbers of Protestants of (foreign Birth, did come and Settle in this Colony, to the great increase of Trade and Navigation, and considerable Improvement of this Prov- inco. AND whereas by many Intermarriages, Wills, DePds of Sale, and other mean Conveyances in the Law, Several Estates, Lands, Tenements and Hereditaments formerly Possest by persons of Forreign Birth or Extraction (who Settled in this Province on the motives before Exprest) have been and are become the Possessions, Iriinds, Tenements and hereditaments of his Majesties Natural born Subiects of his Ejngdoms of Great Britain or

Ireland, or Some of the Dominions thereunto belonging, THERE- FORE to render his JIajesties Subjects Secure in the quiet and peaceable enjoyment of their Several Estates, Rights and Proper- ties, prevent any doubts, controversies or disputes that may hereafter arise upon or concerning the true meaning. Intent and vallidity of the before mentioned Powers granted to the Duke of \ork, the Articles made and agreed to on the Surrender, The Ijetters of Denization, Proclamations, Invitations, and Act of Assembly, or any of them, and to Settle and Quiet the minds of his Majesties Subiects Inhabiting in this Colony, WE Pray that it may be Enacted by the Governor, Oouncill and Assembly, and 'tis hereby enacted by the Authority of the Same, That all per- enns of fforelgn Birth, now deeeas't. Inhabiting and being within this Colony at any time before the first day of November, One thousand Six hundred and Eighty three, and being Seiz'd of Lands, Tenements or hereditaments, shall for ever hereafter be deemed, taken and Esteemed to have been Naturalized, and ontituled to all the Rights, Privileges and advantages of any of

the Natural born Subiects of this Colony; and all bequests, Ifceds, Grants, AND mean Conveyances in the Law, made or done by any of them, shall be deemed to be as effectual to all intents and purposes whatsoever, as if they had been done and Executed by any of his Majesties Natural bom Subiects of this Colony. And any p'son or persons holding any Lends, Tenementa or hereditaments, by, from or under any Such person ot persons of ftorreign Birth, shall be deem'd to be, and is hereby as fully and Rightfully Entituled to the Same, to every intent and purpose whatsoever, as if Such person or persons had held by, from or under any of his Majesties Natural born Subjects of this Colony, And be it Enacted by the authority aforesaid. That every person of fforreign Birth now alive, and who did Inhabit within this Colony before the Said first day of November, in the year of our Lord One Thousand Six hundred Eighty Three, shall for every hereafter be deem'd to have been Naturalized, and Shall enjoy all the Rights, Privil(^es,and advantages that any of his Majesties Natural! Bom Subiects of this Colony, do, or of right ought to enjoy, And any DeWse, Bequest, Deed, grant or mean Convey-ance In the Law, heretofore made by any Such person of fforreign Birth, shall be as effectuall, to all purposes and Intents whatso-ever, as if the Same had been done and Executed by any of his Majesties Natnrall Bom Subiects of this Colony And be It Enacted by the Authority aforesaid, That all persons of fforreign Birtli,.

who have come and Inhabited in this Colonj, at any time bince the Said year of oup Lord One thousand Six hundred and Eighty Three, and Purchaa'd any Lands, Teneements or heredita-ments, and Convey'd the Same by mean Conveyances in the Law, or dyed Seiz'd of the Same, Every Such person shall forever here-after be Deem'd, taken and Esteemed to have been Naturalized, and any Bequest, Deed, grant or other mean Conveyance in the Law, made, done or executed by any Such person or persons of fforreign birth, as aforesaid, and now dead, shall de Deem'd, taken and Esteem'd to be as good, valid and Effectuall in the Law, to all Intents, constroctions and Purposes whatsoever, as If the Same had been made, done or Executed by any of his Majesties Natural! born Subjects of this Colony, and the heiree. Grantees, Legatees, feoffees of any Such person or persons of fforreign Birth, as afore-said, holding any Lands, Tenements or hereditaments, by, from or under any Such person or persons of forreign Birth, shali have, hold, enjoy, Possess, Occupy and be entituled to the Same,

as fully and Rightfully, as if the Said Lands or Tenements had descended from, or been granted and convey'd by any of his Majesties Satnrall Bom Subiects of this Colony, Any Law, Custom or Usage to the Contrary hereof in any wise notwithstanding. And be it further Enacted by the authority aforesaid. That all persons of fforreign Birth, being Protestants, now alive and Inhabiting In this Colony, shall be, and hereby are declared to be his Majesties Xatnrall Subjects, and Shall enjoy all the Rights, Privileges and advantages that any of his Majesties Naturall Born Subiects do, or of right ought to have and enjoy. Provided always, and it ia hereby Enacted, That every Such persons now alive shall within nine Months after the Publication hereof, take the Oaths by Law appointed to be taken, in Stead of the Oaths of Allegiance and Supremacy, Subscribe the Test, and make, repeat and Swear to, and Subscribe the abjuration Oath, in any of his Majesties Courts of Record within this Colony, which Said Courts respectively are hereby authorized and required, upon application to them made, to administer the Same, and take the Subscriptions as aforesaid, and cause the Names of the Person and Persons So Swearing and Subscribing, to be entred ui>on Record in the Said Court, for which every person and persons is hereby required and directed to pay the Rum of Six shillings Current Money of New York to the Judge of the said Courts respectively, and three Shillings to the Clerk. And be it further Enacted by the authority aforesaid.

Tliat if an; person or persons having So Sworn and Bubacribed as aforesaid Shall demand a Certificate or Certificates of hie being entred upon Record in manner aforesaid the Said CO'Urt or Courts are hereby directed and required to grant the Same under the hand and Seale of the Judge of the Said Court or Courts Bespectively Counter Signed by the Clerk of the Said Court, for which Certificate every Such person or persons requiring the Same, shall pay, over and above the Nine shillings beforementioned, the Sum of Three shillings, One half to the Judge of the Said Court or Courts Bespectively, and the other half to the Clerk thereof; which Said Certificate or Certificates shall at all times be a Sufficient proof of the person or persons being Naturalized by this Act, as if the Record aforesaid were Actually produced by them, or any of them. PBOVIDED always, and it is hereby farther Enacted, That in case it So happen, any of the persons now alive, of Forreign Birth, abovementioned, stiall depart this

life before the Term of Nine Months be expired, or before Publi-cation of this Act, every Such Pnwtn So departing this life, as aforesaid, shall notwithstanding be Deem'd and esteemed to have been his Majesties Naturall Subject, as fully as if he or she had been Born within this Colony, or had taken the Oaths aforesaid, any Law, Custom or Usage to the Contrary hereof in any wise notwithstanding.

[CHAPTEB 294.]

tCbapter 294. of Livingston & Smltb and Van Scbaacfa, wbere tbe titl only is printed. Printed Id full In Bradford, 1715 ed., p. 223. Tit is printed In Baskett, p. 216. Provided for by chapter 32C]

An Act for Laying a Duty on Ooods Sold by Auction, Vendue or Out-Cry.

[Paaaed, July B, 1715-1
Be it Enacted by the Govem'r Council & General Assembly of this Colony of New York, & by the Authority of the same, That there be given & Granted to his Majesty his Heirs ft Successors, for every Hundred Pounds Current Mony of New- York of Goods Merchandizes Slaves & other things whatsoever tliat shall be sold within this Col Ht Pnblick Auction Vendue or Out-Cry (Goods belonging to the Crown, the Excise Houses Lands Ships ft Vessells Goods & Effects of all Beceas'd person Exposed to Sale by Executors or Admlnistrator'B, or Goods taken in Execution, only excepted) the Sum or Quantity of Tenn Ounces of Plate, from the pnblication of this Act Daring the Space of three Years.

Digi-jzedbyGoOgiC

AND BE IT further Enacted by the Authority aforead, That tor the better Secureing the payment cf the Duty on all Goods Sold at Auction or Vendue, the Vendue Master, or whatsoever other person or persuns shall Expose any of the afores'd Goods, Merchandizes, Slaves & other things whatsoever (Except what is before excepted) at publick Auction or Guf-Cry, Hhall at the expira'con of every three Months, or within fourteen Days after, give an exact & true Account to the Treasurer of this Colony for the time being upon Oath which Oath the Treasurer of this Colony is hereby Impowered to Administer,

of all Goods aad other things abovemen'coned by him or them sold hy Auction Vendue or Out-Cry Charficahle by this Act & pay or cause to be paid to the said Treasurer of this Colony for every Hundred Poun Value Sold as aforea'd the Summ of Tenn Ounces of Plate, to be applied to such tise or uses as the Govern'r Council ft General Assembly shall think fltt.

AND BE IT further Enacted by the Authority afores'd, That every Vendue Master within this Colony or such other person or persons aa shall Sell any of the Goods & Effects liable to pay the Duty as a said in publick Vendue, shall in a Itook for that purpose keep an Exact Account of all such Goods & Effects as be by him or them So by Publick Vendue Out Cry or Auction Chargeable by this Act & for liis trouble & pains, for keeping the said Books, rendering the Accounts & paying in of the Mony by him them ft Each of them to the Ti'easurer of this Colony, shall retain in his hands the Summ o five per Cent of whatever he or they shall pay unto the Treasurer this Colony for ye time being.

AND BE IT further Enacted by the Authority afores'd That if any Vendue Master or Vendue Masters within the Colony shall expose to Sale at any time or times hereafter any Lott piece or parcel of Go Wares or Merchandizes under the real Value of Tenn Pounds Current mony of this Colony (Except the Goods belonging to the Crown, Houses Lands, Ships or other Vessels, Goods & Effects of all Deceased persons, exposed to Sale by Exectito'rs or Administrato'rs or Goods taken in Execution) every such Vendue blaster or Vendue Masters shall for e^ery such Lott piece or parcel of Goods, so by Exposed to Sale aa afores'd, forfeit the Rum of fifteen I'ounds Curr Mony of this Colony, the one half to his Majesty his heirs & Succe for the use of the Colony, & the other hidf to the person or pers who shall Sue for the same, to bo Recovered in any of his Majestys Courts of Record within this Colony, wherein no Essoin Protection or Wager of Law, or any more than one Imparlance shall be allowed.

AND BE IT further Enacted by the Authority afores'd That if the

H;-,:.tll:yG00gIC

Vendne Master, or whatever person or persons, that shall Expose any Qooda Merchandizes or other Effects whatsoever (Except as above

excepted) at Puhlkk Auction Vendue or Out Cry shall neglect, deny or refuse to give an exact Account & pa; in the mony for all such Goods & other Effects Sold by him or them as aforesaid, at the expira'con of every three Months, or within fourteen Days after, to the Treasurer of this Colony, every such Vendne Master or other Person so offending shall forfeit for every such Offence double the I>nty imposed by this Act, if the same can be discovered or for wa thereof the Sum of Fifty Pounds Current mony of this Colony, to be Becovered by the Treasurer of this Colony for the time being, by Action of Debt, in any Court o' Becord within this Colony, to be appHed to such use as the Govem'r Council & General Assembly shall think fltt

AND BE IT further Enacted, That if the said Treasurer shall neglect to Sue the Vendue Master or other Person offending as above expressed, he shall forfeit for every such neglect the Sum of Sixty Pounds, And be accountable to the Govern'r Council & General Assembly for so much.

AND BE IT further Enacted by the same Authority, That the Vendue Master or other Person Selling Goods or other Effects by way of Auction Vendue or Out Cry shall Yearly during the Continuance of this Act Enter into Recognizance to his Majesty' his Heirs & Successors in Two hundred & fifty Pounds with Sufficient Sureties, to be approved of by the Speaker of the General Assembly for the lime being, to pay the Dutyimposedby this Act, & tofullfili & Comply with every Article & Clause therein, relating to the said Vendue Master or other Person exposing Goods by Publick Vendue Auction or Out Cry, And if any Vendue Master or other Person as afores'd within this Colony, shall neglect deny or refuse to give ye Surety him and them required by this Act, every such Vendue Master or other Persons as aforesaid so neglecting, denying or refusing to give such Surety as afores'd is henfl>y declaired incapable of executing that office, until such time as hr: or they shall give the Surety this Act is required and forfeit to his Majesty his heirs & Success the Sum of Ten pounds for every parcell of Goods Sold Chargeable by this Act before such Security given to be Sued for & recovered by Treasurer of this Colony to be paid and applied as before expresst.

AND for the better Enabling the Vendue Master or whatsoever Person or Persons that shall Sell Goods at Vendue, Auction or Ont Cry to receive & pay in the Dutys arising by this Act within ye

byGoogic

respective times bereio before Limited & appointed, BE IT Enacted by the Autlioritj aforesaid. That if any person or persons, Owner or On-D€rB of any such Goods so Sold as aforesaid, & for which the Du herein before expressed shall become dne, shall after such Sale thereof & demand of the said Duty by the said Vendue Master or any other person or persons selling the same, neglect or refnse to pay the said Vendue Master or other person or persons the Duty arising on such Goods as afores'd; that then it shall & may be Lawful! for the s'd Vendue Master or other person or persons, & he or they are hereby fully impow«*ed & Authorized on such demands and non paym'ts thereof to distralne the tioods & Chattels of such person or persons so refusing or n^lecting as aforesaid, & the distress so taken to keep for the Space of ten Days at the Cost & Charges of Owner thereof, and if the Owner do not pay the said Sum or Sums of mony so distrained for within the said ten Days, then the said distress to be publickly Sold by the said Vendue Master for the paym't of the said mony & the overplus coming by the Said Sale (if any there be) over & above the Charges of taking, keeping & Selling the a'd distress to be immediately restored to the Owner thereof.

tOHAPTEB 295.]

[Chapter 295, of LIvtagstoD & Smltb and Van Scbaack, wbere the title ODly l8 printed. Printed In full In Bradford, 1715 ed., p. 229. Tit Is printed in Baskett, p. 216. Expired, July 6, 1718. Revived by cb 4S5.]

An Act for the Encouraging Navigation.
[PaBsed, July 5. 1715.]
Be it Enacted by the Governour Council & General Assembly and by the Authority of the same, That any Tavemkeeper, Ale-house-keeper or Victualer, within the City of New York, Kings County and Queens County, who shall trust or Credit any Sea-man, Master or Commander of any Ship or Vessel, Excepted belonging to any Ship or Vessel that is in, or shall hereafter come into the Hoad or harbour the City of New York, for any Sum or Sums of money Exceeding the Sum of Six Shillings Current mony of this Province every such Tavern-keeper Ale-house-keeper or Victualer shall loose every snch Sum & Sums of mony, exceeding the Sum of Six Shillings, as atare-said, & no Writ or Process shall lye against any Sea-man as aforesa

at the Suit of any Tavern-keeper, Ale-house-keeper or Vicfnaler within the said City of New- York, Kings County or Queens County, for any greater Sum than Six Shillinga, as aforesaid. And be it

DgizedbyGoOgiC

Enacted by the Authority aforesaid, That every Tavern-keeper, Ale-house-keeper or Vietualer within the City of New Yorlc, Kings County or Queens County, who shall truat or give credit to any Seaman that is out of Service, for any greater Sum tlian twelve pence per day long as he shall be out of Service, shall liliewiBe loose the same, Writ or Process shall lye against tlie Sea-man at the suit of any Tavern-keeper, Ale-house-keeper or Vietualer, witliin the City of New York, Kings or Queens County, for any greater Summ, ttian the proportion of Twelve pence Pr Day, During the time that such Sea-man shall be out of Service, Except Masters, Commander of Ships OP Vessels, as aforesaid. And be it further Enacted by the Authority aforesaid, Tliat in case it shall so happen, that any Person or Per (to defeat the intent of this Act) shall take any Bond,Bill or Spec whatsoever, from any Sea-man in trust, for (except as before excepted or to the use of any Tavern-keeper, Ale-house-keeper or Vietualer for any Sum or Sums of mony Exceeding the Sum of Six Shillings aiores'd all & every such Bonds Bills or Specialties shall be altogether void Null and of none Effect, any Custom, Usage or Law to the contrary ha*eof in any wise notwithstanding. And any Person or Persona takeing any such Bonds Bills or other Specialties shall & may by ye Jndgeor Justices of any of his Majesties Courts of Justice, be exam-ined on his, her or their Corporal Oaths, of and concerning such Bon Bills or other Specialties and shall declaire upon the Oath aforesaid how and in what matter the Sum or Sums of mony mentioned in such !Bcnds, Bills, or other Specialties, became due unto the Persona claiming the same; and if the party examined shall refuse to Discove the same. Judgment shall be given as if such Bonds, Bills, or other Specialties, had been taken contrary to the true intent & meaning of thiB Act

And he it further enacted by the authority aforesaid, That no Tavern-keeper, Ale-house-keeper or Vietualer within the City of New York shall pntertain or keep in his house any Sea-men, except as before excepted in Actual Service on hoard of any Ship or Vessel in the Port of New York, after the hours of ten at Night, under the

forfeiture of Twenty Shillings, to be recovered before any of his Majestys Justices of the peace, One half to be apply'd to the use the Poor in the said City, & the other half to the Informer that aoe for the same. Thia Act to remain in force for three Years from the Pabllca'con hereof and no longer.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OP KEW YORK.

[CHAPTER 296.]

ICbapter 286, of Ltvlngston & Smith and Van Bchaack, where title ont Is printed. Printed In full In Bradford, 1715 ed., p. 222. Title on printed In Baekett, p. 216. See chapter 260. Rerlved by chapter

An Act for ReviTemg an Act Entituled an Act for the better Settleing the Militia of this Province, and makeing it more Useful for the Becuritj and Defence thereof, and for Kepeale ii^ all former Acts heretofore made in this Proviace relateing to the sanie,

[Passed, July 5, 1715.]
BE IT ENACTED by the Governor Coancill and Assembly And it ia hereby Enacted by Authority of the same, That an Act Entituled, an Act for the Settleing the Militia of this Province and making it more usefull for the Security and Defence thereof, And for Bepealeing all former Acts heretofore made in this ProTinra relateing to the same, made in the fflrgt Year of the reigne of ha late Majesty Queene Anne of blessed Memory, Expired by its ovn Limitation, Shall be of fforce trom the Publication hereof untill the fflrst day of November which will be in the Yeare of our Loid One thousand Seven hundred and 'Sixteen.

{GH AFTER 297.]

{Chapter 297, of LMngslon & Smith and Van Schaack, where the title only iB printed. Printed in fnll In Bradford, 1715 ed., p. 231. Tit la printed In Baskett. p. 216.]

An Act for building a County-House and

Prison in Dutchess County, within this Colony.

[Passed. July 21, 1715-1

BE IT Enacted by His Excellency the G^vernour and Council, and Assembly, AND IT IS hereby Enacted by the Authority of the Same, That the Justices of the peace for Dutchess County in this Colony, the Major part of them, are, and are hereby Authorized, impoweivd and required within Forty Tlaya next and after the Publication of th Act, to meet together at such place or places within the said Count as unto them shall seem meet, And then and there Issue forth their Warrant or Warrants, under their bands and Seals, to the Constable cff Constables of the said County,requirinsthem,and every of them. to warn all the Free-holders inhabiting within the said Coanfy, that the assemble and meet t<^ther at such time and place within the said

Digi-jzedbyGoOgiC

County, aa b; the said Justices in their said Warrant or Warraiita ahall be directed, and then and there by Plurality of Voices, to el and appoint two able and sufficient Free-holdera of, and inhabiting i the said County, to be Supervisors and Directors, for the building and erecting a County-Houae and Prison within the said County, at such a convenient place as to them shall be meet and convenient, fo the most ease and benefit of the Inhabitants of the said County.

AND BE IT further Enacted by the Authority aforesaid, That the said Twa Supervisors and Directors are hereby directed and required to cause the said Counfy-Hoxise and Prison to be built and erected, manner aforesaid, within two Years next and after the Publication

hereof.

AND BE IT further Enacted by the Authority aforesaid, That for the defraying the necessary charges for the building, erecting and finishing the said County-House and Prison aforesaid, witliin the time aforesaid. There be /aised, levyed, collected and paid by tlie free-holders. Inhabitants, residents and sojourn-ers of and in the said County, within the time of two years next ensuing, in such parts and proportions, as the said Supervisors and Directors, shall think fit, to them the said Sa Tisors and Directors, such Sum and Sums of Money as they sliall think requisite and necessary for the same, Provided the same do not exceed the Sum of Two hundred and fifty Ounces of good Mexico, Pillar or Sevil! Plate; which said Sum is to be raised, levyed, col paid and disposed of, for the uses aforesaid, in such way, and in like manner, and under such pains and forfeitures, and under such regulations and directions, as all others the due and necessary ctia^ of the said County are by Law raised, collected, paid and disposed for the uses nevertheless as aforesaid, Any Law, Usage or Custom to the contrary hereof in any wise notwithstanding.

[CHAPTEE 298.]
[Chapter 208, ot Llvfngston & Smith and Van SchBBck, where the title only iB printed. This at^ Is not In Bradford, 1715 ed. Title printed In Baskett, p. 215.]

An Act to enable Sarah Crego the widd of Bichard Crego late of the City of New York Marriner Dece'd to Sell a Lott of Land in the said City.

[Passed, July 21. 1715.]

WHEREAS the said Richard Crego at the time of his Decease waa

Seized of & Stood possest of a certaine Lott of Land lying and bei

within the City of New York on the Eastside of William street

bounded on the south by Tuenis D'Key on the north by Naltie

. LiOOglc

Clopper and on the eaat by Geesie van Cleif containing in breadth i Front & rear twenty four foot & in Length on the North Bide One bundred Sixty two foot and Longer on the South aide. AND WHEBEAS it appeares to the House of RepreHentatives that it waa the Will & Intent of the said Richard Crego in hia Life time & at time of his Decease that the above mentioned Lot of Land should be Disposed of by Sarah the wife & Executrix of the said Ricliard Cr^o for the mainteinance & Education of his Children, but by reason of Ihe unskilfulneas of the Cleric who writ the will of the said Richa Ciego, the said Sarah Crego is not fully Impowered to Sell the said Lott of ground according to the Intent and meaning of the Testator, BE IT therefore Enacted by his Excellency the Oovern'r Council and General Assembly & it is hereby Enacted by the Authority of the Same that the said Sarah Crego widdow & Executrix of the said Richard Crego is by this Act Impowered & authorized to Sell & dis- pose of the before mentioned Lott of ground, & to Signe Seal & Deliver a Deed of Conveyance thereof unto any Person or Persons whatsoever, which Deed of Conveyance made & Executed as afore- said, shall at all times hereafter be deemed & Esteemed a good valued & Sufflcient Title in the Law, to all Intents Constructions & purposes whatsoever, as if the said Richard Crego liad Executed a Deed of Conveyance for the same in his life time, & the purchaser the said Lot of ground is by this Act Invested in & Entitiiled to Estate in fee Simple, Saving to all & every person or persons whats ever any Rjght Claime or Interest to the said Lot of Land other the the Heires of the said Richard Crego, any thing liereinbefore to the Contrary notwithstanding.

(CHAPTER 299.]

[Chapter 299, of LIvttiKston & Smith and Tan Schaack, wtiere the tit only ia printed. Printed In full Is Bradford. 1715 ed., p. 227; Baa p. 221.1,

An Act for discharging of Capt Peter Van Brugh and Hendrick Hansen Esq'r of the City of Albany of for and concerning the Prorisiona Ammunitions and other Stores of War formerly In their hands belonging to this Colony.

[Passed, July 21, 1715.]

WHEREAS by an Act of the General Assembly of this Colony, made in the Tenth Tear of Her late Majesty's Reign, Entitnled, An

Act to appoint Commissioners to purchase Provisions and other neceasarys for the Expedition to reduce Canada, the said Capt Peter Van Brugh and Mr. Hendrick Hansen were appointed Commia-

sioners at Albany for the receiving and taldng care of tlie Proviaon aod other necessarys for the forces raised in tliis Coionj there, an the neceesary Transportation of the same, for the Expedition afore-said, and were also thereby Invested with sundry Powers and Authoritys for the executing of the Trust in them reposed. AND WHEREAS the said Capt Peter Van Brugh and Mr. Hendricli Hansen and each of them respectively have duly and faithfully exe-cuted the Trust in them and every of them respectively reposed by the beforementioned Act of Assembly, and have reflectively rendered their Accompts of the Stores of tliis Colony to the full Satisfactio the late General Assembly, According to the Directions of the last mentioned Act

BE IT therefore Enacted by His Excellency the Qovemour Council and General Assembly, AND IT IS hereby Enacted by the Authority of the Same, That the said Capt. Peter Van Brugh and Mr, Hendriclc Hansen and every of them their and every of their Heirea Executors and Administrators be and hereby are for ever discharged of and from all Debts Dues and Demands whatsoever for and concerning all and all manner of Provisions, Ammunitions, Stores of War, Sum and Sums of Money, Goods, Wares and Merchandizes and other Effects, Which came to their and every of their hands, belonging to this Colony, for the use of the said Expeditions against Canada respectively.

AND BE IT farther Enacted by the Authority aforesaid. That the said Capt. Peter Van Brugh and Mr, Hendrick Hansen and Every of them their and every of their Heirs Executors and Administrators be and hereby are and every of them ia and shall be for ever discharg of and from giving or making any further or other Accompt or Accounts relating or concerning the Matters aforesaid or any of them, They and Every of them hath and having fully and truly Accounted for the same, And they and every of them their and every of their Heirs Executors and Administrators are hereby Declared to be thereof from henceforth and for ever Quitted and Discharged,

[CHAPTER 300.]
[Chapter 300. of Livingston & Smitb ami Van Scbnack. wlien> t1ic tit

only Is printed. Printed In fuU In Bradford, 1715 ed.. p. 228
ts printed In Baskett, p. 2l7.

An Act for Repairing the County House
and Prison in the County of Ulster.

[Passed, Jnlj 21. 1715.]
BE IT Enacted by his Excellency the Govern'r Council and
General Assembly, And it is hereby Enacted by the Authority of

Ac

tlie Bame, That the JoBticee of the Peace for the County of Ulster
1q this ColODj or the Major Part of them are and be herehj'
Authorized, Impowered and required within forty Days next and
after the Publication of this Act to meet together at auch place
or places within the said County as to them shall seem meet, and
then and there by Majority of Votes Constitute and Appoint two
able and Sufficient Freeholders of & Inhabiting in the said County
to be Managers and Directors of Repairing the County house and
Prison in the said County of Ulster now standing and being.

AND BE IT further Enacted by the Authority aforesaid. That
the said Two Managers A Directors are hereby Directed ami
required to cause the said County house and Prison to be repaired
as aforesaid within Twelve Months next & after the Publication
hereof

AND BE IT further Enacted by the Authority aforesaid, that
for the defraying the necessary charges for the repairing the said
County house and Prison aforesaid within the time aforesaid,
there be raised, Levyed, Collected Sc. paid by the ffreeholders
Inhabitants and residents of and in the said County within the
time of Six Months next ensuing to the said Managers and
Directors such Summ & Summs of Money as they shall think
Requisite and necessary for the same, not exceeding ye Sum of
Two hundred and fifty Ounces of good Mexico pillar or Serill
plate, which said Sum is to be raised Lev^'ed Collected paid and
Disposed of for the uses aforesaid in such way and in the like
manner and under such paine & forfeitures and under such rega-
IfltioDB and directions as all other the due and necessary charges
of the said County are by Law raised Collected paid and disposed

of for the uses nevertheless as aforesaid, any Law, Custom or Usage to the Contrary hereof in any wise notwithstanding.

[CHAPTER 301.]

[Chapter 301, of LlTlnKBton & RniitU and Van Schnat^k, where thp tlU only iB printed. Printed In full In Bradford, 171& ed.. p. 229. Tit Is printed In Baskett, p. 217. Expired In 1716. Bee chapter 284.

An Act for Continuing an Act of General Assembly Entitnled an Act for appointing Commissioners to let to Parme the Excise thro'out this Colony.

[Passed, Jnly 2t, 1715.]
Be It Enacted by his Excellency the Govemoar Council & General Assembly, and It is hereby Enacted by the Authority of

the same; That one Act of Gt«Deral Assembly Eotituled, an Act for appointing Commissioners to Let to Farme the Excise thro' out this Colon;, made ia the thirteeDth Year of the reign of her late Ma'ty Queen Anne of bleased Memory, shal be & is hereby continued for and during the terme of one wboU Year, aftn* the Expiration of the said Act.

[CHAPTEB 302.]

[Chapter 302, of Llvlt^rston & 8m\tb and Van Scbaack, where the titl odIt U printed. This act ia not in Bradford, 171& ed. Printed in f Baskett, p. 2iai

An Act Declaring John SIobb free from the Duty of Tonnage.

[PaBsed, Jal7 21, 1715.]
WHEBEAS the said John Bioss by his Petl'con presented to the General Assembly hath set forth, that he having brought a Ves- sel built in the Colony of Conneticut to the Port of the City of New York. The Du^ of Tonnage was Demanded of him, pur- suant to an Act of Oeneral Aasembly, pass'd In the thirteenth: Year ot the reign of Her late Ma'ty, entituled, an Act for Levying paying the Several Duties therein men'coned for the Use of this

Colony. Notwithstanding he Is in the Actual possession of a Farme of considerable value lyeing & being in the Province of New Yorke, for w'ch he Annualy pays Quit Rent & the Usual Taxes & Is also a Freeman of the said City. Be it therefore Declar'd & Enacted, by the Governour Council and General Assembly & by the Authority of the same. That the said John Bloss is hereby Acquitted, Discharged, freed & Exempted, from paying the said Duty of Tonnage for the said Vessel, & the penalties, Fines & forfeitures, men'coned & Express'd in ttie said Act, as freely, Cleerly & absolutely to all Intents Constructions & purposes as any Inhabitants of the said Colony Are.

[CHAPTER 303.]

[Chapter 303. of LiTlogaton &. Smith and Van Schaaclt where the titl only la printed. This act is not in Bradford, 1715 ed. TiUe only i printed in Baskett. p. 220.]

An Act to Exempt Hannah Martin, Doct'r Christian Cooper & Mr. George Smith from paying of the Tax for twelve Negroes Imported from South Carolina.

(PaawMl. July 21. 1715.]

WHEREAS By A certain Act of Assembly of this province of New York pass'd (By his Excellency the Govem'r by and with the Advice

Digi-jzedbyGoOgiC

and Consent of the Council and General Assembl; and b; the Anthor-ity of the same) in the Months of Jane and July In the year 1714 Entitled an Act for levying and paying the Several Duties therein mentioned for the use of this Colony It is Enacted (amongst other things) By a Certain Clause in the said Act THAT there shall be paid the Duty of Tenn Ounces of good Plate aforesaid or In Bills o Credit made Current in this Colony the Value thereof by the Master or Commander of any Ship or Vessel or Owner of any Negro or other Slave that shall be Imported or otherwise brought into this Colony (all Negroes and other Slaves belonging to the Neighbouring Colonys, going to and from one Colony to the other for the Service of their Master or Mistress, or Mistresses only excepted) within forty Eight hours after the Arrival of the said N^^ro or other Slave.

AND that every Master or Commander of any Ship or Vessell shall within forty Eight hours after his Arrival within this Colony after notice given by the OflBcer appointed in the said Act for that purp make Oath before the Mayor of the City of New York or any Justice of the peace for the time being, what Number of Negroes or other Slaves he or they brought into this Colony and to whom Consigned And on his neglecting or refnseing to take such Oath shall forfeit pay fourty pounds Current Mony aforra'd to be recovered & Applied as afores'd (together with other Clauses & provisoes in the said Act recourse thereto being had may more at large appear).

AND WHEREAS since the a'd Act passed & published as afors'd Two several peti'cons have been presented to this Assembly the one by One Hannah Martin Late of Charles Town in South Carolina Widow setting forth as therein is sett forth & for the reasons ther men'coned praying to be Excused from payment of the s'd Dnty of Tpnn Ounces of Plate for five Negroes to witt three men called Coff Wappin & Sampson and two Girls call'd Pegg and Philtis latdy Imported by her into this Colony in the Sloop ilary and Constante Cap't Thomas Lynch Commander for every one of them from Charles Town In South Carolina on Acco't of the late riaeing of the Indians there and the other from Cap't Jacobus Dekey in the behalf of Doct' Christian Cooper & Mr, George Smith of Charlwi Towne in South Carolina afores'd Praying to be excused from paying the s'd Duty of Tenn Ounces of Plate for five Negro men called Tom, Sambo, Jack, Josca, Caesar for every one of them likewise lately Imported in the said Sloop into this Colony as aforoes'd which were consigned to the s'd Capt Jacobus Dekey for the use of the s'd Dr Christian Cooper also praying to he 35xcus'd for paym't of ye s'd Duty for one Indi Woman call'd Janne & her Daughter Nanny lately Imported in flie

Lq–,:.tll:yG00gIC

Bloop aforee'd for Each of them into this Colon; w'cli were conaigne to the s'd Jacobus Dekey for the use of Mr. George Smith for the reaaoD as men'coiied in ye pet'icon of ye s'd Capt. Jacobus Dekey reconrse being thereto had may more at large appeare.

BEE it Therefore Enacted By hia Excell'cy the Qovern'r by & with the Advice & Consent of ye Council & General Assembly of this

province And by the Authority of the same Ttiat notwitlistanding ye s'd already recited Act & ye Clause therein men'coned (w'ch Enacts ye paym't of ye duty of Tenn Ounces of good Plate afores'd or in of Credit made Current in this Colony for every such Negro or other Slave y't shall be Imported or otherwise brought into this Colony by ye Master or Comand'r of any Ship or Vessell or Owner of any Negro or other Slave in manner & forme aa in ye s'd already recited Act sett forth & Enacted for paym't thereof) That she ye s'd Hannah Martin Widow shall be & is hereliy Excused & Exempted from paym't of all or any part of ye s'd Duty for her aeveral N^roes c Coffee Wappin & Sampson Pe^ & Phillis so imported into this Colony as afores'd And that the said Doct'r Christian Cooper shall be & is hereby excus'd & Exempted from payment of ye s'd Duty for his five Negroes call'd Tom Sambo Jack Josca & Caesar so likewise imported as afores'd into this Colony And that ye s'd Mr. George Smith shall be ft is hereby Excus'd & Exempted from paym't of ye s'd Duty for hia s'd Negro Woman call'd Janne & her daughter Nanny according to the Prayers of ye Several Peti'cona of ye s'd Hannah Martin & C Jacobus Dekey any Clause or Provisoe in the s'd already recited Act or any other Act, Law, Usage or Custome to the contrary thereof in any wise notwithstanding.

PROVIDED Nevertheless that the said Hannah Martin Doctor Christian Cooper and Mr. George Smith shall respectively Give in iiufilcient security to his Majesty his heires and Successors to be Approved of and taken by ye OCBcer Appointed to Collect the before mentioned Duties in ye penal Sume of Twenty One Ounces of plate as aforesaid for every of ye respective Negroes and Slaves above men- tioned, That they shall well and truely pay or cause to be paid the beforementioned Duty of Ten Ounces of Plate for each of the said Slaves that shall he sold or Transferred at any time within One Year and a day from and after ye publication of this Act, Any thin in this Act Contained to ye Contrary hereof in any wise Notwith- standing.

Digi-jzedbyGoOgiC

[CHAPTEE 304.]

[Chapter 301, of Livingston & Smith and Van Schaack, where the tiUe oiu^ la printed. This act la not In Bradford, 1715 ed. Title printed In Baakett, p. 217. The act from which relief Is granwd

chapter 287.]

An Act to Eeleive Bobert Lurting Vendue
Master of the Province of New York from divers
penalties in a Certaine Act of Generall Assembly
made in the Twelftti Year of her Late Majesty
Entituled An Act for laying a Duty on Qoods
■Sold by pablick Vendue or Out-Cry.

[Passed, July 21, 171C>.]
WHiatEAS by the said Act (amongst other thhigs) it was Enacted
that the Vendue Master should at the end of every three moneths
give an Exact & true account to the Treasurer for the time beii^ u
Oath of Goods and other things by him Bold at publick Out Cry &,
onto the Treasurer for every hundred Pounds Value Sold Tenn
Ounces of plate for the nses therein men'coned & should in a Book
for that purpose keep an Exact Account thereof, And if such Vendue
Master should neglect to doe the same every three moneths he should
forfeit double the duty imposed, if the same can be discovered, or
Pounds to be recovered as is therein directed as by the said Act m
more at large appear. And whereas it hath appeared by the peti'con
of the said Robert Lurting Vendue Master, that he hath complied
w'th ye snid Act in all things according to ye Intent thereof, save
In ye respective times limited in ye s'd Act w'ch has been occarion
by ye s'd Vendue Masters not being sufficiently Impowered by ye s'd
Act to enforce ye paym't of ye s'd duty. Yet nevertheless he is
become subject to ye penalty thereof, &' for w'ch an Action hath be
com'enced in ye Supream Court by ye Treasurer of this province
against ye s'd Robert Lurting, which Action is still depending now f
ye releiving the s'd Robert Lurting, from ye s'd penalties according
to Equity & Justice the Act m all things being now fullflled, Be
enacted by ye Qov'r Council & Generall Assembly of this province
And it is hereby Enacted by ye Authority of ye same y't ye s'd Bo
Lurting his Goods & Chatties Lands & Tenements shall for ever
hereafter be acquitted & discharged & they are hereby acquitted &
for ever discharged off & from all penalties paines & for-
feitures by the said recited Act Imposed & by the said Robert Lurtin
incnrr'd & of & from all Action and Actions Information & Informa-
tions whatsoever for touching or concerning the same. ANT) BE
it further Enacted by the Anthwity aforea'd That the said Action

conenc'd by the Treasurer now dependiBg in tbe said Supream Court

against the said Bobert Lurting & all proceedinga thereupon, are hereby declared to be discontinued to all Intents & purposes whatsoever, & the Cheif Justice or Justices o(the Supream Court 8forei'd,and the Treasurer afores'd are hereby required to take notice accordingly & conform hereunto any thing in the said recited Act of General Assembly to the contrary hereof in any wise notwithstading. PROVIDED nevertheless that the said Bobert Lurting pay and discharge the Costs and Charges Expended by the said Treasurer in tbe said Action comenced as aforesaid.

[CHAPTER 305.]

{Chapter 306, of Livingston & Smltti and Van Schaack. where the act printed in full. Printed in full in Bradford, 171G ed., p. 233; Bae 220. Explained \>j chapter 740.]

An Act to oblige the Inhabitants of each particular Ward within the City of New-York to make good their respective Quota's of all pnbllck Taxes.

{Passed, July 21, 1715.]
WHEREAS some of the Collectors and Constables of the City of New York, who have had the Collecting of die Taxes, having got the Money into their possession, have with-drawn and removed Into other parts with the Money, and others have converted great part thereof to theii" own private uses, who have not Estate enough to make Reparation, which loss to the Inhabitants of this City is occasioned by a remissness and neglect in not choosing able and responsible Men to serve in the said OCBces; and heretofore Las been made good by a fredi levy upon the Inhabitants of the whole city; TO THE END therefore that this remissness and neglect be remedyed for the future; BE IT Enacted by His Excellency the Governour the Council and Assembly, And by Authority of the Same, That if hereafter any Collector or Constable of any Ward within the said City shall prove insolvent of the publick Taxes by him collected and received, or withdraw himself with the pnblick Money, so that It cannot otherwise be had and received, the Inhabitants of such Ward as have chosen Huch Collector or Constable so offending shall make good the loss and damage in that behalf, by a fresh levy upon themselves, and . not upon the Inhabitants of the whole City, as has been formerly. Any Usage or Practice to the contrary In any wise notwithstanding.

D,g,;,zeclbyG00gIC

AND BE IT further Enacted by the Anthority aforesaid, That all and every perBoo or persons within the city of New York, who shall be elected and chosen as a Collector or Constable, and shall refuse to execute that Office, every such person or Per- sons shall pay as a Fine for every such refusal, the Bum of Fifteen PoDDds Current Money of this Colony for the Use of the Corpora- tion of the said City, to be levyed by Warrant under the Seal of the said City, Signed by the Mayor thereof, for the Time being.

PROVIDED always, That no Minister, Physician, Chirur- gion. Clerks of the Council, Assembly, and Courts, Attorneys, or any Person that has served in a Superior Office in the Corporation of the said City, shall and may be Elected for Constables or Collectors within the Same, Any thing before in this Act to the Contrary hereof in any wise notwithstanding.

[CHAPTER 306.]

[Chapter 306, of Uvingston & Smith and Van Schaack, where the title only la printed. Printed In full In Bradrord, 1715 ed., p. 226. TlU la printed In Baskett, p. 21S. Expired, July 21, 1717.]

An Act for the Destroying Wolves In the County of Orange.

[PasBed, Jnlr 21, 1715.]

WHEBEAB the Inhaldtants of the County of Orange In this Colony Suffer great Losses in their Stocks, both of Sheep and Neat Cattle the Increase of Wolves in the said County. For preventing which, and Encouraging those who shall destroy Wolves in the said County

BE IT Enacted by his Excellency the Oovem'r Council and fleneral Assembly, And by the Authority of the same. That every person or persona inhabiting in the said County who shall kill any Wolf, and carry the head of it to any Justice at the Peace, such Justice of the Peace shall give him or them a Certificate to the Treasurer of the said County, who upon sight thereof shall pay to the Person inhabiting in the said County as aforesaid, the

Sum of four Shillings and Six pence Current mony of this Colony, and to any Indian or Slave so killing any Wolf, & bringing such Certificate as aforesaid, the Sum of Three Shillings money aforesaid.

AND BE IT further Enacted by the Authority aforesaid, That for Defraying the necessary charge of destroyii^ of Wolves, There be raised, Levyed, Collected and paid by the ffreeholders, Inhabitants, residents and Sojourners of & Inhabiting In the said

.., Cookie

Couity Buch Sum or Soma of moue; as to tbe Justices of the peace & SiDerrisors of the said County or the major part of them for the tuie being, shall from time to time seem requisite and neces- sary, lor the use aioresaid in such way & in like manner And under such pains & forfeiture and under such regulations and Directitna aa all other the Publick And neceaaary Charges of the said Cotnty are by Law raised, Leveyed collected and Paid, for the uses neTertheless as aforesaid, any Law Ueage or Custom ±d the contrary hereof notwithstandiDg.

AUD BE IT further Enacted by the said Authority That thifl Act shall be and continue in force Two Years from and after Qui PnbUoation hereof And no longer.

[CHAPTER 307.] ■

[Chapter 307, of Livingston & Smith and Van Scbaack,' where the titl ODl7 l8 printed. Printed In full In Bradford, 1710 ed., p. 232; Bas 21». Expired, July 21, 1720.]

An Act for the better Repairing the Forti- flcations of Schonectady in the County oJ Albany, And Providing their Military Watch with fflrewood.

[Passed, July 21, 171S.] ,
WHEREAS it is highly necessaiy That the Fortiflcations of th« Town of Schonectady in the County ot Albany, be kept in good Repair, BE IT therefore Enacted by Hia Excellency the Gorer:

nonr, Coancil and Assembly, And It is hereby Enacted by thd Authority of the 8ame, That it shall and may be lawful to and for tbe Justices of the Peace of the County of Albany, dwelling In the Town of Schonectady and precincts thereof, in the said C-ounty, or the Major part of them, to raise and levy upon all and every the Free-holders, Inhabitants and Sojourners, inhabiting and dwelling within the said Town and precincts thereof, and Out- Plantations to the same belonging yearly and once in everf Year, during the continuance of this present Act, for the Use Dt His Majesty, His Heirs and Successors, Thirty Ounces of Plate^ to be imployed by the said Justices of the peace for and towards the repairing of the Watch-honses and Gates of the said Town and for no other use and poirpose whatsoever. AS ALSO such and BO many Stoekados as shall be wanting for tbe Fortification* of the said Town, AND for so many Load of ffire-wood aa shall be necessary for the nse of their Military Watch, by equal pro-

Digi-jzedbyGoOgle ^

portions, according to the respectire EstateB of tlie said Free-holders Inhabitants and Sojoarners of the Town and precincts afor^mid.

AND BE it further Enacted by the Authority aforesaid, That the said Stockadoes, Moneys and flre-wood, to be levyed by Tirtoe of this Act, shall be raised, leryed, collected and paid in the sam and like manner as all other ptiblick Taxes of this Colony are used to be levyed, collected and paid (saTe only, that the said Stockadoes and flre-wood are to be brought to such place or places a« by the said Justices of the peace in the Town of Schenec tady, in each respective place, shall be Directed and appointed, at the cha^e of the party who shall be assesaed to deliver the Same) And more particularly according to the Bules and Direc-tions, and under the same and the like penalties and forfeiturea as were directed and appointed in and by an Act of General Assembly of this Colony, made and Enacted in the Eighth Year of Her late Majesty's Belgn, Entitnled, An Act for levying foor thousand pounds, as if the same had been herein particularly mentioned and exprest, Any Law, Usage or Custom to the con-trary hereof in any wise notwithstanding. PROVIDED always. That this Act, nor any Clause therein contained, shall be any

longer in force than five Years next and after the Publication hereof any thing herein contained to the contrary hereof In any jtrays notwithstanding.

[CHAPTER 30a.]

[Chapter 306, of Llvln^oo & Bmltb and Van Bcbaack, where the UQe only Is printed. Printed In fall In Bradford, 1T15 ed.. p. 220; Bag p. 218. See chapter 149.]

An Act for reviving and Continuing an

Act, Entituled, an Act to prevent the runing

away of Negroe Slaves out of the City &

County of Albany to the French at Canada.

[Passed, July 21, 171.M

WHEREAS an Act entituled, an Act to prevent the runing

away of Negroe Slaves out of the City & County of Albany, to the

French at Canada, made in the fourth Year of her late Ma'ty,

Queen Anne, of blessed Memory, is Expired by its own Idmitta-

tion, being only in force during the late Warr with the French,

which Said Act hath been of great Use to the said City & County;

BE it therefore Enacted by his Excellency the Qovern'r Council

& General Assembly and it is hereby Enacted by the Authority

D,g,;,zeclbyG00gIC

of the Same, That the said hereinbefore recited Act, & every Article, Clause & Thing therein mentioDed & Expressed, shall be, & is hereby Bevived, renewed, Continued & shaJ be in full force

from tlie Publication hereof, the Provisoe in the said Act men-
'coned for its Limitation during the Warr with the French only
Excepted, any thing to the Contrary hereof in any wise
notwithstanding.

[CHAPTEB 309.]

[Cbapter 309, of LlTlDgeton & Smith and Van Schaack, where the title oDly la printed. Printed la full in Bradford, 1715 ed., p. 234. Tit 18 printed in Baskett, p. 216.]

An Act for Appointing an Agent, and
directing the Treasurer of this Colony to pay
the Sum of five hundred Ounces of Plate
yearly to John Cbampanty, Agent to n^o-
tiate the Affairs of this Colony at the Court
of Oreat Britain.

{Passed, Jul7 21, ITIS.]
IN OBDEB that His Most Sacred Majesty may at all times be informed of the true State and Condition of this Colony of New York, and His Lc^al Subjects inhabiting the Same, BE IT Enacted by His Excellency the Governour, Council and General Assembly, And It 1b hereby Enacted by the Authority of the Same, That John Champantry, Esq'r be, and is hereby appointed an Agent for this Colony, to attend upon His Majesty and Ministers of State, pursuant to such Directions and Instructions as he shall, from time to time, receive from the Governour and Council, or the General Assembly of this Province. PROVIDED, such Instruc-
tions and Directions as shall be given by the Governour and His Majesty's Council of this Province, be Signed by the Governour and the Major part of the said C-ouncil in the'Colony, And snch Instructions and Directions as shall be giVen by the General Assembly shall be Signed by the Major part of tlie said Assembly, and the Speaker of the Same, for the time being; And that the said Agent shall not observe any other Orders or Instructions but such as come to him Signed as above directed. AND for the better Enabling the said Cbampanty to discharge the Trust Beposed in him, for the Ijeneflt of this Colony, BE IT Enacted by the Authority aforesaid. That the Treasurer of this Colony, for the time being, shall out of any Publlck Money at any time in his hands not otherwise Appropriated, remit by Bills of Exchange
111

Digi-jzedbyGoOgiC

to the said Champanty, or his Asaigns, Yearly, tJie Sum of Three hundred and seventy five Ounces of Plate, aa a. Eeward for his pains and Care, And the Sum of One hundred and twenty five Ouncea of Plate, to be Empioy'd and diBburst for Fees, Sollicita-tiona, and other necessary Charges for the Service of this Colony, to be accounted for by the said Champanty. PROVDED, That the said Three hundred and seventy five, And One hundred and twenty five Ounces erf Plate be not Sent or Remitted to the said Champanty, but by an Order of the General Assembly of this Province, Signed by the Speaker of the Same, for the time being.

[CHAPTER 310.]

[Chapter 310, of Livingston & Smith and Van Schaack, where the title only Is printed. Prloted In (uU In Bradford, 1715 ed., p. 229. Titl is tainted in Baskett. p. 221. (See veto of chapter 362. In Doc. B His., v., p. 530.) Expired. September 1, ITia See chapter 183. Reviv 1)7 chapter 3^.]

An Act for Continuing an Act entituled an Act for the eaaler Partition <rf Lands in Joint T^iancy or in Comon.

[Passed, July 21, 1715.1
BE it Enacted by the Qovernour Council & G^icral Asaembly, & it is hereby Enacted by the Authority of the same. That one Act of General Assembly entituled an Act for the easier Par-ti'con of Lands in Joint-Tenancy or in Comon, made In the Seventh Year of the Reign of her late Ma'ty almost Expir'd by its own LimittatloD, shall be & is hereby Enacted by the Author-ity aforesaid, to be and continue In full force, for and until the first day of Sept^nber, which shaU be in the Year of our Lord, One thousand Seven hundred & Eighteen.

[CHAPTER 311.]
[Chapter 311, of Livingston & Smith and Tan Schaack, where the title only Is printed. Printed in full in Bradford, 1715 ed., p. 230. Is printed In Baskett, p. 216.]

An Act for the Treasurers paying several

Persons therein named, And for paying the Excise in Arrear to the Treasurer.

[Passed, July 21. 1715.]
BE IT Enacted by His Excellency the Governour Council and General Assembly And by the Authority of the Same, That the Treasurer (rf this Ccriony Do pay to the several Persons herein

Digi-jzedbyGoOgiC

alter najoed or their AssignB tbe respective Sums hereafter ezprest out of the publick Money that is op that shall come Into bia bauds, cot otherwise appropriated, That is to say:

TO Lewis Morris Esq'r Fifty five Ounces of Plate or the Value thereof in Lyon Dollars or Bills of Credit made Current iu this Colony.

TO Coll Gerardus Beekman, Fifty Ounces of Plate or the Value thereof in Lyon Dollars or Bills of Credit made Current in this Colony.

TO Martha Mompesson in part of seven hundred and fifty Ounces of Plate allowed her by a Resolve of the General Assembly the Sum of Three hundred seventy five Ounces of Plate, or the .Value thereof aa aforesaid.

TO Gabriel Ludlow Clerk of the General Assembly, for his Ser- vice this present Sessions of Assembly, for Ingrossing of Publick Acts and Transcribing the Minnts of the House, the Bum of Two hundred and Eight Ounces seven pennyweight and twelve Grains of Plate, or the Value thereof as aforesaid.

TO Cornelius Post Doorkeeper of the General Assembly, for his Service this present Sessions of Assembly the Sum of Seventy five Ounces five pennyweight of Plate, or the Value thereof as aforesaid,

TO William Bradford, for Parchment, Paper, Books of Acts of Assembly, Minute-Books, Quills and Ink, for the use of the General Assembly this present Sessions, the Sum of Thirty one

Ounces of Plate, op the Value thereof as aforesaid.

TO Robert Crannel, the Sum of Twenty five Ounces of Plate, or the Value thereof as aforesaid.

And that the Receipts of the several and respective persons herein before named or their Assigns shall be to the said Treasurer a sufBcieot Warrant and Discharge for the Same.

AND WHEREAS By the Treasurers Account laid before the General Assembly divers Farmers of the Excise in the Citys and Conntys of New York and Albany and some other Countya within this Colony, who farmed the said Excise before the first Day of Noveml^r One thousand seven hundred and thirteen Remain considerable Sums in Debt for the said Excise; BE IT therefore further Enacted by the Authority aforesaid, That the Arrears of the said Excise due from the several Farmers thereof within the several Cftya and Countys within this Colony Be paid Unto the said Treasurer within the Space of Six Months after the Publication hereof, under the penalty of forfeiting double the Sum In

. '.'.ooglc

Arrear by the Farmer or PannerH of the Bald Excise, To be Recovered by the TreaBnrer of this Colony, who is by this A.ct required and authorized to Sue for the same by Action of Debt in any Court of Record within this Colony, wherein No Essoin, Protection or Wager of Law, or more than ooe Imparlance shall be allowed, And that the said Treasurer defray the Charge of such Suits out of the Pablick Money in his hands; AND if it shall BO huppea, That the Arrear of the aforesaid Excise, Directed by this Act to be paid nnto the said Treasurer, remain unpaid by Neglect or Default of the said Treasurer, contrary to the true intent and meaning of this Act, Then and in such Case the said Treasurer shall be accountable for all and erery Sum and Sums remaining in Arrear and unpaid, as if the same had been actually received by hlnu

[CHAPTER 312.]

[Chapter 312, of Livingston & Smith and Van Schasck, where the title

only Is printed. Printed In full In Bradford, ITIS ed., p. 22S. TlU Is printed In Baakett, p. 217. Expired, January 21, 1716.]

An Act for relieving the Inhabitants of the Colony of South Carolina from the Dutys laid and paid in this Colony of New York for such Qoods Slaves and Merchandizes aa they Bhall Import into this Colony during the time of Six MontiLS.

IPasaed, July 21. 1716.]

WHEREAS a great Number of the Inhabitants of the Colony of South Carolina, by reason of the War lately broke oat in the said Colony with the Indians, are necessitated to transport themselves and families with their Goods Slaves and EiTects into this His Majesty's Colony of New Torlc fw refuge and shelter; AND WHEREAS sundry Imposts are lay'd and payable in this Colony for the Use of His Majesty His Heirs and Successors for such Goods Slaves and Merchandizes as are or shall be Imported into this Colony pursuant to the Laws for that purpose Enacted. IN ORDER therefore to relieve the Inhabitants of the said Colony of South Carolina from the Dutys so laid as aforesaid. BE IT Enacted by His Excellency the Governoar Council and Geneml A^emhly, AND IT IS hereby Enacted by the Authority of the Same, That for and during the Space of Six Months, from the five and twentieth Day of June in this present Tear One thousand seven hundred and fifteen, every Master, Commander or Owner of

...C^ooglc

an7 Ship or Vesael shall within forty eight hoars after hia or tbeir arrival from tlie said Colony of Sooth Carolina .within this Colony make Oath before the Mayor of the City of New Y'ork, or any Justice of the Peace for the time being, that the Goods, Slaves and Merchandizes, so imported as aforesaid, are not only imported by persons Inhabitunts of Sonth Carolina, but frmn that place, and not otherwise, and that the Slave or Slaves so imported belong to the Importer or his Employer brfore the said War broke out, in which Case every such Master, Owner, Importer or Employer as aforesaid is and are hereby exempted from the Dutys payable for the Goods, Slaves and Merchandizes so imported by

him or them as aforesaid. PEOVDED always, AND IT IS hereby farther Enacted by the Same Authority, TTiat every Importer, Master or Owner as aforesaid shall within forty eight hours after his or their arrival within this Colony give in Security in double the Duty of each Slave so imported, on Condition, that if he or they sell any of the said Slaves, he or they shall pay the Stun o Three Pounds Current Money of this Colony to His Majesty His Heirs and Successors for every Slave so sold by liim or them, Aiiy thing contained In this Act to the contrary hereof in any wise notwithstanding.

[CHAPTER 313.]

[Chapter 313. of Livin^toD & Smith and Van Schaank, where the title only Is printed. Prloted In full in Bradford, 1715 ed., p. 23G; Bas p. 217. Expired, Jul; 21, 172a]

An Act for the better Bepeiring the Fortifications of the City of Albany, Providing their Military Watch with fire wood, and dis- charging of other the pablick and necessary Charges of the said City.

[Paaaed. July 21, 1715.]
WHEREAS it is highly necessary, That the Fortifications of the aty of Albany, be kejrt in good Repair, and that the publick and necessary Charge of the said City be duely discliarged, BE IT therefore Enacted by His Excellency, the Governour and Council, and General Assembly, and IT IS hereby Enacted by the Author- ity of the Same, Tliat it shall and may be Lawful to and for the Mayor, Aldermen and Commonality of the said City of Albany, or the Major part of them. In Common Council assembled, to raise and levy upon all and every the Free-holders, Inhabitants and Sojourners, inhabiting and dwelling within the said City and Gorpo-

ration thereof, yearly and once in every Year, during the contin- nance of tliis present Act, for tlie use of His Majesty, His Heirs and guccessors, Tliree liundred Ounces of Plate, to be employed by the said llayor. Aldermen and Commonality, or the Major part of them, for and towards the Kepalring of the Watch-houses, Gates of the said City, and other the publick and necessary charges of the said City, and for no other use and purpose what-

soever, to he paid to the Treasurer trf the said City, for the time being, and to he issued by the said Treasurer by Warrant from the Mayor, Aldermen and Commonality, for the time being, or the Major part of them; AS also, such and so many Stockadoea as shall be wanting for the Fortifications of the said City, And so many Load of fire-wood as shall he necessary for the use of their Military Watch, hy equal proportions, according to the respec- tive Estates of the said Free-holders, Inhabitants and Sojoamers of and in the City aforesaid, to be by th«u brought and delivered to such place and places, or to such person and persons in the said City, for the uses aforesaid, as to the said Mayor, Aldermen and Commonality assembled, as aforesaid, or the Major part of them, shall from time to time seem meet. AND for the better Executing of this Act, BE it Enacted, and It is hereby Enacted by the Authority aforesaid, That the Stockadoes, Plate and Fire- wood, to be levyed hy virtue of this Act, shall be raised, levyed, collected and paid in the same and like manner as oil other pub- lick Taxes of this Colony are usually levycd collected nud paid (save only, that the Stockadoes and the Fire-wood are to be brought to such place and places as hy the Mayor, Aldermen and Commonality of the said City, or the Major part of them assem- bled, as aforesaid, shall be directed and appointed, at the Charge of the party who shall be Assessed to deliver the same) And more particularly, according to the Rules and Directions, and under the same and the like penalties and forfeitures, as are directed and appointed in and by an Act of the General Assembly of this Colony, made and Enacted in the Eighth Year of Her late Majesty's Beign, Entituled, An Act for levying Four Thousand Pounds, As if the same had been herein particularly mentioned and exprest, Any Law, Usage or Custom to the contrary hereof in any ways notwithstanding. PEOVIDED always. That this Act, nor any Clause herein contained, shell be any longer in force than five Years next and after the publication hereof, any thing herein contained in any wise notwithstanding.

Lc;-,:.tll:yG00gIC

THE SEVENTEENTH ASSEMBLY.

First Session-

(Begun June 5, 1716, 2 Oeoi^ I; Bobert Hunter, OoTemor.)

[CHAPTER 314.]

[Chapter 314, of LivlngetoD & Smltb and Van Scbaack, where the title only la printed. Printed in full In Bradford, 1732 ed., p. 131. Tb« 1b Dot la Baskett See chapter 197. Coutinned hy chapter 398.]

An Act for Reviving an Act, entitulecl, an Act for the Encouragement of Whaling,

{Passed, June 30, 1716.]
Be it Enacted by the Oovernour, Council and Assembly, and by the Authority of the same, That one Act of General Assembly, entituied, an Act for the Encoumgement of Whaling, made in the Seventh Year of the Reign of her late Ma'ty Queen Anne (of GloriouB Memory) expir'd by its own Limitta'con, shall be, and iB hereby Enacted by the Authority aforesaid, to be of fwce from the Publication hereof, for & until the flpat day of November, which shall be in the Year of our Lord One l^ousand Seven hun- dred and Twenty & no Longer.

[CHAPTER 315.]

(Chapter 315, of Livingston & Smith and Van Schaack, where th« title only la printed. The act Is not In Bradford, 1732 ed., or Baakett chapter 296. Revived by chapter 334.}

An Act Reviveing an Act, Entituled, an Act for the better Settling the Militia of this Province, and making it more useful for the Security and Defence thereof, And for Bepeale- Ing all former Acts heretofore made in this Province relateing to Hie same.

(Puaed, June 30, 1716.]
BE IT ENACTED by the Governor, Council and Assembly, And it is hereby Enacted by the Authority of the same, That an Act, Entituled, an Act for the better Settleing the Militia of this Prov- ince, and making it more useful for the Security and Defence thereof. And for Repealing all former Acts heretofore made in this Province relating to the Same, 'made In the first Year of the Reign of her late Majesty Queen Anne (of bleesed Memory)

Expired b; its own LimitatiOD, Shall be of ffrarce from the ffitst of November next EoaaiDg, ODtill tiie fBrst day of November wbich will be in the Tear of oar Lord One thousand 'Seven hondred and Seventeen.

[CHAPTER 316.]

[Chapter 316, o(Livingston & Smltb and Van Scbaack, wbere the tlUe only IH printed. Printed In full in Bradford. 1732 cd., p. 130. Thi not in Baskett See chapter 151. Biplred. Jul; 1, 1730.1

An Act for presen-ing Deer in the Countj of Ulster, and Revising an Act, entituled, an Act for the Preservation of Deer.

tPaased. June 30, 1716.]
Be it Enacted by the Gov'r, Council & Asawnbly, & it is hereby Enacted by the Authority of the same. That any person or persoDS within the County of Ulster, Christian or Indian, Freeman or Slave, that shall kill or Destroy a Buck, Doe w Faun, or any Sort of Deer at any time of the Year, Except only between the first Day of August, and the first Day of January, shall be Liable to the pains, penalties, Forfeitures and Regulations, men'coned and express'd, in an Act, entituled, an Act for the preservation ct]>eer, made in the fourth Year of the Reign of our Soveraign Lady Queen Anne (of GloriouB Memory) expired by its own Limita'con, which Act shal he & ie hereby Enacted by the Authority aforesaid- to be in force from the publication hereof, for and Until the first Day of July, which shall be in the Year of our Lord Seventeen hundred & Thirty.

[CHAPTER 317.]

[Chapter 317, of Livingston & Smltb and Van Schoack, where the title only Is printed. E*rinted In fnll In Bradford, 1732 ed., p. 131. Th not In Baskett Bee chapter 244.]

An Act to prevent the selling & giving of Rum or other Strong Liquors to the Indians.
[Passed, June 30, ITia]

WHEEEEAS it hath been found by Experience, that the Use of Bum & other Strong Liquors, by the Indians of the County of Albany, has not only been destructive to their Bodys, but their Minds are thereby so deprived of the right use of their Natural understanding & Reason, that they become Ungovernable, & are led into the practices of all sort of Vice & Immorality; for prevention whereof for the future, Be it Enacted by the Gov'r, the

Digi-jzedbyGoOgiC

GouncU & General Ass^nbly, & by Authority of the Bame, That if any person or persons whatsoever within the City & County of Albany, shall from & after the Publication hereof, give, sell or otherwise Dispose of any Bum, Brandy or Spirits, Wine, or any other Strong Liquor whatsoever, to any Lidian or Indians within the said Oity & County of Albany, Such person or persons, bo as aforesaid giving. Selling or otherwise disposeing of any Bum, Brandyv Wine, or any other Strong Liquor to any Indian or Indians within the aaid City & County of Albany, & being thereof Convicted by the Oath of any one Christian, or the AfHrmation of one Indian, before the Mayor or Recorder of the said City of Albany, or before any one Justice of the Peace of the aaid City op County afores'd, who is hereby Impowered to Administer & take such Oaths and AfBrmatiou, shall for every such Offence, forfeit the Sum of five pounds. One half whereof to be to the use of the Said County where Such Offender shall be Convicted, & the other half to the Use of the Informer, to be Levy'd by Distress & sale of the Offenders goods, by Warrant under the bands & Seal of the Person or Persons before whom each Conviction was made, which Warrant such Person or Persons, as aforesaid, have likewise power to make. Seal & Grant, & where distress cannot be made upon the Offender or Offenders in this behalf, that then it shall & may be Lawf uU for the said Mayor or Recorder, or any one Justice of the Peace, as aforesaid, to Commit suck Offender or Offenders to Prison, there to remain without Ball or Mainprize, for the space of three Months from the time of such Conviction, as aforesaid. PROVIDED alwayes, and it is hereby Enacted, That, any Person or Persons so affirmed against, by such Indian or Indians who shall Immediately before Such Mayor or Recorder, or Justice of the Peace, as aforesaid, make Oath upon the holy Evangelist, to the Contrary of Such Afiirmation, of such Indian

or Indians, such Person or Persons so swearing, shall t>e Discharged from the AfBrmation of such Indian or Indians.

And because the good Intent of this Act shall not be frustrated by the secret and Clandestine Practices of Persons for the sake of private advantage, He it Enacted by the Authority aforesaid, That from and after the publication hereof. It shall & may be Lawfull for the said Mayor or Recorder, or any One Justice of the Peace of the said City or County Aforesaid, as often as he or they sliall think fit, to send for any Person or Persons whatsoever, whom they shall Suspect, privately to Offend against the Law in this behalf made, And administer to such Person or 'Persons eo suspected, an Oath upon the Holy I^mngelistB, toi,
112 ^-^

purge themselves from the said SuapUition, in tbe Words following. .-A. B. do swear, That I have not Directly or indirectly by myself or any other for me, from & after Publica'con of an Act, entituled, an Act to prevent the soling & giving of Bum or other Strong Liquors to the Indians, Given, Sold or otherwise Disposed of any Rum, Wine, Brandy or other Strong Liquors to any Indian or Indians, within the said City or County aforesaid, or to any other Person or Persons wiiatsoever for them, or any of them, Contrary to the true Intent & meaoing of this Act. And every such Person or Persooa so suspected, as aforesaid, not appearing npon summons duly made, or appearing, either Confessing the aforesaid Facts, or refusing to take the aforesaid Oath, shall forfeit the sum of Five pounds, undergo the Imprisonment aforesaid; the Forfeiture to be Levyed, Divided & Dispos'd of in manner aforesaid. Provided always, That no Forfeiture or Imprisonment shall be Inflicted upon any Person whatsoever in this behalf, for not appearing Upon Summons duly made, untill an Affidavit be made upon Oath, of the due Ser\1ce of the said summons upon the aaid Suspected Person or Persons before the said Mayor or Becorder of the said City, or before any one Justice of the Peace of liie said County aforesaid, who are hereby Impowered to Administer such Oath to the Constable or Officer, who shall have Served the same, any thing before to tbe Contrary thereof in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That

if any of the aforesaid Officers, or any sheriffs or Constables of the aforesaid City and County, do neglect or refuse to Act, in the putting this Act in Execu'con, every such Officer so neglecting or refusing to put the same in Execution, According to the true int & meaning of this Act, shall for every such Offence Forfeit the like Sum of Five pounds, or undergo such Imprisonment of three months, as aforesaid.

[CHAPTER 318.]
[Cbapter 318, of Livingston & Sraltb and Van Scbaack, where the titl only la printed. This act Is not In Bradford, 1732 ed., or In Expired June 30, 1721.]

An Act for tbe building & Erecting two Wooden houses for Sheds for the Accomoda- tion of the Indians Trading at Albany, & for keeping them in good Repair.

tPasaed. June 30, 1716.)
WHEREAS the Trade with the Indians at Albany is of great advantage to the Country, & it being therefore necessary to pre-

rent all Quarrels & Troubles, that maj arise & happen between the Traders Living at Albany, & the said Indians, that some place & places be set a part for the Lodging & accomodating the said lodians, when they come to Trade with the Iniiabitants of the said City, as hare been heretofore Usual.

Be it therefore Enacted by his Excdlency the Govemour, Couo- csil & General Assembly, & by the Authority of the same, That the Comm'rs for Mannaging the Indian affairs at Albany, or the Major part of them, do with all Convenient &peed cause to be Erected & built, two wooden houses & Sheds, each of the Length of seventy foot, & the breadth of fifteen foot, nigh the said City, on the hi behind the Fort, a hundred Yards, op thereabout, above a. Certain Spring on the said hill, one on the one side of the Boad that Lea to Schenectady, and the other on the other side thereof, with the Distance of One hundred Yards from the said Boad, & that the Baid Comm'rs or the Major part of them, do Cause the same to be kept in good Bepair during the Continuation of this Act. And for the Defraying of the necessary Charges for the building, Erecting & keeping the said two Houses In Bepair, Be it Enacted by the

Authority aforesaid. That a Sum not Exceeding Two hundred & fourteen Ounces & a Quarter of Silver Plate, be laid, Assessed, rais'd and Levy'd, upon the Estates, Beal and Personal, of all and every the Person & Persons, Trading, or reputed to Trade, or to be Dealers, TrafBckers or Traders with the Indians, and Inhabiting within the said City of Albany, to be paid into the said Comm'rs, such Person as they siiall appoint to receive the same, at such Time & Times, & in Such proportion & proportions hereinafter mentioned, to be dispos'd of by the said Comm'rs or the Major part of them, for the Uses aforesaid, & to no other use & purpose whatsoever, That is to Say, a Sum not Exceeding One hundred & Six Ounces & a Quarter of Silver plate, on or before the first Day of September, in this present Year of our Lord, one thousand Beven hundred & Sixteen. A further Sum not Exceeding, Twenty seven Ounces of silver Plate, as aforesaid, at or before the Twenty Fifth Day of March, which shal be in the Year of our Jjord, One Thousand Seven hundred & Seventeen. A further Sum, not exceeding Twenty Seven Ounces of Silver Plate, at or before the Twenty fifth day of March, which shall be in the Year of our Lord, One Thousand Seven hundred and Eighteen. A further Sum, not Exceeding Twenty Seven Ounces of Silver Plate, as aforesaid, at

Digi-jzedbyGoOgiC

or before the Twenty fifth Bay of March, which, shall be in the year of our Lord, Oae Thoaaand Beven hundred & Niueteeu. And a further sum, not Exceeding Twenty Ounces of Silver Plate, as aforesaid, at or before The Twenty fifth I>ay <rf Murcb, which shall be in the Year of our Lwd One Thousand Beren hundred & Twenty,

And be it further Enacted by the Authority aforesaid. That for the better Aseeasing, raising, Collecting & receiving the respective Sums aforesaid, that the Assessors & Collectors of the said City of Albany for the Assessing and Collecting the Publick Bates for the Publick & necessary Charges of the said City, for the time beiug, be the Assessor & Collector, for the Assessing & Collecting the sum & sums of Plate as aforesaid, according to the Proportions before Ezpress'd, in like manner as the Publick Bates are Usually Laid, Assessed & Collected. And be it further Enacted by the Authority aforesaid. That the Assessors & Collect-

ors appointed for the Executing of this present Act, shall be & are hereby Declared to be Under the same Regulation, pains & Penalties, and Vested with the same Authorities as are Declared in an Act, of the General Assembly of this Colony, made in the Eighth Year of her late Ma'tles Beign, entitnled, an Act for Levying Four Thousand Pounds.

And be it further Enacted by the Authority afcsesaid That the said Comm'rs for the Indian affairs at Albany, for the time being, or the Major part of them, do allow out of the mony to be raised by this Act,unto the respective Collectors hereby appointed to receive the same, three & three Quarters per Cent, for what sums he or they Shall Collect by Virtue of this Act, & two & a half per Cent, to Such Person as Shall be by them appointed to receive all the mony of this Act. Provided always. That this Act nor any Clause therein Contained, shall Continue to be of Force any Longer than the term of five Tears after the Publication hereof.

And be it further Enacted by the Authority aforesaid, Tbnt the said Comm'rs for Indian affairs, or any one of them, are liereby required & Impowered to Administer on Oath to each cf the said Assessors for the due performance of their Doty men'coned in this Act, any thing in this or in any other Act to t Contrary in any wise notwithstanding.

Digi-jzedbyGoOgiC

THE SEVENTEENTH ASSEilBLY.

Second Session.

(B^un Augnst 21, 1716, 3 Gewge I; Bobert Hunter, Governor.)

[CHAPTEB 319.]

{Chapter 319, of LlTingaton & Smitb and Van Schaack, where the act printed Id Cull. Printed In full in Bradrord, 1732 ed., p. 130; Uas 223. See chapter 113. Repealed by a clause iu chapter Ct83, which e the flrat ot December, 1739.)

An Act for Destroying Wolves & Fozei
in the Count; of West Chester.

[Passed, September 1, ITlO.l
For the better Encooragment of Destroying Wolvea & Foxes in the said County that is Assigned in an Act, entituled an Act for the Destroying of Wolves within this Colony, made in the first Year of the reign of our late Soveraign Queen Anne of Glorious Memory. Be it Enacted therefore by his Ex|^Uency the Govemour Council & General Assembly & by the authority of the same. That from and after the publication hereof, any Christian or Slave who shall Destroy or kill a Wolf or Wolves, their Whelp or Whelps within the said County of West Chester, shall be paid for each Wolf so killed, the Bum ot Two pounds Current money of this Colony and for every Wolfs Wbelp, the Sum of Twenty shillings like money, & three shillings for every Fox & Eighteen pence for every Young Foxe, to be rais'd Collected and paid iu such manner, & under such Beetrictions and regulations as arc mentioned & Express'd in the said Act,

AND be it further Enacted by the Authority aforesaid that any Indian who shall Destroy a grown Wolf in the said County, eUall be paid Twenty shilliogs, & for every wolfes Whelp Ten shillings. For every grown Fox, Eighteen pence, and Nine pence for every Young Fox.

[CHAPTEB 320.]
[Chapter 320, of Llvlnftston & Smith and Van Schaack, where the titl only is printed. This act Is not printed in Bradford, 1732 ed. Prin full In Baakett, p. 220. Exiilred Septemlier 1, 1721. The minutes of Coancll do not Indicate that this hcI wns algned September first, bn orlxinal law hears that date and tlie minutes of the Assembly state was signed on September first, (See Journal of Assembly, p. 300.)]

An Act for the better Bepairing the Fort-
ifications of the City of Albany, and provid-
ing their Military watches with firewood.
[Passed, September 1. 171R.1
WHEREAS it is highly necessary that the Fortiflcatidns of ths City of Albany be kept in good Bepair, for the Defence of the Fronteer.

BEE it therefore Enacted, and it is hereby Enacted by bis Eicellencj the Goyern'r & Council, & Gen'll Assembly, & by the Authority of the same. That it shall & may be liawfal to & for the Mayor, Aldermen & Comonalty of the a'd City of Albany, for the time being, or the Major part of them, in Comon Council Assembled, to Levy & Baise upon all & every the Freeholders, Inhabitants & Sojourners inhabiting. Dwelling & residing withm the said City, from time to time, & at all times during the con-tinuance of this present Act, by Eqnal proportions, according to their respective Estates, such & so many Stockadoes for repairing the Fortifications of the said City, & so many Load of fire-wood, for the use of their Military Watch, to be by them brought & Delivered to such place & places, as to tie said Mayor, Alder men & Comonalty Assembled, as aforesaid, shall, from time to time, seem meet & Convenient, at the proper Cost & Charges of the party bringing & delivering the same. And be it further Enacted by the Authority aforesaid. That it f^all & may be lawful to & for the May'r, Aldermen & Comonalty of the said City of Albany, or the major part of them, in Ctmion Conncil assembled to raise & Levy upon all & every the free-holders. Inhabitants & Sojourners Dwelling within the said City, Yearly ft once in every Year, during ye continuance of this present Act, for the use of his Majesty, his heires & Successors, a Sum not exceeding One hundred & fifty Ounces erf good Silver plate. Yearly, or value thereof in Current money of this Colony, to be employed by the s'd Mayor, Aldermen & Comonalty, or the major part of them in Comon Council Assembled, for the defraying the Publick & necessary CSiarges of the said City, in such manner es unto the said Mayor, Aldermen & Comonalty assemUed, as aforesaid, shall seem meet.

And for the better Executing of this Act, be it Enacted, and it is hereby Enacted by the Authority aforesaid, That the Stock-adoes, money & firewood to be Levyed by virtue of this Act, cSiall be raised, levyed, Collected & paid within the said City in the same & like manner 'as all other publick Taxes of this Colony are used to be Levyed, collected & paid, and more particularly according to the Bules & Directions, & under the same & the like penaltys & forfeitures as are directed & appointed in & by An Act of the Qen'll Assembly of this Cdony, made & Enacted in the Eighth Year of her late Majesties Reign, Entituled, An Act for Levying four thousand Pounds, as if the same had been herein particularly men'con'd & Expressed, unless otherwise directed

by thia present Act, anj Law, Usage or Custom to the contrary hereof in any ways notwithstanding. Provided always, That this Act, & every Article & Clause therein contained, shall be of force for the time of five Years next & after the publication hereof, & no longer, any thing herein contained to the contrary hereto in any ways notwithstanding.

[CHAPTER 321.]

(Chapter 321, of LlTlngBtoD & Smith and Van Scbaack, where the tlUe only Is printed. This act 1b not In Bradford, 1732 ed. TlUe ooly i In Baskett, p. 226.]

An Act for Dischai^ng Coll Kilian Van Benseluar Major Dirick WesselU and Mindert Schuiler Esq'r of the City of Albany for and Gonc^ning the Provisions Amunitions and other Stoares of Warr formerly in their hands belonging to this Colony.

[Foased, September 1, 1716.]

WHEREAS by an Act of the General Assembly of this Colony made in the Eighth Year of Her late Majesties Beigne Entituled An Act for levying Six thousand Pounds the said Kilian Van Ranseluar Dirick Wessella & Myndert Schuilor were appointed Commissioners at Albany for managing the affairs relating to the Provisions and all other necessarys for the then Expedition against Canada and were allso thereby Invested with Sundry Powers & Anthorltyes for Executing the trust in tbem Reposed, And whereas the Said Coll: Kilian Van Ranslar Major Dirick Wessells and Mindert Schuiler Esq'r & each of them Respectively have duly and faithfully executed the trust in them and every of them Respectively reposed by the be foremen tioned Act of Assem- bly & have Respectively Rendered their Accorapt of the Stoares of this Colony to the Satisfaction of the Generall Assembly Bee it therefore Enacted by the Govemour Council! & General Assem- bly and it is hereby Enacted by the Authority of the Same that tto Said Coll: Kilian Van Renselaar Major Dirick Wessells & Mindert Schuiler Esq'r and every of them their and every of their Heirs Eiecut'rs And Administrafrs be and are hereby forever

discharged of and from all Debts dues and Dem^inds whatsoever for and concerning all manner of Pro\'isions Ammunitions Stoares 0? Warr Sum andSnmes of money goods wares and Merchandizes

Digi-jzedbyGoOglC _

and other Effects which came to their and erer; of their hands belonging to this Colony for the Use of the Said Expedition againat Canada Bespectivelj.

And he it further Enacted hy the Author!^ afores'd that the Said Coll: Kilion Van Benselaer Maj'r Derick Weasells and Mjadert Schuiler Esq'r and every of them their and every at their Heirs Execut'rs & Administ'rs be & hereby are and every of them is & shall be for ever DiBcharged of and from giving or making any further or other Accompt or Acc<MnptB relating or concerning the matters afforesaid or any of them, they & every of them hath & having fairely & Truly accompted for the Same & they & every of them their and every ot their Heires Execut'rs & Admin-ist'rs are hereby declared to be thereof from henceforth & for ever quiet & Discliarged.

[CHAPTER 322.]

[Cbapter 322, of LjTtngatou & Smltb aod Vao Scliaack, where Uie tlxl only is printed. This act ia not in Bradford, 1732 ed. Title only In Baokett, p. 223.]

An Act for the Treasurers paying to his Excellency ooe thousand and Twenty five Ounces of Silver Plate.

[Passed, September 1, 1716.]
Be it Enacted by his Excellency the Govemour, Councill and General Assembly, & by the Authority of the Same; That the Treasurer of this Colony Pay to his Excellency, Eobert Hunter, E^q'r his Execut'r or Assigns, out of the Publick money that is or Shall come into his hands, {the Excise Money Excepted) Seven hundred & Fifty Ounces of Silver Plate, or the value thereof in Lyo Dollars or Bills of Credit made Current in this Colony, for Defray-

ing the Charges of Sdiciting the Boyal Assent to the Act, Entituled, An Act for paying & Discharging Debts & Soma of Money Claimed as Debts of the Colony, to the Persons therein named, & to make & enforce the Currency of Bills of Credit to the value ot Twenty Seven thousand Six hundred and Eighty pounds for that purpose, &c And Two hundred Seventy five Ounces of like Money, intended, but by mistake Omitted to be mentioned in the Said Bill.

Digi-jzedbyGoOgiC

[CHAPTEB 323.]

[Chapter 323, of Llvlngaton & Smltti and Van Scliaack. wbere the tlU only U printed. TLis act is not printed in Bradford, 1732 ed., or BerlTed bj cliapter 371.]

An Act appoyntiQg an Agent for thU Colony at the Court of great Britain, & for Baising of money Annually to Defray the Charge thereof, in the roome of John CSiam- pante, Eaq'r decec'd.

[Passed, September 1, 1716.]
That hiB most Sacred Ma'ty may be dnely Infoi-med of the Exact Condition & State of his Colony of New York, Be it Enacted by the Gov'r, Council & General Assembly, & by ttie Authority of the Same, T^t Ambrose Philips, Esq'r be, and hereby is appointed an Agent for this Colony, to attend his Ma'ty & Minis- ters of State, pursuant to Such Directions & Instructions as he Shall, from time to time, receive from the Gov'r & Council, or the General Assembly of this Province; Provided, Sncb Instructions & Directions as, shall be given by the Govemour and Council in this Province, be Signed by the Gov'r & the Majority of the Council In the Colony; & Such Instructions & Directions as- Shall be given by the General Assembly, shall be Signed by the Major part of the s'd Assembly, & the Speaker of the Same, for tho time being; & that the said Agent shall not obsen'e any other Orders or Instructions but such 9« come to him Signed as above Directed. And for the better Enabling the Said Ambrose Philips to Discharge the Say'd Trust, for the benefit of this Colony,

Be it Enacted by the Authority aforesaid, That the Treasurer of this Colony, for the Time being, shall, out of any publick Money, at any time in his bands, not appropriated, Kemit by Bills of Exchange, or Spanish plate, to the Said Ambrose Philips, or his Assigns, Yearly, the Sum of Three hundred & seventy live Ounces of Plate, as a Reward for his Trouble & Diligence, & the Sum of One hundred and Twenty five Ounces of Plate to be Imployed & Disburst for fees. Solicitations And other Necessary Charges, for the Service of this Colony, to be aeconnted for by the Said Ambrose Philips, Provided, That the Said Three hundred & Seventy five Ounces, & One hundred & Twenty five Ounces of Plate, be not sent or Remitted the Said Ambrose Philliia but by an order of the General Assembly of this province. Signed By the Speaker of the Same, for the time being.
113

This Act to be in force from tlie Twenty fifth Day of Decanber now next Ensuing, & for tlie Spat^ & teim of Two Years thea next following, & no Longer.

[CHAPTER 324.]

[Chapter 324, of LlTlngstoD & Siultli and Van Schaack, wbere the tit only Is printed. Thla act U not In Bradford, 1732 ed. Printed la f BaakeU, p. 224. Expired, Julj 1. IT20. See chapter 273.)

An Act to oblige all Vessels Trading into tliiB Colony, Except ancli as are therein Excepted, to pay a Certain Duty, & for the farther Explanation & Rendring More Effect- aal Certain Clauses in an Act of General Asaumbly of this Colony, Entituled, an Act, by which a Duty is Lay'd on Negroes & other Slaves Imported into this Colony.

[Pamed, September 1, ITld.]
WHEREAS Disputes do often arise on the Collecting of the Duties on the Tonnage of Vessells, To prevent therefore the Same for the future, Be it Enacted by his Excellency the Gov'r, Coun- cil & General Assembly, & by the Authority of the Same, That there be given and Granted to his Ma'ity, his heyers & Success-

ors, for & towardes the Supporting <tt his Government in the Coltmy of New York, the Duty and Imposition following, on the Tonnage of all Vessels trading in this Colony, from the Pub- lication of this Act, to the first day of July, in the Year Seven- teen hundred & Twenty, & no longer, that is to say. Seven peny weight & a half in good Coyn'd Plate, Civill, Hilar or Mexico, or Bills of Credit made Current in this Colony, to the Value thereof Pr Ton, according to the Tonnage of the Ship or Vessel, and the Comander, Master, Owner or Owners of any Such Vessel or Vessels, Shall be obliged to Report, Enter & pay the Duty, according to the Guage of his or their Vessel or Vessels, under the Same pains, penalties, Regulations. Restrictions Conditions & forfeitures Mention'd & Contain'd in an Act of the General Assembly of this Colony, past in the Thirteenth Tear of her Inte Ma'itis Reign, Entituled, an Act for Levying & paying the Several Duties therein Mentioned for the Use of this Colony. And The person or Persons appointed or to be appointed for the Collecting the Same, shall be Invested with all & every the powers and

Aathorities prescribed And Directed in and by the Said Act Prorided always, and it is the True Intent & meaning of this Act, that all Coasting Sloops belonging to tlie Massachusets, Khode Island, Connecticut or New Jersey, whilst their Navigation is to & from ThoBe parts, Ships or other Vessels built in this Colony, or wholly owned by the lohabitiinta thereof, are & shall be Excepted. And whereas, by Register, often it appears, that Ships & other Vessels not built in this Colony, do wholly belong to the Inhabitants of the sume, & before their Departure out of this Colony, are Transflr'd & made oyer to Sti'aingers and other Per- sons beyond the Seas, with an Intent to frustrate the true intent i meaning of this Act, To prevent therefore the Like of Such fcauda & abuses for the future, Be it therefore Enacted by the Same Authority, That the Officer appointed, or to be appointed, ehsU & is hereby Authorized & Impowered to Demand an Oath of any Owner or Owners of any Ship or otlier \'essel not built in this Colony, which Oath shall be given before the Mayor of the City of New- York, or before any Justice of the peace for the time being, & that at any time before the Departure of Such Vessel, »> by the said ofBcer Suspected, That Said Vessel or Vessels do wholly belong to the Inhabitant or Inhabitants of this Colony, & on Refusing to talie Such an Oath, Shall forfeit the Sum of fourty pounds Current Money, to be Recovered & applyed in man-

ner & form as is Directed, Expi-essed, Intended & Prescribed in an Act of Genera! Assembly made in the Thirteenth Year of Her Late Ma'itys Reign, as abovesaid,

AND WHEREAS by one Act of General Assembly of this Col-ony, Entituled, an Act for a Supply to be granted to his Majesty, a Duty is Layd on Negro Slaves Imported from Africa, & the West Indies, wliicli Clauses, as they now stand in the Act, may nJmIt of Doubts & Disputes, To prevent therefore the Same, Be it Enacted by the Authority aforesaid, That there be paid for every Negro Slave Imported Directly from Africa, In Vessels wholly owned by the Inhabitants of this Colony, the Sum of five Ounces of plate aforesaid, or Bills of Credit made Current in this Colony, to the Value thereof; & that the Duty of Ten ounces of Like plate, or Bills of Credit, as aforesay'd, be pay'd for .Each Negroe, Indian or Mulatto Slave Imported into this Colony, in any Vessel directly from Africa not wholly owned by the Inhabitants of this Colony. And that the Like Duty of Ten ounces of Plate or Bills of Credit, to the Value thereof, be paid for Each Negro Indian or

D,r.i:cui:yCoOQlc ^_

Mulatto Slave Impoi-ted into this Colony from any parts of the WdBt Indies, or any of the Neighbouring Colonys Imported or otherwise brought inlo the sumo; all Negroes or other Slaves belonging to the Navigutiuu of any Ships, 81oop or other Vessel, & Slaves belonging to the Neighbouring Colonies going to & from one Colony to the other, on the Service of their Owners, Masters or UistreBses, only Exct-pted; & the Said Duties to be Collected & Levy'd by the Officer or Ollicors appointed for Collecting the BaiHe, in Such Manner & under Such Restrictions, Limitations Directions, pains, pen'alties & forfeitures as is Contained, Men-tioned, Meant, Expressed & Intended in & by on Act of Oeneral Assembly of this Colony made in the Thirteenth Year of her Late Majesties Reign, Entituled, an Act for Levying & paying the_ Several Duties Therein Mention'd, for the use of this Colony hereto-fore mentioned.

And be it Enacted by the Authority aforesaid. That all Masters of Vessels, or other persons, who shall be 'Saspected by the Ofift-cep to have Imported, or other wayes brought into this Colony

any Negro or other Slaves, such Master or person or persons so Suspected, Shall be Obliged to give his Oath before the Mayor of the City of New York, or any Justice of the peace, for the tim being, how many Negroes or other Slaves he or they brou);ht into the same; & on ihe Refusal to talie Such an Oath, shall forfeit Double the Bum Layd And Imposed by this Act for Erwy Negro or ftther Slave so Imported, to be applyed & Recover'd in manner & form as above Exprest, any thing to the Contrary hereof in any ways notwithstanding. Provided alwayes, & it is the true Intent & meaning hereof, that no Negroe or other Slave that shall be Imported, as abovesaid, under the Age of four Years, ye Master or Owner thereof Shall not be obliged to pay any Sura or Sums of Money for the same; But in Case any Difference Might arise Between the said ofQcer and ye said Master or Owner of any Negro or other Slave, Relating to their Age, then & in Such Case the Said Negpoe or Negroes, or other Slave or Slaves, shall be brought before any Two Justices of the Peace of the City ft County of New York, who are hereby Impowered to View the Said Slave or Slaves, & Their Detirmination Shall be binding to both Parties.

And be it further Enacted by the Authority afores'd That all Ships or other Vessels that shall not be built In this Colony, altho' wholly owned by the Inhabitants of this Colon;, alkali be

Digi-jzedbyGoOgiC

t

lyable to the Said Duty of Tonmige from & after the Publication hereof, Except as hereinbefore Expi'essed.

Provided alwayes, & it is hereby declared & Enacted by the Aathority aforesaid, That no other or further Duty or Imposition shall or may be Exacted for The Tonnage of Ships or other Ves- sels, or on the Importation of K^roes or other Blaves, unlesB as in & by this Act is Mentioned, laid, Imposed & Exprest, any thing in tbia Act, or any former or o>ther Act of Assembly to the Con- trary hereof in any wise notwithstanding.

[CHAPTER 325.]

[Cbapter 32S, of Livingston & Smith and Van Scbaack. where the titla only la printed. This act Is uot lu Bradford, 1732 ed. Title onl; In Baskett, p. 226. ProTlded for by cbapter 387.]

An Act nominating Commis^oners to
Farme the Excise thro the Colony.

[Passed September 1, 171S.]

WHEIffiAS by an Act of General Assembly of this Colony, made in the twelfth Year of Her late Majestys Beign, entituled, nn Act for laying on Excise on >all strong Liquors Betailed in this Colony, It is amongst other things Enacted, That there shall be giTen and Granted unto her Ma'tie, her Heirs & Successors, from the first Day of November, in the Year of our Lord One Thousand Seven hundred & Fourteen, until the first Day of November, which shall be in the Year of our Ijord One Thousand Seven han- dred & Thirty four, for the Uses in the Say'd Act mentioned and Expressed, an Excise upon all Strong Liquors Retailed thro'out this Colony under the Quantity of Five Gallons (Beer & Syder only Excepted) to wit, the Eighth part of an Ounce of Sevil, Pillar or Mexico Plate for every Gallon so Retailed, & Three quarters of an ounce of the Say'd Plate for every Barrel of Beer or Syder; To the end therefore, that the Say'd Duty of Excise may be orderly Collected, and managed to the best Advantage, tor & towards the Uses in the Say'd Act Expressed,

Be it Enacted by the Governor, OounclI and General Assem- bly, & by the Authority of the Same, That the Persons herein- after named, shall be, & are hereby appointed OommissloiierB for one Year next ensuing, to Commence from the first Day of Angust, One Thousand Seven hundred & Sixteen, to let the say'd Excise fo Farm thrtfont the CHtys S Countyea of this Collony, for

. '.".oogle

which they shaU be muned (that U to Saj) For the City & Coun^ of New York, Johannes JauBeo, John Cruger &, Phillip ^cbuj^ler, Esq'r. For the City and Count; of Albany, Phillip Livingston &

ThomaB Willlama, Esq'r.

For the Conutj of Suffolk, Bobert Hudson, E^'r.

For Queens Couuty, Major Isaac Hicka

For Kings Count)-, Coll : Kichard Stilwell.

For the County of Weat Chester, Capt. Joseph Budd.

For tlie County of Ulster, Maj'r Johannes Hardenbergh & OapL Johannes Butsen.

For Dutches County, Capt. Leonard Lewis.

For the County of Bichmond, Mr. Paul Droilliet.

For the County of Orange, Capt. John Corbet

And be it further Enacted by the Authority aforesaid. That the said Commissioners for the Cityes or Countyes for which they ate named, are hereby Bequired, authorized and Impowered to Let to Farm the aforesaid Excise in their Eespective Cltys & Conntye, to the SeTeral Betailers of Strong Liquors, dwelling within the Same, on the first Tuesday in October, or at any time tliereafter, for the most Sum or Sums of Money The Said Com- missioners can get, for the greater Increase of the Said Excise, granted by the Said Act, publick Notice shall be flrst given of the time & place Buch Farming is appointed, to be made by fixing Advertisements thereof in the most Publick Places in every Respective City, County, Town, Mannor & Precinct, Ten days l)eforc the time the same is to he farmed, as aforesaid. And the Said Comm'rs are hereby Required to see that good & SufBcient Security, by Recognizances, be given by all and every Person or Persons that shall Farm the Same, as aforesaid, Conditioned, That they pay the same Quarterly, by equal and even payments, into the liands of the Respective Comm'rs that shall Let the Same, who are hereby appointed to Receive the Same; 4 in two Monthea after the Excise Shall be Farmed, to give the Treasurer of this Colony a true acco't of the Sum & Sums it hath been Farmed for, according to the Intent of this Act. And be it firther Enacted by the Authority aforesaid. That it shall and may be Lawful to 4" for the Said Commissioners, Respectively, to Examine, TTpoD Oath, every Retailer they shall agree with, Respectively, for the Excise as aforesaid, what they pay'd formerly for the Same.

And be it firther Enacted by the Authority aforesaid. That the Said Comm're are, Bespective3y, hereby Required & Impowered

DgizedbyGoOgiC

to Boe all and Every Such Betaller & Betoilers, their Surety & Sureties, that Stall not duley i>ay the Sum & Sums ol Money he, she or they have agreed to pay for the Excise aforesaid, at the time & times in their Several Kecognizauces mentioned & Exprest, before any Three of His Majesties Justices of the Peace, one whereof to be of the Quorum of the City or County where such Retailer or Retailers do Resyde, who are hereby Required, authorized & Impowered to make out Process against such Retailer or Retailers, & finally to hear & Determine The Same, & award Execution upon his, her or their Recognizance or Recog- nizances, against the Goods & Chatties, Lands & Tenements of the Said Retailer or Retailers, his, her & their Surety & Suretyes, and Law, Usage or Custom to the Contrary hereof in any ways notwithstanding.

And be it f urtlier Enacted by the Authority aforesaid, That the Said Commissioners, & every of them, do enter into Bond or Recog- nizance to his Majesty, hia heirs and Successors, at or before the first Day of October next, with SufBcient Suretyes, to be approved of at least by two of his Maj'ts Justices of the Peace of each Respective City & County within this Colony.

FOR the City & County of New York, the Sum of Twelve hun- dred pounds.

FOR the City & County of Albany, the Sum of Two hundred poondB.

FOR the County of TTlster, the Sum of Sixty pounds.

FOR Dutches County, the Sum of Twenty pounds.

FOE Orange County, the Sum of Twenty pounds.

FOR West Chester County, the Sum of Sixty pounds.

FOR the County of Richmond, the Sum ol Sixty pounds;

FOR Kings County, the Sum of Sixty pounds.

FOR Queens County, the Sum of One hundred & Fifty pounds and For Suffolk County, the Sum of One hundred & Fifty pounds, with Condition, That they pay Quarterly, by even & Equal pay- ments, into the hands of the Treasurer of this Colony, for the time being, who is hereby appointed to receive the Same, all such Sum & Snms of Money as they shall have Respectively Received for the Excise afores'd, within Thirty Days after the Same Is come. Respectively, to their or either of their hands, together with an Exact aoco't of what Is not by them Rece'd, & for which they have put the Recognizances In Suit, If any there be, which when Recovered, they are forthwith to pay Into the Said Treasurer, In Manner aforesaid.

. '.".Dogle

And be it flrther Enacted by the Aathority afoFMaid, That the Bay'd Commiseioiierg, & every of them, shall and ma; Retain iu his & their hands, out of the Money arisiDg by the said Duty f Excise, for their Trouble & Services, the Sum ot Teo per Ceot

And be it further Enacted by the Authority Aforesay'd, l^iat if anj- of the Ewpective Com'rs appointed by this Act, Shall Dye, deny ^r Bef use to Serve, then it »hall and may be Lawful for the Mayors & Aldermen within the Citys & Countys of New Yorii aud Albany, & the Justices of the Peace in the Several Countyes within this Colony, or the Major part of them, under their hands & Seals, to appoint other Comm'rs in their Stead; & the Commia- sioners So appointed, Shall have the Same power & Aathority as the Comm'rs herein before appointed, until the Gov'r,- Council & Assembly shall either confirm them or appoint others.

And be it further Enacted by the Authority aforesaid, That if any of the CommisBioners hereby appointed, or to be appointed as aforesaid, shall Directly or Indirectly, Either by themselves or their Sen-ants, or by any other person or persons whatsoever. In Trust for them. Retail any Wine, Beer, Rum, Cyder, or any

other Strong Liquor or Liquors within the Time Limitted by this Act, Every Such Commissioner or Commissioners shall forfeit for every Such offence, the Sum of fftfty pounds Current Money of this Colony, to be Recovered in any Court of Record within tl'ia Colony, One half whereof to be to his Ma'tie, his heirs end SaccesBors, and the other half to the person or persons who shall pi-osecute or Sue for the Same.

THE SEVENTEENTH ASSEMBLY.

Third Bession.

(B^fun April 25, 1717, 3 Gooi^e I; Robert Hunter, Governor.)

[CHAPTER S26.]

[Chapter 32ft. of Livingston & Smith and Van Schaack, wbere the titl onl7 Is printed. Printed In full In Bradford, 1732 ed., p. 133. Tit printed In Baskett, p. 229, Revived by chapter 368.]

An Act for Laying a Duty on Oooda Sold by Auction, Vendue or Out-Cry.

[Paased. May 14. 1717.1
Be ft Enacted by the Goveroonr Council & General! Assem- bly of the Colony of New York, and by the Aathority of the same;

Digi-jzedbyGoOgiC

That there be Qiv&i & Qranted to hU Majesty, HU Heirs & HucceBsors, on Every Hundred Ounces of Plate Value of Goode^ Wares and Merchandize, of what Kind Boever, that Hhall be ISold witbio this Colony at publick Vendue, Auction or Out-Cry ^ooda belonging to the Crown, ye Excise, Houses, Lands, Ships, Vessels, Goods and Effects of Deceased persons, Uooda taken in Execu- tion, House-hold-goods, or Utencils for Husbandry, and all Horses, Neat Cattle, hogs, and Sheep Only Excepted). The Sum or Quantity of Three Ounces of Civil, Pillar or Mexico Plate, or Bills of Credit made currant in this Ccdony, and so in Propor- tion for a Greater or lesser quantity, During the Time and Term of Two Years, from and after the Publication of this Act.

And be it Enacted by the Authoritj' aforesaid. That for the better Securing the payment of the Duty aforesaid, The ^'endu Master, or whatsoever Person or Persons, Shall Expose any of the aforesaid goods or Merchandize (Except what is before Excepted) at Publick Auctions, Vendue or Out-Cry, Shall at the Expiration of every tliree Months, or within fouerteen Days after the Said Three Months, give an Exact and true Account to the Treasurer of this Colony, for tbe time being, upon Oath, Which Oath the Treasui-er of this Colony is hereby Impoured to Admin-ister, of all Goods and other things above Mentioned, by him or them Sold at Auction, Vendue, or Out-Cry, Chargeable by this Act, & Pay, or Cause to be Pay'd to the Said Treasurer for Every Hundred Ounces Value Sold, as aforesaid, The Sum or Quantity of Three Ounces of Plate aforesaid. To be applyed to Such Uses as the Governour, Council & General Assembly Shall thiult fit.

AND be it further Enacted by the Authority aforesaid, That Every Vendue Master ftithin this Colony, or Such or other Person or Persons aa Shall Sell any of the Goods or Effects Liable to pay tbe Duty, as aforesaid, at Publick Vendue, Siall in a Book for that purpose, Keep an Exact Account of all Soch Goods and Effects as be by him or them Sold by Poblick Auction, Vendue or Out-Cry, Chargable by this Act, & for his Trouble & pains for Keeping tbe Said Books, Rendring the Accounts and paying in the Money to the Treasurer of this Colony, Shall Retain in his hands the Sum of Five Ounces of Plate aforesaid, for every Hun-dred Ounces of Plate he or they SBiall pay tinto the TreoBurer of this Colony for the Time being.
114

Digi-jzedbyGoOglC

8(Mi LAWS OF THE COLONY OF KEW, YORK.

AND be it further Enacted by the Authority Aloreeaid, That the Vendue Master or Other Ptrson fcJeliing Gooda or Other Effects by way of Auction, Vendue or Out-Cry, Shall Enter into Recognizance to his Uajesty, His Heirs & BuccesBors In two hundred Pounds, with Sufficient Buerty, to be Approved of by the Speaker of the (renerall Assembly for the time being, to pay the Duty Lnposed by this Act. And if Any Vendue Master within this Colony, Sliall Deny or Refuse to give the Surety of him or

tliem Required by this Act, Every Sucli Vendue Master, or other Person as aforesaid, Denying or Refusing to 0ve Such Suretys as aforesaid, Is hereby Declared Incapable of Executing that OfQce Tintill Such time as he or they Shall give the Surety by thi Act Required.

And for the better Enabling the Vendue Master, or whatso-ever Person or Persons that Sliall Sell Goods at Vendue, Auc-tion or Out-Cry, to Receive and pay in the Duties' Arising by this Act, within the Respective time here in before Limitted ft Appointed, BE IT ENACTED BY THE AUTHORITY APORE-SAH), that if any Person or Persons, Owner or Owners of any Such Goods so Sold, as aforesaid, & for which the Duty hei'ein before Expressed Shall become due, Shall after Such Sale Thereof & Demand of Such Duty by the Said Vendue-Master, or any Other Person or Persons Selling the Same, Neglect or Refuse to pay to the Said Vendue Master, or other Person or Persons, the Duty Aris-ing on Said Goods, as aforesaid, that then it Shall and may be Lawful for the Vendue Master or Other Person or Persons, and he & tbey are hereby fully Authorized & Impowered on Such Demands & Non-payment thereof, to Distrain the Goods & Chat-ties of Such PersOTi or Persons so Refusing or Neglecting, as aforesaid, & th^ Distress So Taken, to Keep for the Space of Ten Days, at the Cost and Charge ot the Owner thereof, and if the Owner do not pay the Said Sum or Sums of Money so Distrained for, within the Ten Days, then the Said Distress to be Publlckly Sold by the Said Vendue Master, tor the payment of the Said Money, & the Over-plus coming by the Said Sale (If any there be) Over and above the Charges of Taking & Keeping & Selling the Said Distress, to he Immediately Restored to the Owners thereof. And be it further Enacted by the Authority aforesaid, That the Act of Assembly made in the First Year of His Majesties Rdgn, Entitnled, An Act for Laying a Duty on Ooods Sold by

Cn,-,:.tll:yG00gIC

Auction, Vendne or Out-Cry, and every Clause And Article therein contained, is and are hereby Repealed and made void to oil intents and porposes whataoeyer.

[CHAPTEB 327.]

ICbapter 327, of LlTingston & Smitb and Van Schaack, wbere the title only Is printed. Title only is printed In Bradford 1732 ed., p. 173 9.22&.J

An Act to Enable the Mayor, Aldermen and Commonality of the City of New York, to Raise the Sum of Five hundred pounds, for Altering the Course of the Common Sewer at the End of the Broad-Street, and for Cleans-ing and Scowering the Dock of this City.

[Passed. May 14, 1717.]

WHEREAS in the Dock within this City of New York, Vio-lent snddain Bains and the great Confluence of water from Several Streets of the City, unto the Broad-street, and from thence unto the Dock, brings sach Large Quantities of Dirt, Sand, Rubbish, Ouze and Mudd, which Setles and Lodges itself in the Bason of the said Dock, Occasions an Insupportable Charge for Cleansing and Scowering of the Same, for the future may be pre-vented by Extending or Altering the Course and passage of the said Common Sewer, to Convey the Same Clear of the said Dock into the East River. AND WHEREAS the publick Rents and Yearly Incomes of the said City are at present so Small, that they are not SuiBcient to Defray the publick and Nessesary Charge thereof. To the End that the Same Dock and the Wharffs thereof may be Cleansed, Soowred and Repaired, so as to make it Ser-viceable for the Receiving and Harbouring of Vessels, Be it there-fore Enacted by the Governour, Council and Oenll Assembly of this Colony, And it is hereby Enacted by the Authority of the same, That it shall and may be Lawful for the Mayor, Aldermen and Commonality of the City of New York, for the time being, in Common Council Convened, any nine whereof, the Mayor and Recorder to be Two, to Order the Raising of the Sum of Five . hundred pounds Current Money in this Colony, by « Tax upon the Freeholders and Inhabitant* of the said City and County, within the Term of One year next after the pablicatlon hereof, to be

Digi-jzedbyGoOgic'

ABseeeed, Collected and paid on or before tbe first Da; of Sepr

temper next Ensuing, pursuaDt to which Order of Oommon CooncU, So as aforesaid to be made, tlie Mayor of the said Ci(y ahall f oi thwith thereupon, Issue out his Warrants to the Assessors Collectora of Each Bespective Ward within the said City and County, Bequiring them to make such Assesameot and Collection, and to pay the same to the Treasurer (rf the said City, for the time being, or to such other person or persons as the said Mayor, Aldermen and Commonality, or any Kine of them, whereof the Mayor and Recorder to be two, shall think fitt to appoint for that purpose, in such Convenient times as shall be agreed upon by the said Mayor, Aldermen and Couimonality, or such nine of them as aforesaid, which said sum of Five hundred pounds shall by the Treasurer aforesaid, or siiuli person or persons as shall be ao, as aforesaid, appointed to Receive the same, be paid to the uses hereinafter mentioned aud Expressed, and to no other use whatsoever, & Accoanted for in such manner and fform as other ppublick Moneys in the hands of former Treasurers of the Said City have, or ought to be accounted for. AND HE IT further Enacted by the Authority aforesaid. That the said Sum of fire hundred pounds to be Raised by Virtue of this Act, shall be and is hereby Appropriated to and for the Carrying the said Oomon Sewer from the end of th«; Siiid Broad-Street, Thraugh the Said Dock, into the East-River as the said Mayor, Recorder, Aldermen and Commonality shall think Convenient, And for Cleansing and Seowerinp of the Bason of the said Dock from all l^irt. Rubbish, Ouze, Mud and sand, so as to Render it useful and Serviceable for the harbouring and Sheltering of Vess^tls, Especially in the Winter Season, and for Repairing and Mending of the publlck Wharff of the said City.

AN BE IT FURTHER ENACTED by the Authority afore-said, That if any person or persons Shall Refuse or neglect to pay the sum eo by virtue of the Act Rated and Assessed, the Collector Shall have power to Levy the same by Distress and Sale of the Offenders goods and Chattels, with Reasonable Charges of Dis-tress, Restoring to the owner the Over-plus, if any be.

AND BE IT FURTHER ENACTED by the Authority afore-said, that it shall be in the power of the «ald Mayor, Aldermen and Commonality, or any Nine of them, whereof Ihe Mayor and Recorder to be Two, to appoint such ■permn or peraons as they

Digi-jzedbyGoOgiC

shall think fit, to be Overseers of the said Work, and to parchaae Materials NeBsessary, and agree with Work-men, and to order the payment of the Said Money for the uses aforeaaid, aa they; shall think fltt

[CHAPTER 328.]

{Chapter 328, of Livingaton & Smltb and Van Scliaack, where the titl onlj- is printed. Printed In full In Bradford, 1732 ed., p. 174; In p. 2S3, as baring been passed In November, 1717. Tliat part of this reduced Interest to six per cent repealed by chapter 300. The wliole expired May 27, 1722.J

An Act for the Restraining the taking of Extravagant and Excessive Usury.

[Passed, May 27, 1717.]

WHEREAS the Great and Exceasive Usury now Commonly taken in this Province is found to he a very great Discouragement t-j the Trade, and an Ohstruction to the Settlement of the Same; for Remidying and preventing of which for the future, be it Enacted by the Governour, Council and General Assembly, and by the Authority of the Same, TLat no person whatsoever shall after the Publication of this Act, take, directly or Indirectly, any greater Use or Interest that Six pounds, Current Money of this Province for the forbearance of one hundred pounds for a Year, And so after that Bate for a greater or Lesser Sum, or for Longer or Shorter time, for the Loan of any Moneys, Wares, Mer- chandizes, or any Commodities whatsoever. And that all Bonds, Contracts and Assurances of what nature and Kind Soever they be, made after the Time aforesaid, for payment of any Principal or Money, Goods, Wares, Merchandize or Commodities Lent, or Covenanted, to be performed, upon or for any Usury or Interest, whereupon or whereby there shall be Reserved or Taken, directly or Indirectly, above The Rate of Six pounds in the hundred, as afforesaid. Shall be utterly void, and that all and every Person or Persons whatsoever which shall, after the time afforesaid, upon any Contract to be made after the Publication of this Act afforesaid, by way or means of any Bargain, Loan, Exchange, Chevisancp, Shift, of any Wares or Merchandizes, or other thing or things whatsoever, or by any Deceitfull [way or means, or l^ aD''- Covin, Craft, Invention, fetch or Uecoitfull] Conveyance, or

under the notion of broakage. Storage, procurage, Service, or by any other ways or means whatsoever, it be Contrary to the true

Lc;−,:uJbyC00gIC

Intent and meaning of this Act or to Elade and avud the Ends and Intention tliereof, take, accept or Receive, Directly or Indirectly, for the forbearing or giving Day of Payment for one wkole Year, of and for tltvir Money, or other thing, above the Sum of Bix pounds for the forbearing of one hundred pounds for a Year, and 80 after that Rate for a Greater or Lesser Sum, or for a Longer or Shorter Term, Shall forfeit and Loae for every Sach Offence, the Treble Value of the Moneys, Wares, Merchandize ard other Things bo Lent, bargained, Sold, Exchanged, Shifted, Stored or Procured. [And be it further Enacted by the Authority fllloresuid. That all and every Scrivener and Scriveners, Broker and BrolierB, Solliciter and Solliciters,] Fracticioner of the La'n', and Practicioners, Driver and Drivers of Bargains for Contracts, who shall, after the time aforesaid, take or Receive, directly or Indii−ectly, any Sum or Sums of Money, or other Reward, or thing for Broakage, Soliciting, Driving or Procuring the Loan or bargain, or the forbearing of any Sum or Sums of Money, over and above the Rate or Value of Ten Shillings for the Loan, or for forbearing of one hundred pounds for one Year, And so proportionably for a Greater or Lesser sum, or above Eighteen Pence for the making or Renewing a Bond or Bill for the Loan, or for ihe forbearing thereof, or for any Bond, Counter−bond or Bill concerning the Same, Shall forfeit for every Such Offence Twenty pounds, and have Imprisonment for half a Year; The one Moyetie of all which forfeitures mentioned in this Act, to his Majesty, His Heirs and Successors, and the Other Moyetie to him or them that will Sue for the Same in any Court of Record within this Prorince by Action of Debt, bill, plaint, or Information, in which no Essoin, Wager of Law or Protection to be allowed. Provided Always and it ia the true Intent and Meaning of this Act, That a!t Bonds or Mortgages Executed before the Publication at this Aor, the Ohliger or Mortgager, his Heirs, Executors or Administrators Shall pay to the Obligee or Mortgagee, his Eiecutorai Administratora or Assigns nntil the time of Payment of such Bond or Mortgage, Such Interest for the forbearance of the Jfoney due by the Same, as the Said Obligor or Mortgager,

Agreed to pay to the Said Obligee or Mortgagee.

This Act to Continue and be in force for and during the Space of Five Years after the Publication thereof, and no longer.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF NEW YORK.

[CHAPTER 329.]

[Chapter S29, of LivlDgbiuu & Smltb and \'au Schaack, where the titl onlr Ib printed. Tbls act is not iu Bradford, 1TH2 ed. Title only In Boflfcett, p. 231.1

Ad Act to enable Mary the Widow and Executrix of Johc Oorbett Dec'd to convey & asBure a certaine dwelling house and Tene- ment and the ground thereunto belonging Bcitnate and being on the West side of the broad street in the City of New Ywk.

[Passed, May 27. 1717.]
WHEREAS John Corbett in his Life time, in order to Raise money for the paym^it of his just debts, did order the Vendue master, by publick out-crj', to make Sale of hia certaine dwelling house and Tenement with the ground thereunto belonging, Scituate and beting on the West side of the broad-street, in the City of New York, between the Houses Late of Caleb Cooper on the South Side, and bouse of Coonraed Teneyck on the North side, which was performed and executed by the Vendue Master, on the Twenty Seventh day of September One thousand Seven hundred and Sixteen And one of the Conditions of Sale made for the Same was, that the Said John Corbett Should give a good title to the buyer or purchaser thereof, and also put the purchaser into Possession thereof the first day of May then next following. And Patrick Macknight as highest bidder did purchase the Same, but so il, is that by the will of God before the Same bargaine and Condition could be performed to wit the Seventeenth Day of January One thousand Seven hundred and Sixteen the Said John Corbet departed this Life It being the earnest desire & Bequest «f the Said 5fary the Widow and Executrix of the Said Deceased

that the just and pyous intent of her Said Deceased Husband should he made effectual.

BE IT THEREFORE ENACTED by his Excellency the Oovemour the Council and Representatives of this Colony in Generall Ass«Qb1y meet and assemhled and it is hereby Enacted and Ordained by Authority of the Same That it shall and may he Lawfnll from henceforward and at any time hereafter to and for the Said Mary the Widow and Executrix of the said John Corbett to finish and compleat the Same agreement or hargaine so made of the Same Dwelling house and Tenement with its Heredlta*

Digi-jzedbyGoOgiC

meats and Appurtenances unto the 8aid Patrick MackDight and iu caae lie tlie ISaid Macknight dos not comply with the aforesaid conditions of Sale to any other person or persons whomesoeTer And the Same Mary is hereby fully authorized and Impowei-cd to Seal and Execute ail' maner of Deed* or Instruments In Writ-ing and to Act and do all Lawfull & necessary Act and A^ts thing and things needfull and necessary for the Assuring and confirming of such sale or Sales to be made thereof to the Said Patrick Maeknight or to any other Person or Persons whomsoever which Conveyance or Assurance of the Said Dwelling house and other the Premises shall be as good and effectuall by her as if th Hume were done and perfected by the Said John Corbett in full Life being the OmiBSion of Punctuall time of performance and Delivering of possession or any other Defect neglect or Inperfec-tion in any waies notwithstanding, PROVIDED allwaya that it Khali not be in the power of the Said Widow to alter the Pioua intent of the Testator of applying the Consideration money com-ing by the Sale towards the discharg of his jnst Debts.

[CHAPTER 330.]

IChapter 330, ot Livingston & Smith and Van Scbaach, where tbe title only la printed. This act is not iu Bradford, 1732 ed. Title only lu Baekett, p. 231.]

An Act Declariug a. Sloop now upon the Stocks in the Colony of Connecticut belong-

ing to Mr. Jacob Moene free from the Duty of Tonnage.

[Passed, May 27, 1717.]

WHEREAS the Said Mr. Jacob Moene of the City of New York by his Peti'con presented to the General Assembly, Set forth, That before the Publishing an Act entituled an Act to Oblige all Vessels Trading into this Colony, Except Snch as are therein Excepted, to pay a Certaine Duty & for the further Explanation and rendring more Effectual certain Clauses In an Act ot General Assembly of this Colony, Entituled an Act, b^ which a Duty is laid on Negroes & other Slaves Imported into this Colony, the Said Jacob Bfoene had a Sloop more than half built in the ^id Colony of Connecticut & is now ready to be Lanched. which Said Sloop he designed Should Sail out of this Port of New York Therefore prays he may be free from the said Duty of Tonnage.

BE it therefore Declared and Enacted by the Govemoiir

Digi-jzedbyGoOgiC

OonDcil and General Assembly and by the Authority of the Same. That the Said Sloop so by him built in the Said Colony is by this Act acquitted freed and Discharged from paying the Said Duty of Tonnage and the penalties and Forfeitures Expressed in the Said Act hereinbefore mentioned, or any other Act, to all Intents and purposes whatsoever Dureing such time only as the Sole and Intire propperty of the said Sloop doth or shall Actually and bona fide belong to the Inhabitants of this Province.

[CHAPTEE 331.]

[Chapter 331, of Livingston & Smith and Tan Scbaack, where the title oaly Is prlDted. This act Is not la Bradford, 1732 ed. Title only In Baskett, p. 231.1

An Act Declailng a Sloop called the Good Intent built at New Port in Bode Island belouging to Messeirs Benjamin Faueuil Thomas Bayeux Andrew Fresneau and David Jlinvielle free from the Duty of Tonnage.

IPassed. May 27, 1717.]
WHEREAS the Said Messeirs Benjamin Faueuil Thomas Bayeux Andrew Fresneau and David Minvielle Merchants of the City of New York by their Pet'icon presented to the General Assembly Setting forth, That Some Small time before the Pub- lishing of An Act entltuled an Act to Oblige all Vessels Trading into this Colony Except Such as are therein Excepted to pay a Certain Duty, ond for the further Explanation and rendring more effectual certain Clauses in an Act of General Assembly ol this Colony entituled an Act by which a Duty is laid on Negroes and other Slaves Imported into this Colony Wherein amongst other things it ia Enacted That all ships or other Vessels that Shall NOT be built in this Colony although wholly Owned by the Inhabitants of this Colony Shall be lyable to the Said Duty of Tonnage from and after the Publication thereof Except all Coasting Sloops belonging to the Massachusets Bode Island Connecticut or New Jersey whilst their Navigation is to & from theses Parts, or other Vessels built in this Colony or wholly owned by the Inhabitants thereof, are and shall be Excepted, Did send and Direct their Factor to Bode Island to purchase a f loop therefor them in Order to Sail out of this Port of New York which by the Distance of Places was Impossible for them
115

Digi-jzedbyGoOglc

the Said Messeirs Benjamin Faneuil Thomas Beyeux Andrew Fresneao and David Min^lelle to Contradict before the Said Act was Published. Therefore htunbl; prajed the Said Sloop m^bt be Cleared from paying the Suid Duty of Tonnage.

BE it therefore Enacted and Declared by the Govemour Coun- cil & General Asaembly and by the Authority of the Same, Tkat the said Sl4X)p is by thia Act acquitted freed Exempted and Di»- charged from paying the Said Duty of Tonnage and the Peaal- ttes & Forfeitures ExpreBsed in the Said Act hereinbt^ore mentioned, or in any other Act, to all Intents and purposes what- soever Uureing such time only as the Sole and Intire propperty of the Said Sloop doth or shall Actually and bon aflde belong to the Inhabitants of this ProTioce.

[CHAPTER 332.]

(Chapter 332, of LlTlugstou Sc Smith and Van Schaack, where the titl «nl7 la printed. Title only la printed In Bradford, 1732 ed., p. 17 la full In Boskett, p. 231.]

An Act for building a County Hoose and Prison in Dutches County.

[Passed, May 27, 1717.]

Be it Enacted by the Govemour, Council and General Assembly, and by the Authority of the Sam<>, That the Justices of the Peace for the Bay'd County, or any two of them, with the Judge of the Common-pleas of the Said County, are hereby Authorized, Impowered & Required, within forty Days after the Publication of this Act, to Meet fogether within the Said County, to Issue forth their Warrants under their hands and Seals, to the Constables of the Said County, Requiring all and every of them to warn all the Freeholders inhabiting within the Said County, to meet at a certain time and place within the Said County, and there by Plurality of Voices elect and appoint two able and Sufficient Free-holders of and Inhabiting in the Said County to be Supervisors and Directors for Building the Said County House and Prison; at or nearthe most Convenient place at Poghkepse.

And be It further Enacted by the Authority aforesaid, That the said Supervisors and Directors are hereby Required and Directed to Cause to the Said County House and Prison to be Built and Erect in manner aforesaid within Three Years next and after the Publication hereof.

Digi-jzedbyGoOgiC

And be it further Enacted by tbe autborit; aforesaid, That for Defrayiog the Necessary Charges of Building and Finishing the Said County-House and Prison aforesaid, within the Said tiine, There be raised; Leried, Collected and paid by the Free-holders, Inhabitants Kesidents and Sojourners of and in the Said Connty,

within the Time of Three Years aforesaid, in Such proportions as the ■ Said Supervisors and Directors Shall think fit, to the Treasurer o the Said County, for the time being, Such Sam & Sums of Money as they shall think Requisite and n^essary for the Same, Provided, the Same do not Exceed the Sum of Two hundred and Fifty Ounces of good Mexico, Pillar or Sevll Plate, or Value thereof in ilills o Credit made Current in this Colony, which Said Sum is to be Raised, Levied, Collected, paid and Disposed of, for the uses aforesaid, in Such way, and in Like manner, and under such Pains Forfeitures, Regulations and Directions, as all other due and necessary Charges of the Said Countj', or any other County within this Province, are by Law Raised, Collected and paid, for the Use aforesaid, any Law, Usage or Custom to the Contrary in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That the Said Treasurer Is hereby Appointed and Required to Pay the Said Money hereinbefore to be Collected and paid to him, to Suck Uses as is hereinbefore Directed, Pursuant to the Warrants as Shall be directed to him under the Hands aiid Seals of the Said Supervisors Or any one of them.

[CHAPTER 333.]

(Chapter 33.^, of LtvlQ^ton & Smith aod Van Schaack, where tbe act prlated In full. Printed In full Id Bradford, 1732 ed., p. 130. Bas p. 230. See chapter 1372}

An Act for Annexing that part of tlie Mannor of Livingstone, which now Lies in Dutches County, unto the County of Albany.
[Passed, Uuy 27, 1717.]
WHEREAS the Maunour of Livingston being scituate on the East Side of Hudsous River, in this Colony, is part thereof in Dutches County, which Renders the Administration of Justice Sometimes Difficult,

Be it Enacted by the Oorernour Council! and Oenerall Assembly nnd by the Authority of the Same, That from and after the Publica- tion of this Act, that the Mannor of Livingston Shall be, and foreve Remain and be Annexed to the County of Albany, [and be accoonted as part, Parcel and Member thereof; which Bounds of the said

Maonor shall End aud Terminate the Connty of Albany,] on tbe East-side of Hudsons Biver, as the Sawyers Creek doth TermiDate the Kame on the West-side thereof, lying opposite the one to the other, always, Beaerving to the Proprieter of the said Mannor, his Heits and Assigns all such Franchises, Priviledges, & Immiinitie». which have from time to Time been gi-anted to him, his Heirs and Assigns, from hia present Majesty King George, and his Boyal Pre-decessors, Kings and Queens of England.

HE IT further Enacted by the Authority aforesaid, That for the better Defraying the Common and necessary Cliarge of the said Mannor of Livingston. That it shall and may be Lawful for the Ithilbitants of the Mannor of Livingston To Elect and Chuse, Yearly and every Year, one Pupervizor, one Treasurer, one Assessor & one Collector for the Said Mannor, who shall have the same power, Authority, Oflice and Function, and do, perform. Execute and Serve, and be Liable to the Same Pains and Penalties as the Supervizors, Treasurers, Assessors and Collectors of the severrl and Respective Counties within the Colony have, ought, or are intended to have, do. Perform, and be Liable to by one Certain Act of General Assembly, Pass«-'d in the Year of Our- Lord One thousand Seven hundred and three, Entitled, An Act for the better Explaining, and more Effectual puting in Excecution An Act made in the Third Year of the Late King William and Queen Mary, *f Glorious Memory, Entituled, au Act for Defraying the Publick and Necessary Charge thro'-out this Province, and for Maintaining the Poor and preventing ^'agabondB, [And be it further Enacted by the Authority aforesaid, That the Wages and Charges of their Representative or Deputy in General Assembly, Shall be Equal with any Mannoar, City Burrough or County in this Pro^inre, and the Inhabitants of the Same Mannoor Shall only he Liable to Defray the Wages and Charge of their oun Bepresentative or Deputy iu General Assembly, and not otherwise, but shall not be excused from any other Publick County Charge.] Provided always, and it is hereby further Enacted, That this Art iior any part thereof shall be construed to Extend to Exempt that ■ part of the Mannour of Livingston formerly in the County of Dutch from paying and Dischai^ing all Taxes and Arrears of Publick Taxes and Dues, due, laid or Payable before the Publication of this Act, And shall hi'. Levied, in Case of Befusal of Payment, in the method and manner as usual, and as though this Act had never been made. Any thing herein to the Contrary hereof in any wise notwithstanding.

H;-,:.tll:yG00gIC

[CHAPTER 334.]

[Chapter 334, of Livingstou & Smltb and Vau Stliaack, nliere tbe tit only la printed. Title only Is priuted iu Hradfurd, li:>2 ed.. p. 1 p. 232. Expired ya 1718. See chapter 315. HevlveU by eUapiei'

An Act Reviving an Act, Intituled, an Act (or the Better Settling the Militia of this pro- Tlnce and making it more usefnll for the i^urity and Defence thereof, And lor Repealing All former Acta heretofore made in this province relating to the Same.

[Passed, May 2T. 17X7.1
BE IT ENACTED by the Governour Council & AssembO-, And it ia hereby Enacted by the Authority of the Same, That an Act, Intituled, an Act for the better Settling the Militia of this proiin and making it more usefull for the Security and Defence thereof, And for Repealing all former Acts heretofore made Iq this Province Relating to the Same, made in the first Year of the Reign of her late Majesty, Queen Anne (of Blessed Memory) E/xpired by its own Limitation, Shall be of force from the first day of November next Ensuing, until the first day of November which will be in the Year of our Lord One Thonaand Seven Hundred and Eighteen.

ICHAPTER 335.]

[Chapter 335, of Livingston & Smltb and Van Schaack, where the title only Is printed. Title only is printed In Bradford, 1732 ed., p. 17 in full in Baakett, p. 229. See chapter 2S2. Expired. Slay 1, 1

An Act Reviving an Act, entituled, an Act for Encouraging the Indian Trade at Albany.
[Passed, May 27, 1717.]

BE it Enacted by the Governour, Council & General Assembly, and it is hereby Enacted by the Authority of the Same, That an Act, entituled, an Act for Encouraging the Indian Trade at Albany, * made in the thirteenth Year of the Reign of her late Ma'ty, Queen Anne, of Glorious Memory, expired by its owne Limittation, shall

l>o of Force from the Publication hereof, until the first Day of Ma which shall be in the Year of our Ixxd, One Thousand SeveQ bon- dred and Twenty.

Lc;-,:uJbyCc>Ot^le

[OHAPTEit 336.]
[Chapter 336, of LWlagetoD & Smltb and Van Scbaack, where the tJUe oOiy Is printed. This act Is not In Bradford, 1732 ed. Title on In Baskett, p. 231.1

An Act for Exempting the Pink Charlotte Crom paying the Duty of Tonnage.

[I'assetl, May 27 1717.]
For the preventing of ali Disputes that might hereafter arise Iwtween the Beceivei- of the Dutys Imi)osed by an Act of the Genera Assembly of this Province mode in the last Sessions Entitoled an Act to Oblige all Vessels Trading into this Colony, Except Such as uii- therein Excepted, to pay a certaine Duty, and for the farthet Explanation and rendring more effectual certaine Clauses in aii Act of General Assembly of this Colony, Entituled an Act by which a Duty is Laid on Negroes and other Slaves Imported into this Colony and Ilenry Cuyler, Moses Levy Samuel Levy and Jacob Franks the present Owners of the I'ink Charlotte Concerning the payment of the Duty on Vessels Imported by the Said Act.

Be it Enacted by his Excellency the Governour Council and Gen- eral Assembly, and it ia hereby Enacted by the Authority of the same, That the said Pink or Vessel called the Charlotte of the Bur- then of Eighty Tuna or thereabouts and which was Condemned in the Court of Admiralty in this Colony in the Sfonth of Norember last, and Since bought by the Said HL'ury Cuyler Moses Levy, Samuel Levy and Jacob Franks all of the City of New York Merchants fw their Owne proper Use and behoof shall be and ia hereby Exempted and freed from the Duty Imposed by the before mentioned Act and shall so remain freely acquitted and Discharged of the Same and every part thertcif during the time they the said Henry Cuyler, Mose Levy, Samuel Lev_T Rnd Jacob Franks or any other Inhabitant or Inhabitants of this Colony Shall be the Sole and only owner or Own- ers thereof the said Act or any other Law Usage or Custome to the

Contrary hereof in any wise notwithstanding.

[CHAPTER 337.]

[Chapter 337, ot LlTlnRston & Smith and Van Schaack, wbcre the title only is printed. This act Is not In Bradford, 1TS2 ed. Title only in Boakett, p. 231.]

An Act to Clear a Sloop upon the Stocks in the Province of New Jersey tielongiog to Colonel John Johnston from the Duty of Tonnage.

[Passed, May 27 1717.J

WHEREAS, the said Colonel John Johnston Mayor of the CXty ot New York by his Petition presented to the General Assembly, set

foi'th, That somolime before the passing of an Act, entitoled, an Ac to Oblige ull Vessels Truding into ttiis Colony (Except sacli as are therein Excepted) to pay u certaiue Duty & for the further Expliina-tioa and rendring more Etfectual ceituine Clauses in an Act of Gen-ial Assembly of this Colony, entituled, an Act, by which a I>uty is laid on Negroes & other Slaves Imported into this Colony, the said Colonel John Johnston hsid a Sloop upon the stocks in the Bald Province of New Jersey, & is now ready to he Lunched, which said Sloop he designed should Sail out of this I'ort of New York and therefore prays he may be free from the said Duty of Tonnage.

BE it therefore Declared and Enacted by the Governour Council and General Assembly, and by the Authori^ of the same. That the said Sloop so by him built in the Said Province of New Jersey, is this Act acquitted, freed and Discharged from paying the said Duty of Tonnage, & the I'enalties and Forfeitures expressed in the said Act hereinbefore mentioned, or any other Act to all Intents and purposes whatsoever. Dureing Such Time as the Sole and entire proport:!' of the said Sloop Doth or shall Actually belong to the Inhabitants of this Province.

THE SEVENTEENTH ASSEMBLY.

Fourth Session-

(Begnn Sept 5, 1717, 4 George I, Bobert Hunter, Governor.)

[CHAPTEE 338.]
[Chapter 338, of LlylagBton & Smith and Van Scbaack, where the title only Is printeil. This act is not Id Bradford, 1T32 ed. Title o In Baekett, p. 238.]

An Act for Exempting the Snow or Vessel called the Leghorne from paying the Duty of Tonnage.

[Paseed, November 2, 1717.]

For the preventing of all Dispntes, that might hereafter arise between the Receiver of the Dutya Imposed by an Act of the General Assembly made the last Sessions, entituled an Act to Oblige all Vessels Trading into this Colony Except such as are therein Excepted to pay a certaine Duty & for the further Explanation and rendring more effectual certaine Clauses in an Act of General Assembly of this Colony, entituled, an Act by which a Duty is laid on Negroes and other Slaves Imported Into this Colony, and Rodrigo Fachecoe of the City of New York Merchant the present Owner of the Snow

Digi-jzedbyGoOgiC

or Veuael called the Leghorae, concerning the payment of the Do^ OQ VeaselH Imposed hj the said Act.

BE it Eniicted by his Excellency the Governoar Council and General Aesembly, & it is hereby Enacted by the Authority of ttie Same, that the said Snow or Vessel called the Leghorne of the burden of Eighty Tons or thereabouts & which was hnilt in the Colony of Connecticut on or about the time of the Passing the above mentioned Act and now lately brought into this Colony, & whereof the said Rodrigo Pacheco ia the ^ole & only Owner shull be and hereby is Exempted & Freed from the Duty Imposed by the before mentioned Act, and shall so remain freely acquitted and Discharged from the same and every part thereof during the time the said Boderigo Pacheco or anj' other Inhabitant or Inhabitants of this Colony, shall be the sole and onely Owner and Owners thereof, the said Act or any other Law Usage or Custome to the Contrary hereof in any wise notwithstanding.

(CHAPTER 339.]

[Chapter 339, of Livingston & Smith anS Van Schaack, where the title uuly l» printed. This act Is not In Bradford, 1T32 ed. Title only IQ Baskett, p. 239.]

An Act tor Exempting the Sloop Mary and Hannah from paying the Duty of Tonnage.
[Passed, November 2, 1717.]
For the preventing of all Disputes that might hereafter arise between the Receiver of the Dutys Impos'd by an Act of the General Assembly of this Colony passed in their last Sessions, entituled, an Act to Oblige all Vessels Trading into this Colony Except such as are therein Excepted, to pay a C^>^taiue Duty and for the further Explanation and rendring more effectual certaine Clauses in an Act of General Assembly of this Colony, entituled an Act by which a Doty is laid on Negros & other Slaves Imported into this Colony and William Waldron Owner of the Good Sloop or Vessel called the Mary and Tlannah Concerning the pa.^—ment of the Duty on Vessels Impos'd by the said Act. BE it Enacted by his Excellency the Gov- ernour Council and General Assembly, and it is heretry Enacted by the Authority of the same. That the said* Sloop or Vessel called th Mary and Hannah of the Burden of Thirty Tons or thereabouts, lately built in the Province of New Jersey and wholly belonging to the said William Waldron of the City of New York Shopkeeper, shall be and hereby is exempted & freed from the Doty Lnpos'd on

Digi—jzedbyGoOglC

Veasela l^ the beforementioned Act and shall so remain freely acqattted and Discharged from the Same and ever; part thereof during the time the said William Waldron or any other Inhabitant or Inhabitants of this Colon; shall be the Sole and only Owner or Owners thereof, the Said Act or any other Law, Usage, or Cnstome to the Contrary hereof in any wise notwithstanding.

[CHAPTER 340.]

[Chapter 340, of LlrlDgston & Smith end Vao Scbaack, where the title only Is prjnte<l. Printed lu full In Bradford, 1732 ed., p. 173. Tb not ia Baskett]

An Act for an Allowance to the Represen-
tative of the Township of Schenechtady in the
County of Albany.

[Passed, Novembet 2, 1717.]

WHEREAS the Supervisor of the Township of Schenechtady has neglected & refused to allow the Wages & Sallary due to the Representative of the afores'd Township for the Year 17H>. Re it therefore Enacted by his Excellency the Gov'r, the Council & Gen-eral! Assembly, That the Representative of the Township of Schenech-tady shall be allowed for his Service & Attendance As a Representa-tive in the Generall Assembly of this Province in the Year 1716. Ten Shillings pr Day. And be it further Enacted by the Authority affores'd. That from the first day of April, 1717, until the first Decemb'r next ensuing, the Representative of the afores'd. Township shall have the Same Wages & allowance as above men'coned, to comence from his coming oat till his Return home, not exceeding Eight Days for his going or Coming. And the Sujiervizor, for the time being, is hereby authorized, appointed & requii-ed on the first Tuesday of Dec'r next, to raise, or cause to be raised, levyed & collected by the Assessor & Collector of the s'd Township of Schen-echtady, for the time being, the s'd Wages of the s'd Representative, nnder the Penalty of fifty Pounds, one half thereof for the behoof of his Mnj. the other half to such Person as shall sue for the Sa

And be it further Enacted by the .\uthority afores'd, That the s'd Supervizor, for the time being, shall nominate & appoint a Treas urer on the first Tuesday of December next ensuing, & so annually & every Year, for the future, which s'd Treasurer shall Receive the s'd 5foney from the Collector, & pay the same, by virtue.of a Warra tinder the hand & Seal of the Supervizor, to the s'd Representative or Deputy,

Digi-jzedbyGoOgiC

[CHAPTER 341.]

[Chapter 341, of LlTiogstou & Smith and Van Schaack. where the Utte onlf Is printed. Printed In ruU In Bradfoi-d, 1T32 ed., p. 135; Bas The act referred to la chapter 250. Repealed by chapter 300.1

An Act for Explaining and Bendring more
Effectual an Act of the Generall Assanbly
of this Colony, Entituled, An Act for prevent-
ing, Suppressing and punishing the Coospirac}'
and Insurrection of Negroes, and other Slaves.
[Passed, Sovemher 2, 1717.]

WHEREAS by one Act of General Aaaerably of this Colony, Entituled, an Act for preventing, Kuppi'easing and punishing the Conspiracy and Insurrection of Negroes, and other Slaves, passed m the Eleaventh Year of her late Majesties Reign, It is {amongst other tilings) therein Enacted, That any Master or Mistress Manumitting ano getting at Libert^' any Negroe, Indian or Malatto Slave, shall Enter into sufficient Security unto her Majesty, her heirs and Snc-c<'si c rs, with two Sureties not less, than the Bume of Two htmdr pounds, to pay Yearly and every Year, to such Negroe, Indian or Malatto Slave, during their Lives, the Sum of Twenty poand» lawful Money of this Colony. And if such Negroe, Indian or Malatto Slave shall be made free by the Will or Testament of any person Deceased, That then the Executors of such person shall Enter into Security as above. Immediately upon proving the Bitid Will or Testa-ment, Which if R*'fu3ed to be Given, the said Manumission to be void and of none effect. AND WHEREAS the aforesaid Claote in the said Act is found hy Experience to be very Inconvenient, pre judicial, and in a miinncr, a prohibition to Liberty, and will very much Discourage nud Dishearten such Negroe, Indian or Malatto Slaves from serveing their MaBters or Slistresses truely and faith-fully, as they ought to doe. ffor Rcmidying whereof, And for the bfttcr Explaining of the said Clause in the said Act, Be it Enacted by his Excellency the Governour, Council and General Assembly of this Colony, And by the Authority of the same, That if any such Master or Mistress Manumitting and setting at Liberty any Negro, Indian or Malatto Slave, or any other suiHcient person for and on t behalf of such Negroe, Indian or Mulatto Slave, shall and do Enter into such Security, as aforesaid, at the General Sessions of the Peace, for the City and County where such Negroe, Indian or Malatto Slave shall live or reside, To keepe and save such Negroe, Indian c

1 1., Google

Malatto Slave from becomiDg or being any Charge to the City, Town or place where he, she or they do live the aaid Negroe, Indian or Maiatto Slave shall be (tree according to such MaDumisalon of such Master or Mistress bo Manumitting and setting at Liberty such Slave or Slaves; And if any such Negroe, Indian or Malatto Slave, since the making of the said recited Act, shall have been made ffree, or hereafter shall be made ffree by the Will or Testament of any perso Deceased That then if any Executor or Executors of any such person or persons Deceased, or on their Neglect or refusal any other suffi-cient person for and on the behalfe of such Negroe, Indian or Malatt Slave, shall and do Enter into such Becuritj', as aforesaid, at the eral SeBsions of the Peace for the City and County where such Negroe, Indian or Malatto Slave, shall live or reside, To keep and save such Negroe, Indian or Malatto Slave from becoming or being any Charge to the City, Town or Place where he, she or they do li the said Negroe, Indian or Malatto Slave shall be ffree, according t the true Intent and mi-aning of the Will or Testament, of any perso or persons Deceased, The said t)efore recited Act of Assembly, or an Law, Usage or Custome to ye Contrary in any wise Notwithstanding.

[CHAPTER 342.]
[Chapter 342, ot Livingston & Smith and Van Schaack, where the title only Is printed. This act Is not In Bradford, 1732 ed. Title on in Baskett, p. 239.]

An Act for Paying Johannes Jansen
David Pro^'oost and Leonard Lewis, Esqr's
The Arrears Due to Them for their services
Id The Generall Assembly na Bepresentatlves
for the City and County of New York.

[Passed, November 2, 1717-1
WHEREAS Johannes Janaen David Provoost and Leonard Lewis Esqr's have served Severall Years as Representatives for The City and County of New York in Generall Assembly for Which they Received No sattisfaction Be it therefore Enacted by his Excellency the Govemour Council! and General Assembly and By the Authority of the same that the Mayor Recorder Aldermen and Commonalty of the Said City and County are here By Required and Directed on or before the first Day of December One thousand Seaven hundred and Eighteen? to Meet at the City hall of The Said City and there order A Raising on the

Inhabitants Residents and Sojmimera of and In the Said City
the sum of Six shillin<:s Currant Money p Diem for Every Day
it ffliall Appear By C-ertiflcate Signed By the Bpealcer of the

.., Google

general A^embly for the Time Being or gigned By the Clartse
of the General assembly By Order of the same for paying ajid
sattlsfying the Said Johannes Janaen David Provoost & Leonard
Lewis Esqr's: for their Kuid t^ervices, and that Tursuant To the
Order of the Mayor Recorder ^VldLTmen and Commonalty to Be
Made as AforeSaid For the Time Being a Warraot or Warranta
Khali lie Issued to the assessors and Collectors of Each Respec-
tive Ward Within tlie Said City and County Requiring Them to
Make Such assessment and Collection and Pay the same to the
Treasurer of the Said City For the Time Being at Such Conven-
ient Time as Shall Be Agreed on by the Said Mayor Recorder and
Commonnlty So that the Said Sum of Six Shillings, p Diem
atorcSaid Shall by the Treasurer of. the Said City for the Time
Being Be paid to the Said Johannes Jansen David Provoost and
Leonard Lewis Esqra or Order for their Services aforeSaid on
or Before the first Day of October Which Will Be In the Year of
Our Lord One Thousand Seven hnndred and Nineteene and Be it
Further Enacted By the Authority aforeSaid That If Any Person
or Persons Shall X«^lect or Refuse to pay Any Sum or Sums of
Jloney 'Which he She or they are Assessed By Vertue of this
Act that it Shall and May Be Lawful! for the Collector or Col-
lectors thereof to Levy the Same by Distress and Bale of his
her or their goods With Reasonable Charges for Distraining
Restoring the Owner thereof the Overplus if Any Be.
and Be it further Enacted By the Authority aforeSaid that If the
Sfayor Record'r Aldermen and Commonalty of the said City and
C'Ounty or Any of the assessors or Collectors afore Said Who are
here By Required Impowered and Authorised To Take Effectuall
Care that this Act Be Duly Executed According to the True
Intent and Meaning there of and In Case Any of Them shaU
Deny Refuse Neglectt or Delay To Perform and Execute all or
Any of the Powers Dutys & Authoritys In this Act Required to
Be Done and Performed And shall Tliere of Be Lawfully Con-
victed In Any Court of Record Within this Collony he or they
So Denying Refusing or Delaying to performe the Dutys afore

Said Shall Be Lyable to and Incur all the Fains Penalties and Forfeitures Mentioned and Expressed in An Act of general assembly of this Colony Entitnled an Act for Levying four thousand Pmmds Made In the Eighth Year of her Late Majestys Reign as fully to all Intents Constnictiona and purposes as If the same had Been here Inserted Expressed and Mentioned a.t Large Any Thing here in Contained to The Contrary Not With standing.

.., Google

[CHAPTEU 343.]

[Chapter 343, ot Livingston & Smltli auU Van Schaack, where the titl only U printed. Title oalj ie printed In Bradford, 1732 ed., p. 1T3 In ruU in Baaltett, p. 234. Revived by chapter 4T5.]

An Act for Beguiatiug the Ferry between the City of New-York and the Island Nassau.
[P&saed, November 2, ITlT.j

WHEREAS there is A Ferry Established between the City of New-Yorit and the Island Nassau, belon(;ing to the City and Corporation Aforesaid, and A Catalogue of Rates and Prices has been formerly Regulated by the Magistrates of the said City, wherein some few particulars are but Expressed, and the Hates for Carrying all Other Goods and Commodities whatsoever over the said Ferry, Entirely left to the Ferryman, for the time being, to demand and take proportionably for Transporting the same, Pursuant to the said Regulation. BUT WHEREAS the said Catalogue is uncertain, and by Process of time become Deficient as Circumstances often do Oiler, ^Vhereby the Feny-man makes himself sole Judge to Exact Extravagant Prices and Kates for Transporting all such Merchandize, Goods and Things as are not Begulated and Specified in the Catalogue aforesaid, to the great Abuse and wrong of his Majesties Good subjects,

BE IT THEREFORE ENACTED by the Governour, Council and General Assembly, and it is hereby Enacted by the Authority of the same. That from and after the Publication of this Act, no Other Rates and Prices shall be Imposed, Demanded and talien for Transporting , Men, Women Children, Horses, Cattle and all

manner of Goods, Wares, Merchandize, and Other Commodities whatsoever, by the ferry-man, for the time being, than hereafter are Specified and Regulated, that is to Say,

For Transporting of Every Person from the City of Ifew-Tort to the Island Nassau, or from the Island Nassau to the City of New-York, Eleaven Graines and One Quarter of a Grain weight of Plate; if after Sun-set, double that Rate, unless A Neglect or refusal In the ferry-man to Transport Passengers over Sooner,

For Every Horse or Beast, Sixty Grain Weight of Plate.

for Every Calf alive. Two and Twenty Graines and an halfe weight of Plate

for Every Hog alive Two and Twenty Graines and an halfe weight of Plate

Digi-jzedbyGoOgle

for Every Hlieep or Lamb; fflfteene Oraine weight of Plate

for Every Barrell uf Bum, Sugar, Molasseij or Other fal Barrell

llorty fflve Graine weight of Plate.

for Every Dead Ht^; fBfteene Graine weight of Plate

for Every Bead Sheep, Lamb or Calf, Ten Oraine weight of Plate

for Every Barrel of Beer or Cyder, ftorty fflve Oraioe weight ol '

Plate

for Every Empty Barrel; fflfteene Oraine weight of Plate

for Every Empty Pipe or Hogshead, Sixty Graine weight of Plate

for Every Beast Hide fflfteene Graine weight of Plate

for Every Calf or Sheep Skin ffive Graine weight of Plate

for Every Pail of Butter, Seaven Graine and an halfe weight of Plate

For Every Firkin or Tub of Butter, Ten Graine weight of Plate

For Every Uuahel of Salt, fflve Graine weight of Plate

For Every Bushel of Corn, Two Graine and an halfe weight of Plate

for Every pipe of Wine, Two Hundred & Seaventy Graine Weight of Plate

for Every Hogshead of Molasses, Two hundred & Seaventy Graine weight of Plate

for Every hogshead of Bum, Two hundred & Seaventy Graine weight of Plate

for Every Hogshead of Tobacco, Two hundred & Seaventy Graine Weight of Plate

for Every Inch board, fflve Graine Weight of Plate

for Every board of one Inch and half Seaven Graine and an halfe weight of Plate

for Every Waggon Three hundred Graine weight of Plate

for Every pair of cart Wheels, Ninety Graine weight of Plate

for Every Cupboard or Press for Cloths One hundred & Eighty Graine weight of Plate

for Every Empty Trunk or Chest, fforty fflve Graine weight of Plate

for Every half Barrell of Flower, fflfteene Graine weight of Plate

for Every Barrell of Bread, Thirty Graine weight of Plate

for Every hag of Bread, Seaven Graine and an halfe weight of

Plate
tor Every Gammon of Bacon Two Graine and an halfe weight of

Plate

for Every hundred of Eggs, four Eggs, and so in proportion for A"

Greater or lesser Number

Digi-jzedbyGoOgiC

for Every drest Deer Skin, Seaven Graine and an halfe weight of Plate

foi- Every Turkey or Goose Two Graioe and an haWe weight of Plate
for Every three fowls fflve Graiue weight of Plate,
for Every hundred weight of Iron or Steel fforty fflve Graine weight of Plate

for Every hundred weight of Shott, Thirty Graine weight of Plate
for Every hundred weight of Gun-powder Sixty Graine weight of Plate,

for Every Scyth or Sith fflve Graine weight of Plate
for Every firkin of Soap, Ten Graine weight of Plate
for Every Cheese, Two Graine and an halfe weight of Plate
for Every Corn fann Twenty two Graine and an halfe weight of Plate ^

for Every hondred of Shingles, Thirty Graiue weight of Plate
for Every Cedar Bolt, fflve Graine weight of Plate
tor Every bag of Cotton Beaven Graine and an halfe weight of Plate

for Every Bale of Cotton or Hops, Ninety Graine weight of Plate
for Every Coach Three hundred & Sixty Graine Weight of Plate
' for Every Chaise One hundred & Eighty Graine weight of Plate
I for Every Single Sleigh, Ninety Graine weight of Plate

for Every double Sleigh, One hundred and Twenty Gra.lne weight of Plate

for Every piece of Ozenhr^gs, Eleaven Graine and a Quarter Weight of Plate and so in proportion for Other pieces of Linnen and Wollen Cloath All which Kovirall Sumea of money abovesaid are to be paid in Silver Plate of ■S[ci:ico or Civill, ov in Bills of Credit of t or in any other Silver money Equivolent in valtue to them.

AND BE IT FURTHEiK ENACTED by the Authority aforesaid, Tliat all Other Merchandize, Goods, Commodities and Things what soever, not Specified in this Act, Shall pay for the ferriage or Tr jwrtation thereof from New York to Nassau Island, or from Nassau Island to New York, in proportion to the Bates above Specified, for A greater or lesser weight or quantity, and not Otherwise. And in Case any Person or Persons whatsoever shall hereafter refuse to pay the Bates and Prices of Ferriage before Mentioned, to the Ferry-man, for the time being, Pursuant to the Kegulation made in this Act, he she or they so refusing shall forfeit and pay tribble the Rate to he, she or they were liable, together with the Charges of Becoverlng the same, upon the Oath of one Credible Wittnesa before any of his

Dglc

Majesties Justices of the Peace, who are hereby Authorized and Bequired to Administer the said Oath, and to give Ju^ment and Award Execution Accordingly. And if any Dispute shall tiappea to Arise hereafter Concerning the Bates and Assizes of any Ooods or Commodities not Expressed in this Act, and be brought before some one of his Majesties Justices of the Peace by the Contending Parties the said Justice of the Peace is hereby Authorized and Bequired to hear and Deteimine the same, so as to him shall Appear to be Con- formable to the true Intent and Meaning of this Act.

AND BE IT FUETHEK EXACTED by the same Authority,

That the Ferry-man, for the time being, shall be Obl^ed to Come and go with the Ferry-Boats, to and from auch places in the City o New York, between the Great Dock and Beeckman's Slaughter-house, and by such Tarns as are Appointed and prescribed him in the former Eegulations, for Encouraging the Marketts of the said Citj' (Wind and weather peiraitting) And in case he shall Neglect or Befuse the same, he shall forfeit the sum of Twenty shillinga for Every such Offence, to be recovered in Manner as aforesaid, and paid to the Treasurer of the aaid City for the time being, to be Applyed toward the Defraying the publick Charges of the same. And if from and afte the Publication of this Act, the Ferry-man, for the time being, do Impose Exact and Take any Rates for Transporting of Persons, Goods, Wares, Merchandize, or Other things ^Tiatsoever, Contrary to the Regulation and Bates Established in and by this Act, he shal forfeit the sum of Twenty shillings for every such Offence, to be Becovei'cd, paid and Applyed as Aforesaid.

AND BE IT FUBTHEB ENACTED by the Authority Aforesaid, That it shall and may be la^'ful for the Mayor, Aldermen and Com- monality of the City of New York for the time being, their successor and Assigns, to demand, Receive and take the Bates and Prices above in this Act Mentioned, for Transporting of persons. Goods, Wai-es, Merchandizes, and Other things from the City of New York to the Island of Nassau, and from the Island Nassau to the City of New York, Over the ferry in the ferry-boats; and shall and may Establish and keep one or more ferrys between New York and the Island Nassau, for the better and more Easy Transportation of Goods and Passengers over the said Ferry; and that the ferry-man or ferry-men Estabiiiihed in the City of New York shall he Obliged to Receive into his or their ferry-boats on Nassau Island (when there) all sorts of Goods and Passengers (horses and Cattle only Excepted) and to Transport them to the City of New York at the Rates and Prices before Mentioned in this Act, Any thing to the Contrary hereof in any wise Notwithstanding.

AND be it also Enacted by the said Authority, Tliat the Ferry- man for the time being, shall not Impose and Exact any liatea foe tiuy Goods or things Whatsoever, Transported by any of the Inhabi- tants at and near the ferry on Nassau Island, in their own Boats or Canoes, that Is to Say, Inhabiting between Kyckuyt and Bed-hoolt, provided the said Gooda and Commodities be properly their own, and not belonging to any Other Person or Persons whatsoever, any

tiling in this Act before Mentioned to the Contrary hereof in any wise Notwith standing.

Provided always, That a Sucking Child shall be Exempted from paying Ferriage, And the said Ferry-man Shall be Obl^ed to set up at the most publick place at the Ferry, the price to be paid for age, Id Order People may be acquainted therewith. This Act to Continue Seven Years from the Twenty fifth Day of March next, & DO Longer.

(CHAPTER 344.]

ICbapter 344, of Livingston & Smith and Van Schaack, where the title onl; Is printed. This act is not printed In Bradford, 1732 ed. Titl printed In Baakett, p. 238.}

An Act for paying the Executors of Thomas Codrington Esqr the Arrears due for bia Ser- vice in General Assembly from the fourteenth of June Seventeen hundred & five, till the Twenty Seventh day of September Seventeen hundred & Eight.

[Passed, November 2, 1717.]
WHEREAS Margaret Codrington the widd.' & Executrix of Thomas Codrington Esqr Dec'ed, hath in her Petic'on set forth, Tliat lier husband, in his life time. Served Several Years a Representative for the City & County of New York, for which he rcce'd no Sattis- faetion BE it therefore Enacted by the Governour Council & General Assembly and by the Authority of the same, That the Mayor Aider- men & Commonalty of the said Citj' are hereby required and Uirected, on or before the first Bay of December One thousand Seaven hun- dred and Eighteene, to meet at the City Hall of the said City, & there order the raising on the Inhabitants residents & Sojourners of & in the Said City and County the Sum of Six shillings p diem, fo every Day it shall appeare by Certificate of Certificates, Sign'd by the Speaker of the General Assembly for the time being, that fhe said Thomas Codrington served in Sp'd General Assembly, betwirt
. 117

Digi-jzedbyGoOgiC

the fourteenth day of June Seventeen hundred & five, & the Twenty Seventh day of September, Seventeen hundred and Eight Inclusive, for j)ayiiig and Sattisfying the Executors of the aaid Thomaa Cod- rington for his Said Services, pursuant to the Order of the Slavor Aldermen & Comonalty to be made as aforesaid, the Mayor ol the Baid City for the time being, shall Issue his Warrants to the Assea Hors & Collectors of each Respective Ward within the said City & County, requiring them to make such Asseasmeut & Collection and pay the same to the Treasurer of the said City for the time being, such Convenient time as shall be agreed on by the said Mayor Alder- men & Comonalty, or any Xiue of them, so that the said Sum of Six shillings p Diem aforesaid, shall by the Treasurer of the sa City for the time being, be paid to the Executors of the aaid Thom Coddrington, for his service aforesaid, on or before the first day o October which shall be in the Year of our Lord Seventeen hundred & Nineteene. And be it further Enacted by the Authority aforesaid. That if any person or persons Shall neglect or refuse to pay any S or Sums of money which he or they are Assess'd by Virtue of this Act, That it shall & may be Lawful! for the Collector or Collectors thereof, to Levy the Same, by Distress and sale of hia her or thei goods & Chatties with reasonable Chaises for Distraining, restoring the Owner thereof the Overplus if any be.

And be it further Enacted by the- Authority aforesaid. That if the irayor Aldermen & Comonalty of the aaid City or any of the Assessors or Collectors aforesaid who are hereby required Impowered & Authoriz'd to take Effectual care that this Act be ' duly executed according to the true Intent & meaning thereof, shall Denj refuse neglect or Delay to perform & Execute all or any of the powers, Dutya & Authoritys in this Act requii-ed to be done & performed & Shall thereof be Lawfully Convicted in any Court of Record within this Colony he or they So Denying Refuseing or Delaying to perform the Dutys aforesaid shall be lyable too & Incur all the Painea, penalties & Forfeitures menc'oned & Express'd in an Act of Genera! Assembly of this Colony, Ettituled an Act for Le^-ying four Thou- sand pounds, made in the Eightli Year of her late Ma'tys Reign, as fully to all Intents & pui'poaeH as if the same had been herein Express'd and menc'oned at large, any thing herein Contained to the Contrary notwithstanding.

Digi-jzedbyGoOgiC

[CHAPTER 3i5.]

[Chapter 345, ot LlvlDgston & Smith and Van Schaack, where the act prluted In full. Printed la full la Bradford, 1T32 ed., p. 13C; Baa See chapter 6»0.]

An Act to Encourage the Destroying Foxes

& Wild Cats in Kings County, Queens County

& County of Suffolk.

[Passed, Norember 2, 1717.]
Be it Enacted by the Govemouf, Council & General Assembly, & by the Authority of the Same, That from & after the Publication hereof, any Person or Persons whatsoever who shall Destroy any Wild Cat or Wild Cats, their Catling or Catlings, any Foi or Foxes, their Puppy or Puppyea in the County of Suffolk, Queens County & Kings County, shall Keceive as a Reward for each Wild Cat, Nine Stiillings, & for each of their Catlings four Shillings; for every F five Shillings & Six pence, & for each of their Puppies two Shillin & three pence. And for the Effectual paying of the Said Rewards, be it Enacted by the Authority aforesaid, that the Same Methods & Rules, Penalties & Forfeitures Shall be Used in all respects as are Expressed & Contained in one Act of General Assembly made in the first Year of the Reign of our Late Soveraign Queen Anne, of Glorio Memory, Entituled, an Act for Destroying of Wolves in this Colony.

[CHAPTER 346.]

[Chapter 346, of Livingston & Smith and Van Schaack. where the title only iB printed. Title ouljr Is printed In Uradrord, 1732 ed., p. 1 In tail In Baskett, p. 239. Expired, November 0, 1722.]

An Act for Letting to ffarm the Excise of this Colony for the Term of five Years, And to Enable the ftarmera thereof Effectually to Col- lect the Same.

[Passed, November 0. 1717.)
WHEREAS by one Act of General Assembly of this province,

made in the twelfth Year of the Reign of her late Majesty, ANNE, of Immortal Memory, Intituled, an Act for Laying an Excise on all Strong Liquors Retailed in this Colony, there was Given and Granted unto her said Majesty, her heirs and Successors, an Excise on all Strong Liquors for the Uses in the said Act mentioned.

AND WHEREAS proposals have been made to the General Assembly of this pronnce by ffrancis Harrison and Gilbert Living-ston, Esqra. that on the Consideration of their Receiving the Duty ot Excise aforesaid, That they will pay unto the Treasurer of this

Ac

Colony the Sum of Three Thousaod Seven hundred and fflftj Ounces of plate, yenrly & every year, during ye s'd term of five Y hy Even and equal half Yearly payments; And have proposed Ten persona of undoubted Credit and Abilities to become SeeuritieB fot their due performance of the Same, And havo proposed to Kenew the said Securities Yearly and every Year; which proposals have been approved of and accepted by the said General Aaaembly; And m Older that the said Duty of Excise may be managed to the test Advantage, And effectually Answer the Ends and purposes in and by the said Act mentioned and intended,

BE IT ENACTED by the Governour, Council and General Assem-bly, And it is hereby Enacted by the Authority of the Same, That th said Duty of Excise by the Act aforesaid, Given and Granted unto her Late Slajesty, her heirs & Successors, shall be and 13 hereby hired and Let to Harm unto the said ffraucis Harrison and Gilbert Livingston, their Executors, Administrators and Assigns, from the first day of November in this present Year of our Lord Christ One thousand Seven hundred and Seventeen, And until the Term of five Years be fully Compleated and Ended; And the said ffrancls Harri-son and Gilbert Livingston, their Executors, Administrators or assigns are herein and hereby Authorized and Impower'd, by them-selves, their Agents, Deputies or Assigns, to Collect and Beceive the said Duty of Excise, Given and Granted by the Act before men-tioned, And all the fines, penalties & forfeitures that Shall arise o become Due by Virtue of the said Act, or by Virtue of this, or an other act made. Appointing & Directing the Gathering, Collecling or receiving the said Duty of Excise, or any part thereof. During t term of five Veal's aforesaid. And Shall Retain, keep and appropriate

the said Duty of Excise, and fines and forfeitures afore-
said. Arising within the said five years, to their own proper benefit
use and behoof, as their own proper Goods and Estate, Any thing in
this Act, or in any other Act to the Contrary hereof in any wise
notwithstanding.

AND it is also further Enacted by the authority aforesaid. That
the said ffrancis Harrison and Gilbert Livingston, their Executors
or Administrators may and are hereby Impowered (if they so thmk
fit) to Lett, Sell or Dispose of the said Duty of Excise to any
person or persons, either in whole or in part, in any City, Town o
County within this province. During the said Term of five Years, for
the said term of five years, or for any part thereof, fully and Ab
lutely, or in Such manner, and upon such Conditions, and under Such
Hestrictions and Limitations, as by the said ffrancis Harrison and
Gilbert Livingston, their Executors or Adtninistratora shall be

thoaght moat fit & Convenient; And the said purchaser or pur-
chuaoi-3, furiiiep or farmtjrs of the whole, or any part of the sai
of Excise, their Executors or assigns, shall be Intituled to receive
and appropriate to their own proper use and Advantage the said
Duly of Excise, or Such part thereof, as aforesaid, as they shall a
purchase or hire, with the Emoluments, profits and Advantages
thereto belonging, or thereby Arising, as fully and Amply to all
intents, Constructions and purposes whatsoever (Excepting the Con-
ditions, Kestrictious and Limitations aforesaid, if any such there be)
As the said ffrancis Harrison and Gilbert Livingston might, Could
OP ought to have done, or are Intituled to by this act, or may be
Intitled to by any other Act of the General Assembly of this pro-
vince for that purpose.

AXD be it further Enacted by the Authority aforesaid, That they
the aaid ffrancis Harrison and Gilbert Livingston, or either of them,
their or either of their Exec'r or Administrators shall pay Yearly
and every Y'ear, During the five Y'ears aforesaid, unto the Treasurer
of this Colony the Sum of Three Thousand Seven hundred and tQfty
Ounces of Civil, pillar, or Mexico plate, Lyon Dollars op Bills of
Credit made tun-ent in this Colony, to the Value thereof, at two
Equal hiilf Yearly payments, that is to say, One Thousand Eight
hundred and Seventy fQve Ounces of Such plate, Lyon Dollars or
Bills of Credit, aforesaid, on the first day of May, Yearly and
every Year, and One Thousand Eight hundred and Seventy flSve

Ounce of the like plate, Lyon Dollars or bills of Credit, aforesaid, the first day of November, Yearly and every year. And the snid Ten persons proposed by the said ffrancis Harrison and Gilbert Living- ston, as Sureties, and who have promis'd to become such, shall on or before the Fifteenth Day of this present month of November, Enter into Bond to his Majesty, his heirs and Successors, Jointly and Sev- erally, in the penal Sum of Seven thousand fflve hundred Ounces of plate, afm-esaid, on Condition, That the said ffrancis Harrison & Gilb«'rt Livingston, their, or either of their Executors or Adminis- trators, Shall well & truly pay the said Y'early Sum of Three Thou- sand Seven hundred and fifty ounces of plate, aforesaid, unto the Treasnrpr of this Colony, as in this Act is directed & appointed, f and during the Space of one year next ensuing. Commencing tlie fir^t day of November aforesaid. And the Said ffrancis Harrison and Gilbert Livingston, their Exec'rs or Adm'rs Shall yearly & every year, after the year now next ensuing, as aforesaid. Shall Expire, o or before the Fnd and Expiration of the said year, and at and befo the end and Expiration of every year thereafter. During ve five years aforesaid, if the General Assembly of this Colony be then Sit-

. ... '.\>ogle

ting. Renew their Securitiea either by the ten persons aforesaid, who Shall Yearly tnter into Bonds, on the Conditions aforesaid, or if al the Ten persons aforesaid, or any of them, Should Dye, become unwilling to bv Security any Longer, or be Disapproved of by the Oensral Assembly of this Colony, That then and in such Case the Said ffrantis Harrison & Gilbert Livingston, their Executors or Assigns Shall, at or before the end of every Year aforesaid, procure other Good and Sufficient persons, to be Approved of by the General Assembly, if ye General Assembly be then Sitting, And if ye geD«-al Assembly ht- not then Sitting, Then to be approved of by the Gover- nour and Council of this prorince, for ye time being (or in the ab trf ye Governor ; to be appmved of by ye Major part of ye gentleme ye Council, for ye time being who Shall then be in the City of Ne York) in Lieu and Stead of Such & so many of ye s'd persons as S !Dye, refuse or be disapproved by ye General Assembly, or Governor & Council, as aforcs'd; Which said persona shall enter into Bond, in manner and form afores'd. And if it Shall happen that at re End of every Year afores'd, the said ffrancis Harrison & Gilbert ■Liringston, their Exec'ors or assigns Shall not procure the ten per- sons afoi'esald, or such oth^r G jod & SuflBcient persons, tob_> appr

of as, aforesaid, An 1 the General Assembly Shall not then be Sitti
That then the Governor & Council of this province, for ye time bein
or in y(absence of ye s'd Governor, the Major part of ye Gentletu
of Te Council, for ye time being, who Shall then be in the City o
New Yorlt, Shall and are hereby Impowered and Directed to Let
to ffarm ye Excise aforesaid to Such other person or persons as
they Shall think fit, for the Remainder of ye Term of five years a
s'd; for not less than the Sum of Three Thousand Seven hundred
& fifty ounces of plate, yearly and every year, as aforesaid, at an
Under Such Reservations, Conditions, restrictions and Limitations,
as by this Act is Directed, Limitted, and Appointed.

AND be it further Enacted by the Autliority aforesaid. That in
Case the Said ffrancis Harrison and Gilbert Livingston, their Execn-
tors or Administrators Shall neglect to Give in Security as afore-
said, they shall not be entituled to the Duty of Excise hired unto
ihem by this Act, But Shall after the Neglecting to give Security,
before directed, be fully And absolutely Detiarred from Receiving any
benefit by this Act, Any thing in this Act to the Contrary
Notwithstanding.

AND be if further Enacted by the Authority aforesaid, That the
Raid ffrancis Harrison and GiH)ert Livingston, their Executors,
Administrators or Assigns are hereby required, obliged and Own-

inanded One Month before the Expiration of ye Said Term of five
Years, or other Sooner Determination, to give the Governour, Coun-
cil or General Assembly for the time being, A Just and true Account,
upon Oath, of all Such Sums of money as they, or any of them have
Annually Received for the' said Excise, and from whom they have
Heceived the Same in each and every City and Coanty within this
province.

AXD be it further Enacted by the authority aforesaid, That for
the more effectual Enabling the ffarmers of the Duty of Excise,
aforesaid, to Collect aud Gather the said Excise, All Retailers of
Strong Liquors within this Colony Shall upon all or any their
Receipts of all or any the Strong Liquors made Lyable TO pay the
]>uty of Excise by the Act aforesaid, made in the twelfth year of
the Keign of her Late Majesty, come to the fEarmers of the Excise
aforesaid, or either of them, their Executors, Administrators, or
Assigns, And give A true and just Account of all the said Liquors

Received by them. And pay Immediately, or Secure to be paid within three Itlonths to the fCarmers said excise, their Executors Administrat'rs or assigns the Duty Excise, for the said Liquors, appointed by the Act aforesaid; And All Such Liquors as Shall he found, belonging to any Retailer or Retailers, whether it Shall be found in the house, Outhouse, Cellar, or Close of the said Retailer or Retailers, or in the house. Outhouse, Cellar or Close of any other person, And put there by the said Retailer or Retail-ers, or by their or any of their Direction and appointment, and have not been duly Reported, According to the true intent and meaning of this Act, And paid the Duties of Excise, or Secured the Same to be paid as aforesaid, That then and in" such case, ujwn Conviction by Oath of one or more Credible Witnesses, bffore any Justice of the Peace within this Colony, The said Retailer or Retailors So offending, shall forfeit all such Liquors, and three times the Value thereof, to the Said ifrancis Harrison 8nd Gilbert Livingston, their Executors. Administrators or Assigns, to be Recovered before any Three Justices of the Peace of this Colony, whereof One to be of the Quorum, who are hereby, as occasion Shall require, Impowered. Directed and Commanded to hear, try and Determine the Same, as ye matter Shall appear To them to whom Complaint is made, and Award Execution Accord-ingly, by Issuing their Warrant for the seizing of all Such Liqnors as shall be so forfeited, as aforesaid. And Shall order the 8ame to be Delivered to the Said ffrancis Harrison and Gilbert Livingston, or either of them, their or either of their Executors,

Adminiatrators or asaigns, and Shall also Issue their Warrant fcr the apprehending and Committing to the Common Goal erery 8uch K*?tailer or Retailers offending, as aforesaid, Contrary to the true intent and meaning of this Act, And Convicted thereof, as afoi'esuid, Ihere to Remain without Hail or Mainprize until he, she or they Shall make payment unto ye s'd ffrancis Harrison & Gilbert Livingston, their Esec'ors, Adm'ra or Assigns of three times ye Value of such Liquors so Seized and forfeited, as afores'd. And the Sheriff of each County in this Colony, where Such offence happens to be Committed, is hereby Directed & Commanded to receive ye Bodies of any Such off«ider or offenders. And him, her or them to keep in ye Common Goal of the County of w'ch he is Sheriff, According to ye tenour of ye Afores'd Warant; And if the said Sheriff Shall Suffer the said person or persons So Committed to him, to Escape out of the eaid

Goal, he Shall be liable to An Action in the Same manner as if the said person or persons had been Committed to him in Execu-tion, by process out of any Court of Record Within this Colony,

PROVn>ED always, and it is hereby further Enacted, That Neither this Act, nor any thing herein Coutain'd, nor any tUng Contain'd in the Act of the twelfth trf Queen Anne, afore-said, nor any thing Contained in any other Act now in force, Relating to the Excise, shall be Construed to hinder or l>ebar the said ffrancis Harrison and Gilbert Livingston, their Executors, Administrators or assigns from Compounding with any the per-sons offending, or from Remitting all or any part ot any the pen-alties and forfeitures Contained in this or any the said Acts, or from Contracting or agreeing with alt or any the said Retailers for any Sum of Money, or other Consideration, In Lieu and Stead of the said Duty of Excise to be paid by them, or any of them, But that it Shal] and may be Lawful for the said ffrancis Harrison and Clilbert Liringston. their Executors, Administrators or Assigns to Compound, Compromise and Agree with any the persons offend-ing. Contrary to the Meaning of this Act, And to Remit all or any part of the penalties & Forfeitures, as they Shall think fir, and to agree with all or any the Retailers of Liquors for any Sums ot Money, or other Consideration, to be paid by them or any of them the said Retailers, in Lien and Stead of the Duty of Excise afore-said. Any thing in this Act, or any other Act to the Contraiy in any wise notwithstanding,

AND be it Enacted by the Authority aforesaid. That it Shall be Lawful for the said ffrancis Harrison or Gilbert Livingston, thrfP

...C^ooglc

or either of their Executors, AdmiuiatratorB, Deputies, Ageota or assigDS, or the Deputies, Agents or Assigns of tlieir or either of their Executors or Admioistrators to Enter into the houses, OuV houses. Ware-houses, Cellars or Closes of any the s'd Betailers of Strong Liquors At any time, and so ofteu as the; Shall think &t. During the said five Years, to Guage and take an Account of all such Strong Liquors, Exciseable as aforesaid; And when Such Account of the Quantity of Strong Liquors, Exciseable as afore-said, by the persons aforesaid, or auy of them, is taken,

the said Retailer or Retailers of Strong Liquors are hereby Required to pay the Excise Due for the Same, or enter into Bond with Such SuflScient Securities as the said ffrancis Harrison and Gilbert Livingston, their Executors or Administrators Shall approve of, to pay to ye said ffrancis Harrison and Gilbert Livingston their Executors, Administrators or Assigns the said Duty of Excise, Given and Granted by the said Act of General Assembly made in the twelfth Year of her late Majesty, Queen ANNE, aforesaid, within the- Term of three months from the Day of the Date of Such Kond; And if Such Retailer or Retailers Shall Delay or refuse to pay the said Duty, or Delay or refuse to give such Boud, it Shall and may be Lawful for the said ffrancis Harrison or Gilbert Livingston, their or either of their Executors, Administrators or assigns to Seize all Such Liguora, And upon proof made by the Oath of one or more Credible Witnesses, before any one of his Majesties Justices of the peace of this Colony, that Such Liquors were Guaged, and payment Demanded for them, or Bond Demanded to be given. According to the Tenour of this Act, if Such Retailer or Retailers cannot, when before such Justice of the peace, make proof by the Oath of two Credible Witnesses of the payment of Such Money, or Giring of Such Bond as aforesaid. The said Justice of the peace Shall adjudge Such Liquors so Guaged, as aforesaid, to be forfeited to the said ffrancis Harrison and Gilbert Livingston, their Executors or Administrators, And Award the Delivery of them Accordinfcly.

AND be it further Enacted by the Authority aforesaid. That if any such Retailer or Retailers of any the Strong Liquors Excise-able by the Act of the twelfth of Queen ANNE, aforesaid, Shall Deny, refuse or hinder the said ffrancis Harrison and Gilbert Livingston, or either of them, their or either of their Executors, Administrators or assigns, Deputies or Agents, to have free
118

D,!,i:cUl:yG00giC

938 LAWS OF THE COLONY OF KEW. YOBK.

Hecourge into bis her or their house, Wate-honse, Ont-hona^ Cellar, ClosL*, or other place, to Uuage and take an Account erf al Liquors Exciseabie bj the Act aforesaid, That are in their said Houises, Out-housee, Ware-houses, Cellars, Closes, or other places,

and thereof be Convicted, ho, She or tliey so offending Shall for feit the Sum of Ten pounds for each & every such Offence, to be Recovered by Action of Debt in any Court of Record within this Colony, where there Shall be no Essoin, protection or Wager of Law, or any more than one Impurliance.

any person or pei-sons within this Colony Shall presume to Dis- AMD be it further Enacted by the Authority aforesaid, That if pi'se of any Strong Liquors made Exciseable by the Act aforesaid, under the feigned pretence of being paid for Oats, CaJies, pipes. Tobacco, or any other thing whatsoever, and not for the Excise- able Liquors So Disposed of, In order to Defeat, Elude or Evade the end and Intentions of this present Act, or any Act now in force relating to the Excise aforesaid, every person or persons So offending ehall for every Such offence forfeit the Sum of five pounds to be Recovered by action of Debt in any Court of Record within this Colony.

[CHAPTER 347.]

[Chapter 347, of Livingston & Smith, where the entire act, wltb the exception of the several pajments made In the bill, is printed. Chap of \an Scbaack. where the title onlv la printed. Printed In full in 1732 ed., p. 137; Baskett, p. 244. Livingston & Smith and Van Scbaa Btate that the act waa confirmed May 19. 1720 For order In Connril confirming this act, see Doc. Rel. to Col. His., V., p. 538. Provla Cor the torn bills by chapter 450.]

An Act for Paying and Discharging Sev- eral Debts due from this Colony to the Persons therein named and for Raising and Putting into the hands of the Treasurer of this Collony Severa'l quantities of Plate to be apply'd to the Publick and necessary uses of this Colony and to make Bills of Creditt to the value of fforty One Thousand fRve hundred and Seaventeene Ounces and an half of Plate for that purpose.

[Passed, December 23. 1717.]

WHEREAS by one Act of the Gen'll. Assembly of this Ppovinrc. made in the thirteenth Year of the Reign of her late Majesty Queen Anne, of Immortall Memory, Entituled, an Act for the Paying and dischai^ing the Several Debts and Sums of mmef

claimed as Debts of thia Colony, to the eeveral Persons therein Darned, and to make and Enforce the Currency of Bills of Credit to the value of Twenty Seven thousand Six hundred and Eighty PooDda for that purpose; Also, to make void all Claims and Demands made or pretended to be due from this Colony before the first day of June, one ThouHand Beven hundred and fourteen, & It vtaa amongst other things Enacted, That all Persons whatsoever. Except Such as were appointed to be paid by that Act, should for ever be precluded and debarHd from Pretending or making any Claim for the pajm't for any Service or Services, Goods, Wares, Merchandizes or Effects done advanc'd or Expended by them, or any of them, their or either of their Predecessors, Con- Btitueots or Employers, or by any Person or Persons whatsoever, for the use of this Colony, at any time before the said fli-st day Jane, one thousand Seven hundred and fourteen AND WHEREAS it is manifest that Several Services have been done for the Govemm't of this Colony, and Several Goods, Wares and Mer- chandizes advanc'd for the Publick and necessary uses of the same, for all which, nevertheless, no Reward or Paym't, was at that time claimed or demanded, which was occasioned either by the Remoteness of the Habitations of Several of the Claimants, who were dwelling and residing in the Neighbouring Colonies and Plantations, or by the death of several Persons Entitled to make such demands, whose Widows or Children were not at that time able to make the Justice of their Claims appear, for want of certain Books and Vouchers that have been Since diacover'd, and which nevertheless were as justly due from this Colony as any of the Sums pay'd by Virtue of the Act before mentioned. AND Whereas several Companies of Soldiers were Imploy'd in the time of his late Majesty, our Glorious Deliverer, William the third, of Blessed Memory, by the then Governm't ot thia Colony, for the necessary Service and Defence thereof, Some of the supe- riour Officers of which Companies have been paid by the Directions and Virtue of the Act aforesaid, but the Inferiour Officers and Private Continels, who being for the greaiter Part indigent Per- sons, many of them living remote, and the Sums due to them being but small, could not leave the Attendance on the Provision for their ffamilies, to Sollicit the payment of their dues; and neither the Persons remaining alive, who have Serv'd in Such Com- panies, nor the Widows and Orphans of Such of them as were deceas'd being able, for want of the Books and Vouchers aforea'd,

.., Coogic

Since discover'd, fully and clearly to make out tlie Equity of thei; CloiuiB were by the then General Assembly of this Colony not taken any notice of, because the said Assembly were not Informed ol the Equal Beaaonableness and Justice of their said Claims with others their Superiour Offlcers, who were directed to be paid by the afores'd Act.

AND WHEREAS Several of the Persons Paid by the Directions of the Act afores'd, have Claims for Services by them done, and Goods and Merchandizes by them advanc'd for the Publick Ser- Tice of this Colony, which Claims were Equally ju«t with those for which they were paid, but could not at tliat time be made appear for want of the Hooks and Vouchers, Since Discoier'd, as afores'd; the Payni't. of all which Claims has been rewim- ended to the Representatives of this Colony in Gen'll Assembly conven'd, by his Excellency the Governour in his Speech to them of the fifth of June, one Thousand Seven hundred and Sixttvn.

AND M'HEREAS Sereral Persons appointed to be paid Several Bums of money by the Act of the thirteenth of Queen Anne afores'd, did not come within the time limited by the s'd Act, for the receiving of the same, which was in part occasioned by the Remoteness of Some of the s'd Persons Habitations from the Treasury of this Colony, in part because Several of them having dyed Intestate, and no Persons taking out Letters of Administra- tion on their Goods and Chatties, the Sums they were to receive being not Sufficient to defray the Charges of such Administra- tion, in jrart from some defect in the appointing the payment of the said Sums So that the quantity of Seventeen hundred ^Ninety Seven Ounces Eight penney weight and Twenty Grains of Plate I-aa been thereby left in the hands of the Treasurer, whereof Six- teen hundred Eighty ffive Ounces one penney weight and f?ii Grains is hereby apply'd to the Publique use of this Colony, in paying of the said Treasurer for his Care and pains in paying and Sinking the Bills of Credit made currant by the Act afores'd, for the purp(^es therein mentioned, & in which no Provision was made for a Reward to be given the said Treasurer; And One hundred and twelve Ounces Seven penney weight and ffoiirteen

Grains in paying Cornelius Post & Samuel Provoost by order of the Geueral Assembly of this Province for publick Services; which Sums were nevertheless due to the said persona, And they are left remediless unless proTided for by this Act.

AKD WHEREAS the Partition Lines between this Colony and

the Collonj of CoBDetticutt, and between this Colony and the Colony of New-Jereey are necessary to be known and ascer-tain'd, in Order that such of the Inhabitants of this Coluoy whose Estates or Habitations are adjacent to and border on the said Partition Lines, may peaceably and without molestation, Enjoy the tfruits of their Industry, and that the Govemm't may not be defrauded of the Publick Taxes that may arise and become due from the s'd Inhabitants, by their Pretending that they do not dwell within this Colony.

AND WHEREAS there is not at this time any money in the hands of the Treasurer of this Colony but what is appropriated to particular uses, and that it is requisite for the Seirice of thi Colony that there be some Sum of money lodg'd in his hands, as well for the paym't of the Sallary of Ambrose Fhillipse, Esqr Agent of this Colony, or the Agent of this Colony for the time being, as for the answeriag any Sudden Exigency of this Colony, that may happen, And cannot So Soon otherwise be provided for by an Act of the General Assembly of this Province.

IN order therefore to pay the Claims and Several Demands now made, & ,apon strict Search & Examination found to be Equally due with ony others that have been paid by virtue of the afores'd. Act, and to make proper & SuflBcient Provision for the purposes before mentioned, BE IT ENACTED by the Governour, Council and General Assembly, And it is hereby Enacted by the Authority of the same, That Bills of Credit to the value of fforty One Thousand fflve hundred & Seventeen Ounces and an half of the Spanish Coynes of Sevil, Mexico or Pillar Plate be Forthwith Printed and Signed, to wit,

One thousand Three hundred Ninety One of ten Ounces of Plate, aforesaid.

one thousand of Seven ounces and ten pennyweight of Plate,

afores'd.

one thousand of five ounces of Plate, aforesaid.

one thousand of Two ounces and ten pennywt: of Plat^ pforesaid.*

One Thousand of two ounces of Plate, afores'd.

One thousand of one ounce & ten pennywt: of Plate, afores'd.

one thousnnd of one ounce & five pennywt: of Plate afores'd.

Two thousand Two hundred of one ounce ot Plate afores'd.

Three Thousand of fifteen pennywt: of Plate, afores'd.

four Tboasand of ten pennyweight ot Plate afores'd.

DigizedbyGoOgiC

Fire thonaand Six hundred and Thirty of five penn^wt: of Plate, aforea'd.

Which Bills shall be imprrat in the middle with the Anna of the Citty of New York, and on the Top of each of them shall be printed the Quantity of Plate they Bhall go currant for, And shaU be in the form following, viz.

This Bill of ounces pennyweight of Plate,

due fi—om the Colony of New York to the Possesaor thereof, shall be in value equal to Sevil, Pillar or Mexico Plate, and shall be accepted accordingly by the Treasurer of this Colony, for the time being, for all Publicque Payments, and for any ffond at any time in the Treasury. Dated in New York the 28th day

November: 1717 By Order of the Governour, Councllll and

Qenerall Assembly,

[which Bills shall be signed and numbered by Eobt. Walters, Johannes Jansen, David Porvoost and John Cruger, Esqrs or any three of them ; and in case of the I>eath of any the said persons, the said Bills shall be signed and numbered by the Major part of the Persons above mentioned then alive.

AND be it Enacted by the Governour, Councill and Generall Assembly, And it is hereby Enacted by the Authority of the same. That the Bills of Credit to be made and Issued by virtue of this Act, shall be and continue current for the Term and apace of twenty two Years, that is to say, until the yeare of Our Lord Christ, one Thousand Seven hundred and Thirty Nine be ended, If the ffonds arising by this Act for the yearly sinliing of part of s'd Bills do not Sooner answer that End, And ehall be rec'd and paid for so many ounces or pennyweights of Plate as the value of tbem is said to be, and be of Equal value to the same quantity' o Sevil, Pillar or Mexico Plate, for Goods, or any other thing bought or Sold by all Persons whatsoever residing in or passing through this Colony; and the tender of the said Bills for paym't or dis- chai^iing of any debt or debts, Bargain, Siile of Land or other things, Bonds, Morfgnages, Specialties and Contracts whatsoever, shall be as Effectual in the Law. to all intents and purposes, as tlie current silver Plate, or other Bills of Credit of this Colony had been offered and tendered for the Discharge of the Same, or any part thereof. And any Person or Persons whatsoever refus- ing any the said Bills of Credit, during the time they are by this Act appointed to be made current, Shall be Equally debarHd and Subject to the Same Penalties and fiforfeitures as if the said Per-

Digi-jzedbyGoOgiC

son or PersoDS had refua'd an; the BilU of Credit made current hy the Act of the thirteenth of Queen A^:4£, afor^'d, Entitled, an Act for the Paying and discharging the aeverall Debts and Bums of money claimed as Debts of this Colony, &c. And the s'd Penalties And fforfeitures shall be recovered in the tiame manner, and apply'd to the same uses as is directed in and by the said Act of the thirteenth of Queen AKSE, afores'd.

And he it Enacted by the Authority afores'd, That the Persona appointed for the signing of the s'd Bills of Credit, shall take an

Oath before any one Justice of the Peace of this Colony, for the true Signing and delivery of all the s'd Bills of Credit, and no more then the number mentioned in this Act, to the Treasurer of this Colony, according to the true intent and meaning of this Act.

And be it Enacted by the Authority afores'd, that Bohert "U'altera, David Provoost, Johannes Jansen and John Cruger, Esqrs. appointed hereby to sign the Bills of Ci'edit made current by this Act, shall for such their Service have paid unto each of them, or each of their Execr'e or Assigns, by the Treasurer afores'd in Bills of Credit made current by this Act, the quantity of one hundred and Seventy five ounces of Plate aforea'd, as a Keward for their Trouble in signing and numbring the Bills n fore s'd.

And be it Enacted by the Authority afores'd. That if any Person or Persons whatsoever shall presume to Counterfeit any of the s'd Bills of Credit, he, she, or they being convicted thereof, shall incur the Pains and Penalties of flfelony, without benefit of Clergy, and shall Suffer accordingly

And for the Effectual sinking. Cancelling and Destroying the Bills of Credit afores'd, made current by this Act, be it Enacted by the Governour, Council and Gen'll: Assembly, and by the Authority of the Same, That there shall be given and granted, and there is hereby given and granted unto his Maj. hia heirs and fliieeessors, from the first day of November which shall be in the yeare of Our Lord one thousand Seven hundred and thirty four, nntil the first day of November, which shall be in the Yeare of Our Lord one thousand seven hundred and thirty nine, for the use above mentioned, an Excyse upon all Liquors Retailed —throughout this Colony, under the quantity of five Gallons (Beer and Cyder only Excepted) to wit, the Eighth Part of an ounce of Ppvil, Pillar or Mexico Plate for each Gallon so Retailed; and likewise three Quarters of an Ounce of like Plate for every Bail.

Digi-jzedbyGoOglC —

ol Beer ana Cyder; which said five years Ezcyse ia to be levyed, collected aud paid under the same raius, Peuauies, Uegulatiuus, Kestrietious, Cooditiona and fforfeitures, and Id iiice luatiner and

method, aa ia prescribed and directed by an Act pasa'd in ihe twelfth year of the Beigo of her late Maj'e Queen Anne, of Immortal Memory, Entituled, an Act for laying au Exeyse on all Strong liquors Ketailed in ihia Colony And be it further Enacted b.' the Authority aforesaid, That there be levyed. Raised, Collected aud paid the Respective Duties and Cuatoma hereafter Specified, which are hereby given and granted unto his Maj'e, his heirs and Successors, for the space and Tenn of Seventeen Years, to oomence from the time of passing this Act, that is to Say, for every Pipe of Wine that shall be lihported info this Colony one Ounce and a quarter of an Ounce of Plate of the Spanisli Cojns of Sevil, Pillar or Mexico Plate, or the value thereof in Lyon Dollars or half Dollars, or in Bills of Credit Current in this Colony, and So in Proportion for any greater or smaller quantity Imported as afores'd.

For every Gallon of Bum, Brandy, or other distilled Liquors imported into this Colony, two grains and a half of like plate. Which Duties shall be levied, Collected and Paid under the same Pains, Penalties, Regulations, Restrictions, Conditions and ffor-feitures, and in like manner and method as is prescribed and directed in and by an Act pess'd ia the thirteenth Year of her late Maj'ea Eeigne, Entituled an Act for levying and Paying the sevei-all Duties therein mentioned, for the use of this Colony. And be it further Enacted by the Authority aforesaid, that the Treasurer of this Colony shall keep Accounts of the Duties hereby given on Wine, Hum, Brandy, and other Distilled Liquors, Sepa-rate and Distinct from the Accounts of the Duties already <irantpd on the said Liquors by the aforesaid Act passed in the Thirteenth Year of her late Majesties Reign, Intituled, an Act for Levying and paving the several duties therein mentioned. And be it further Enacted by the Authority afnreaald, That in Case the Excise Given and granted in & by the aforesaid Act of Aaaembly, passed in the Twelfth Year of her late Majesties Reign, entituloia, an Art for Laying an Excise on all Strong Liqnors Rptailed In this Colony, shall Amount unto a Grenter Sum thnn will be sufficient to Pinl; Cnncell and Destroy the Bills of Credit niTle rnrrent by tho aforesaid Art of Assemblv, Intituled, an .\ct for the paying and Diachargeing the several Debts & Sumes of

Digi-jzedbyGoOgiC

money Claimed as Debts of this Colony, to the Several pereons UiereiD named, and to make and enforce the Currency ol BU1» of Greditt to the value of Twenty Seven Thousand Six hundred and Eighty pounds for that pui-pose; Also, to make voyd all Claims and I>etnand3 made or pretended to be due from this Colony before tie fflrst day of June, One thousand Seaven hundi'ed and ffourteene, And to prevent thia Colony from being in debt for the future, That then and in such Case the said Sum or Sums of money remaining, in the liands of the Treasurer, over and above what will be SufBcieat to Sink, Cancell and destroy the said Bills, so as aforesaid made Current by the aforesaid Act of Assembly, Shall be by the said Treasurer Given in Exchange for Bills of Creditt made Current by this Act, which said Bills shall bft Sunk, Cancelled and Destroyed in lilie manner as is hereinafter Directed.

And be it Enacted by the Authority afores'd, That all and singular the quantities of Plate arising by virtue of this Act, by the Excyae upon Strong Liquors above mentioned, and by the Duty up Wine, Rum, Brandy, or other Distilled Liquors before mentioned, shall be apply'd to and for the sinking, cancelling And destroying the Bills of Credit afores'd; made currant by this Act, And shall by the Treasurer of this Colony, for the time being, bo given in Exchange for such Bills of Credit afores'd, to any Person or Persons who shjill, during the time afores'd, have any the s'd BDls of Credit in their bands, in Order that the s'd Bills be sunk & destroy'd, as by this Act is directed.

And that the s'd Bills of Credit may be truly, and bona fide, ■ sunk, 39 the ffond arising by virtue of this Act, is paid unto Treasurer of this Colony for the time being.

Be it Enacted by the Gov'r, Council and Gen'll Assembly, and 'tis hereby Enacted by the Authority afores'd, That Kobert Walters, David Provoost, Johannes Jansen and John Crnger, Esqrs afores'd, or the Major part of them living, or that shall be living, shall twice yearly and every yeare, viz. on the first day o 'March, and on the first day of Bepr. audit the acc'ts of the mone received by virtue of this Act, and Shall within one week there- after, afBx Advertisements in the most Publlck Places of the City of New York, Setting forth what quantity of Plate has been received, and is in the Trea.snrers hands, by virtue of this Act, which Plate shall, by the Treasurer afores'd, be given In Exchange tor Bills of Credit made current by this Act, to any

Lc;-,:.tll:yG00gIC

Pei'SOQ or Persona bringiag iathe Same; And the Said Bills of Credit shall, on or befoie the Expira'coa of one Month after the time of Buch Audit, be Sunk and destroy'd in pi-esence of Robert Walters, David I'rovooat, JohaoDes Jausen and John Cniger, Esqrs afores'd, or the major iwrt of them then alive, appointed by this Act to audit the accounts of the s'd Treasoi-er, having fliat compared the said Rills of Credit with their Counterparts, and eutred into a Book to be kept for that purpose, the Number and Value of Each Bill of Credit so Sunk and desti-oy'd. But if it so happen that all or any Part of the Sums arising by virtue of this Act, shall be paid unto the Treasurer of this Colony in Bills of Credit, made current by this Act, than then and in sncb disc the said Bills shall be sunk in manner afores'd imediately after the s'd acc't of the Treasurer is audited, and Publick Notice shall be given of the value of the Bills so sunk and destroyed, as also of the quantity of Plate in his hands, if any be within the lime before prescribed.

And each of the Auditors, appointed by this Act, to audit and Examine the acc'ts. of the said Treasurer, with Relation to the money received by ^^rtue of this Act, and to see, compare and sink the Bills of Credit, as by this Act is directed, shall take t following Oath, viz. I. A. B. appointed to audit and Examine the rcc'ts of the Treasurer of this Colony, will truly, faithfully and impartially Examine and audit the same Accounts, and compare and sink the s'd Bills of Credit, as directed by this Act, and wil truly and faithfully do and perform according to my best skill and Ability every thing directed and appointed by this present Act for me as Auditor to do and perform. So help me God.

AND be it further Enacted by the Authority afores'd. That Each of the Persons before named, appointed to Audit and Exam-ine the accounts of the Treasurer, as afores'd, shall for such Examination and Auditing receive the Sum of five ounces of Plate each time of their Examining and auditing such accounts, to be paid by the s'd Treasurer out of the ffond arising and accruing by virtue of this Act.

AND be it further Enacted by the Authority afores'd, That the Treasurer of tliis Colony for the time being, shall keep an exact account of the particular quantities of Plate paid by virtue of and according to the directions in this Act. with Receipts and Dischai^es from the Person or Persons, their Eiec'rs or Assigns, to whom the said qoantitles of Plate have been pay'd, to be jno-

DgizedbyGoOgiC

daced by him at all times for view and Examination of the Gov'r; Council and Oeneral Assembly of tbis Colony, or either of them^ on Penalty of making good and refunding any Sum or Sums of money which shall not be Ho vouched and discharged, according to the true intent and meaning of tliia Act.

AND be it Enacted by the Authority afores'd, That the Treasurer of this Colony, for the time being, shall pay in the Bills of Creditt, made current by tliis Act, unto each of the Persons hereafter named, or each of their Exec'rs. or Assigns, the Several qoantities of Plate hereafter expreseed, that is to say, To the Exec'rs of Maj'r Dirk Wessells or their Assigns, the Quantity of ten Ounces Seventeen pennyweight and a tmlf of Phite afores'd; being what remains due to him on a Warrant drawn by Benjamin ffleteher, Esqr. once Gov'r. of this Colony, dated the fourth day of March, one thousand Six hundred ninety four.

To Omie D'Lagranzie, Jonr, his Exec'rs or Asaigns, the quna-tity of fifteen ounces of Plate afores'd, in full discharge of an acc't of Eight Pound and Eighteen Shillings for Passage of Soldiers and ffreight of several fforces to Albany in the year one thousand Seven hundred and thirteen.

To Peter Van Woghum, his Exec'rs or Assigns, the quantity of twenty one ounces twelve pennyw't: and a half of Plate afores'd, in full discharge of an account of nine Pound and Eighteen Shillings for moneys advanc'd, and two Oxen delivered to the Comissioners at Albanie in the year one thousand Six hundred Eighty and nine.

To Jan Janse Bleaker, his Execr's or Assigns, the quantity of

Seventeen ounces five pennyw't of Plate afores'd, in fall discharge of an account of Seven Poonds and Eighteen Shillings for Sundry Goods delivered by him in the year one thousand Six hundred ninety one, for the use of the Goverm't.

To Rutger Bleeker, his Execr'a or Assigns, the quantity of Eleven ounces twelve pennyw't: and a half of Plate afores'd, in full dis- charge of an account of five Pounds Six shillings and nine pence, fo Lime delivered by John Abeel for the Building of a ffort at Albany.

To John White, his Execr's or Assigns, the quantity of five ounces and Seventeen pennyw't: and a half of Plate afores'd; for Joyners Work done in his Maj'es, ffort at New York in the year one thousan Six hundred ninety eight.

To Johannes D'Lagranzie, his Exec'rs or Assigns, the quantitle of Twenty two ounces Ten pennyweight of Plate afores'd, in full dis- charge of a Claim of twelve Pound and five shillings, for Sendee

.., Google

done by him and Cornells Sllngerlandt, as Armorers in luB Majesties ffort at Bcbenechtad; in the Year one thouaaod Six hundred nioetf lour.

To Edward Anderson, his Execr'a or assigns, the qoantit; of thir- teen OuDcea of Plate afores'd, in full discharge of a Demand of Six Pound fifteen shillings, for Service done in Comp'a with John Dyer, to Saw Boards and Timber to make and mend Carriages for his Maj'es ffort in New York,

To fFrederik Mjndertse, his Execr'a or assigns, the Quantity of one hundred and thirty- Six ounces seventeen pennjw't: and a half of Plate afores'd, in full discharge of four Warrants drawn by Edward Lord Cornbury, two dated the fourteenth day of October, one thou- sand seven hundred and six and two dated the nineteenth day of Aug't, one thousand Seven hundred and eight for his service as Armorer in his Maj'es Garrison at Albany.

To Abraham Staats, his Execr'a or Assigns, the quantity of twenty Seven Ounces ten pennjw't: of Plate afores'd, in full discbarge <A

an account of twelve Pound thirteen Shillings and six pence for freight of Provisions and other Stores to Albany in the late happy Revolution, and also for carrying of Soldiers and Provisions in the Year Seventeen hundred.

To Abraham Kip, his Execr's or Assigns, the quantity of thirty nine ounces ten pennyw't of Plate afores'd, in full discharge of two Warrants, one whereof was drawn by Bich'd Earl of Bellomont for Beer delivered by him to his Maj'es Ship The ftortune, In the year Seventeen hundred, and the other by Edward Lord Cornbui'y in the Year Seventeen hundred and seven.

To Benjamin ffunnell, his Execr's or Assigns, the quantity of ten Ounces of Plate afores'd, in'fuil discharge of a Warrant drawn by Cap't John Nanfan, Lieu't, Gov'r, of this Colony, dated the fourteent of April, in the year Seventeen hundred & two payable to Jonathan Drodhurst, for Charges Expended by him in Setling the Excyae of the City and County of Albany in the year seventeen hundred

To Peter Cruelick, his Execr's or Assigns, the quantity of two ounces and Seventeen pennyw't and a half of Plate aforesaid, for service done by his Brother Sam'U: Guelick, dec'd, at'Albnny, as a Soldier under the Comand of Cap't. Hickbey in the year Seventeen hundred and four.

To Peter Quackenboss, his Execu'rs or Assigns, the quantity of nineteen Ounces and twelve pennyweight and a half of Plate afores'd in full dischai^ of nine Pounds for ffreight of Stores from N; York to Albany, by Order of Edward Lord Cornbury.

Lc;–,:.tll:yG00gIC

To Ooll; Jacob Ratsen, MsExeo'rBor assigns, the quantity of thirty one ounces five pennjw't of Plate afores'd, for the Arrearages of th Taxes of the Countj of Ulster, which he overpaid to Coll: Stephen ran Cortlandt, one of the CommissionerB for Executing the Office of Recelter Gen'll: of this Cotlony, as appear'd bj iiis Receipt.

To Margarieta Elizabeth Codwise, hei– Execi'a or Assigns, the quan– tity of Twentie five ounces of Plate afores'd, in full discliai'ge fo Service done by her deceas'd husband John Coenraet Codwise, in

ttanscribing and making a fair Copy for the use of the General Assembly of the Book of the Debts Said to be due from this Colony.

To Hurmanus Kutgera, hia Execr's or Assigns, the quantity of three ounces two pennjw't and a half of Plate afores'd, for Beer by him deliver'd, & other Disburaem'ta, pr Order of Capt Otto van Tuy] for a Boats Company Bent to Sandy Hook in the Colonies Service.

To William Bradford, his Execr'a or Assigns, the Quantity of nine Ounces and fifteen penuyw't: of Plate afores'd, for Books deliver'd b> him fur the use of the Publick.

To the Right Honb'le Charlotte Lady Lovelace, her Execr's or Assigns, the quantity of one hundred and seventy ounces seventeen pennyw't and a half of Plate afores'd, in full discharge of a Warra drawn by Coil: I'eter Schuyler, dated the eighth day of May, seven- teen hundred & nine, being for fire-wood expended in hia Maj'es tlovt at Xew York, during the Administration of John Lord Lovelace her deceased husband.

To Johannes Jansen, Esqr his Exec'rs or Assigns, the quantity of Dfty two ounces ten pennyw't of Plate afores'd, in full discharge of an acc't of twenty four Pound for hia Service done to an Expedition against the ffrench at Albany, as Cap't, by Comesion from Coll : ffl cher then Gov'r. of this Province in the year Sixteen hundred ninety two.

To Cap't. Leendt Lewis, hia Exec'ra or Aasigns, the quantity of nine ouncea and fifteen penny weight of Plale afores'd. In full discharge of a Demand of Seven Pound and ten Shillings tor hia Service done at AlboQT in an Expedition against the ffrench In the Mohaucks Country, under the Comand of Cap't. John Janaen, in the Year six- teen hundred ninety two.

To Coenraet Borgaert, his Exec'ra or Assigns, the qaantity of Twenty one ouncea Seventeen pennyw't and a half of Plate afores'd, ■ iu full dlacharge of an acc't of Ten Pound, for Six week* Servic «Ti Expedition ag't the ffrench in the year Sixteen hundred ninety two.

D,g,;,zeclbyG00gIC

To Sarah Skoute, Widow of John Skoute, dec'd, her Exec'ra or Assigns, the quantity of thirty Seven Ouuoea and ten pennyw't of Plate aforee'd; in full dischai^e of a Demand made for her e'd hos-bands Serrlce, as Gunner in the ffort of New York, in the time of the late happy Eevolution, in the Yeare sixteen hundred and ninety.

To Johannes Ten Eyc-k, his Ezec'rs or Asaigna, the qanntity at forty Seven Ounces ten pennyw't: of Plate afores'd, in full ^charge of an acc't of Thirty one Pound thirteen Shillings and four pence, for the hii'e of his ffatbers Sloop and ^ens Wages, in Service of Colony, in the year seventeen hundred and five.

To Schibolett Bogardus, his Exec'rs or Assigns, the quantity of Eighty two ounces of Plate afores'd, in full discharge of an accoant of Thirty Seven Pound and ten Shillings, for hire of his Sloop, bei Umploy'd to unload the Ship Elizabeth, Cap't. Jones Comander, when said Ship went in an Expedi'con against some ffreneh Priva-teers under the Comaud of Cap't, William Peartree, in the yeare Seventeen hundred and five, and the Passage of fifty Soldiers from Albany to Xew York.

To Cornells Van Slyck, his Exec'rs or Assigns, the qaaotity of thirteen ounces and two pennyweight and a half of Plate afores'd, in fall discharge of Seven Pound an ten Shillings for his Jonmey ■with Coll. Peter Schuyler to Onondago, In Service of the Governm't

To Evert Jansen, his Exec'rs or Assigns, the quantity of three ounces and Seventeen penny weight and a half of Plate afores'd, for some Small Casks or Runlets deliver'd to the India^is by Order of Coll : Peter Schuyler, for the Service of this Colony.

To Jacobus van Schoenhoeven, his Exec'rs or Assigns, the quantity of eight ounces and fifteen pennyw't of Hate afores'd, in full dis-cbarge of an acc't of four Pound, for flre-wood deliver'd to Cap't Hickbeys Company in the year one thousand Seven hundred and four

To Cap't. Leend't Lewis and Johannes Terbosh, their or either bf their Exec'rs or Assigns, the quantity of forty one oances and five pennyw't of Plate afores'd, in full discharge of au acc't of n teen Pound for Sundry Expences. Several Persons of Dntchess County were at in entertaining Cap't. Congraves Company and Six Mens Attendance on them in their Journey to Albany in the Gov-ernra'ts Service

To Johannes Hooglandt, his Exec'rs or Assigns, the qnantity of fifteen ounces of Plate afores'd, for Sods deliver'd for the ffort o New York by Order of my L. Combury, late Governour of this Colony, In the year Seventeen hundred and Six.

Digi-jzedbyGoOgiC

To the 8'd Johannes Hoogland, his Execr's or Assigns, the quan- tity of thirty Heven ounces and ten peunyw't of riate, for his Pay ua a Trooper in Coll: Dongans ExpiHlition to Albany, in the year Sixteen hundred and Eighty eight, and for a Gun left in the ffort K: Ywk, in the time of the late happy Bevolut'on.

To Barent Hybon his Eiec'rs or Assigns, the quantity of Seven ounces of Plate, for Service done for the Goviernm't, in being an Out-Scout at Sandy Hook in the Year Sixteen hundred and ninety.

To Dirk Adolph, John dePew and Symon Breeste, their or either of their Exec'rs or Assigns, Ine quantity of four ounces of Plate aforea'd, for each of them, as being Scouts the same time at Sandy-Hook.

To Jacobus van Dyck, his Exec'rs or Assigns, the quantity of thirty nine ounces Seventeen pennyw't: and n half of Plate afores'd, in full discharge of a Warrant drawn by Edward Lord Cornbury, dated the eighteenth day of July, one thousand Seven hundred and Six, for a years service as Chirurgeon in his Maj'es ffort at Schinechtady.

To Helena Cooper, her Exec'rs or Assigns, the quantity of fifty ounces and fifteen pennyweight of Plate afores'd, in full discharge of a Warrant drawn by Rich'd, Earl of Bellomont, dated the twenty Seventh day of Nov'r, one thousand seven hundred Payable to Nicholas Jamain, for Sundreys deliver'd for the use of ye Government,

To Annetie Daniels, her Exec'rs or Assigns, the quantity of eleven Ounces and Seven pennyw't and a half of Plate afores'd, in full discharge of a Warrant drawn by Edward Lord Cornbury, dated the tenth day of Decemb 1700 made payable to her Self for tending

Sick Soldiers.

To Coll. Peter Matthews, his Exec'rs or Assigns, the quantity of ^wo hundred and Sixty Six ounces two pennyw't: and a half of Plate afores'd, in full discharge of Sundry Warrants drawn by Edward Lord Cornbury, one dated the Seventeenth day of October, one thousand Seven hundred and four, payable to Edward Colo for a quart'rs Salary as Messenger of ye coun'sel ; one dated the twenty seventh day of November, one thousand Sevc-n hundred and Seven, payable to Elizabeth Cole for anoy'r. quart. Salary as Messenger of ye Councill, and three others dated the tenth day of decerab one th sand Seven hundred ond eight, Payable to EIlKabeth Cole for three years Salary of her deceas'd husband Edward Cole, as messenger of the Council, & for dyet and Lodging of Some Spanish Prisoners.

To John van Loon, hla Exec'rs or Assigns, the quantity of eighty

five Ounces of Plate afores'd, in full discharge of ao accoaot of Thirty eight Pound Seventeen Shillings and ten pence, (or Several sorts of vforli done by him at Albany for the Soldiers, and others, liy Order of Coll : Thomas Dongan.

To Kiliaeu van Ri'nsflaer and Coll: John Schuyler, their or either of their Exec'ra. or Assigns, the quantity of Thirty ounces of Plate alores'd, in full discharf^e of an account of Lighteen Pound Eleven Shillings and nine pence, for Several stockadoes deliver'd for the flfort at Albany, and for squaring and setting them up.

To Andries Coyeman, his Exec'rs or Assigns, the quantity of forty one ounces and ten pennyweight of Plate aforesd, for ProvisMons to the fforcea in their March to Albany in the year Sixteen hundred & ninety.

To Anthony van Schaik, bis Exec'rs or Assigns, the quantity of two Ounces and ten pcnnyw't of Plate aforesd, for mending of Glass windows in his Majesties Garrison at Albany.

To Cap't. Henry Hollandt, hia Exec'rs or Assigns, the qnantitie cf one hundred and Twenty five ounces of Plate afopea'd, for Ser- vice done for the Goverm't.

To Vapt. John Riggs, bis Exec'rs or Assigna, the quantitie of

sixty two ounces and ten pcnnyw't of Plate afores'd, for Service don lor the Governme't,

To Cesar Sharp, his Exec'rs, or Assigns, the quantitie of fifty rfx ounces five pcnnyw't of Plate afores'd for Service done by hia ffatb Tho: Sharp, dec'd, for the Govern'm't,

To Deborah flleiding her Exec'rs or Assigns, the quantity of thirty Seven Ounces ten pcnnyw't. of Plate afores'd in full discharge for Service perform'd by her late Husl>and Nicolas ffielding.

To John Harris, his Exec'rs or Assigns, the quantity of thirty two ounces fifteen pcnnyw't of Plate afores'd, in full discharge of Claim of nineteen Pound four Shillings, for bringing Several Boat Loads of Timber for Ciirriages, and Several Boat Loads of Sods, and for ferrying horses from Amboy to New York, for the use of this Colimy.

'To Rip van Dam. Esii'r. his Execr's or Assigns, the quantity of f ffy one ouncea and ten pennyw't : of Plate afores'd, in full disc cf a Warrant drawn by the L'd Cornbury, dated the Seventeenth day of Slav one thousand Seven hundred and two. payable to Hend: Hanae and Ryer Schermerhorne, for presents to the Tndinns for liberty to Cut Masts (or Ships, for his Maj'es, use, and for other demands and a-cct's. Services dune. Goods and Wares advanc'd for fbe service of this Colony, amountinir to two hundred Sixty five Pound five Shillings and five pence half penny.

To Jolin Crook, hifi Ezccr's or Assigns, the quantity of one han- (irud and Twenty flvt' ounces of Plate afores'd, in full discharge o vn account of one hundred thirty four Pounds fourteen Shillings and four pence half penny, for Several Sorts of work done in his Maj'es ffort in N: York from the year Seventeen hundred and one, to Seven- teen hundred and four, and for five Warrants drawn by Edward Lord Cornbury, one dated the Sixth of Janry, seventeen hundred & three, made payable to the s'd Crook for Sundry necessaries for the Garri- flou of Albany, and four Warrants drawn by s'd L. Cornbury, pay- able to said Crooke for his Sallary as Waiter and Gager, one dated the twenty fourth of June, seventeen hundred and four, one dated the twentj'-fourth of June, seventeen bundredjind Six, one dated the twenty nineth day of Sep'r, Seventeen hundred and Six, and one dated the twenty ninetb of Sep't Seventeen hundred and

Eight

To Schibolet Bogardus, and the rest of the Children of Peter Bogardus, dec'd, their or either of their Exec'rs or Assigns, the quantity of eighty three ounces fifteen pennyw't of Plate afores'd, i (ull discharge of an account of Sixty Seven Pound for mending of Glass windows in the ffort at Albany, and Sallar;!', as Commis- sioner for the Kings stores at Albany, and for ffreight of his Sloop to be Equally divided among the Children of s'd Peter Bogardus, iJec'd,

To Isaak D, Biemer, his Exec'rs or Assigns, the quantity of one hundred and thirteen ounces fifteen pennyw't: of Plate afores'd, in full discharge of a Warrant indorsed to him by Capt, Nanfan, dec'd, dated the eighth of Janry, seventeen hundred and one. and drawn by the s'd Nanfan & made payable to himself.

To Jacobus Bayard, his Exec'rs or Assigns, the quantity of fifty Seven Ounces & fifteen pennyw't of Plate afores'd, in full discharge '<}t an acc't of twenty Six Pound and nine Shillings for Several Casks of Beer deliver'd by his flather Balthazar Bayard, dec'd, for the use of his Majes Garrison at New York, by Order of Jacob Leisler, Esq'r.

To William Chambers, his Exec'rs or Assigns, the quantity of fourteen ounces and ten pennyWt, of Plate afores'd, in full discharge of a Demand of Six Pound twelve Shillings and Six pence, for Several things by him bought and disbure'd by Cap't William Peartree, who was sent by this Governm't ag't. the ffrench Privateers ^hen infesting this Court.

To Coll : Abraham P' Peyster, his Exec'rs or Assigns, the quan- tity of two hundred fifteen ounces two pennyw't and a half of
120

Plate afores'd, in fuU discharge of two Warraats, the one dated tlii3 twenty eighth day of Apil, Seventeen hundred and one, for tventy eight Pound twelve Shillings drawn by his Maj'es. Council in the Absence of the Lieu't. Gov'r John Naafan, and payable for money laid out by Kyer Schennerhorn and John Latham, Shlp- Ciii-pcuter, to look for Masts for the Royal Xavy, and the other dated the twenty Sixth day ot Janry, Seventeen hundred & one,

(or Sixty nine Tound fifteen Shillings and Eight Pence drawn by John Xanfan, Lieu't. Gov'r, payable to s'd Coll. Abraham DToyster, for Beef, i'ork and Pease found and Provided by Job's van Cortlandt for hia Maj'es ship ffortune, sent to England with Bhip-Timber.

To Anthony Lisjaunrd, his Exec'rs or Assigns, the quantity of nineteen ounces & twelve pennyw't and a half of Plate afores'd, i.i full discharge of an account of nine Pound, for fetching three Sloop Load of Stockadoes for his Maj'es ffort at New York.

To Daniel Toy his Exec'rs or Assigns, the quantity of thirty Seven Ounces & ten pennyw't of Plate afores'd, in full discharge of a Demand of fifty nine Pound thirteen Shillings & nine i>ence, f Cartouch boxes, and Sundries deliver'd by him, and three Journeys to the Highlands for tlie Service of the Governm't

To Catharina Cooker, her Exec'rs or Assigns, the quantity of Sixty two Ounces and a half of Plate afores'd, in full discharge of a Demand of two hundred and ten Pound two Shillings and four pence halfe penny, for Sundry Services done by Thomas Cooker, her dec'd imsband, from the year Sixteen hundred eighty Six, to the year Sixteen hundred ninety eight, for this Governm't

To Magdalena ffurt, her Execrs or Assigns, the quantity of thirty two Ounces and five pennyw't of Plate afores'd, in full dis- charge of three Warrants drawn by Edward Lord Cornhury, one whereof is dated the eighth of Janry, seventeen hundred and Seven for fourteen Pounds payable to Barth: ffurt &c. for Sun- dries advane'd for the use of the Governm't, the Second dated the fifth of April, Seventeen hundred and five, payable to Mr. Ferret, &c. for twenty Pound of house Rent, and the third dated the thirteenth day of October, Seventeen hundred and five, payable to Robert Crannel, &c, for Seven Pound and ten Shillings, for his Sirvice as Cockswaine of the Governours barge.

To Jane Tothill, her Exec'rs or Assigns, the quantity of Sixteen Ounces and a half of Plate afores'd, in full discharge ■ of two Warrants drawn by Edward Lord Cornhury, one dated the sixth of

Lc;-,:uJbyC00gle

Janry, Seventeen hundred & three, payable to Jeremiah Tothill, dec'd, for Sundriea deliver'd by Mm for the use of this Colony, and other dated the third of Aug't, seventeen hundred aud three, payable to Hiliegond Decay, dec'd, for Bread and Biskett deliver'd for the u of this Governm't, when the s'd Lord Cornbury made a Voyage to Albany to visit the five Xatioas of Indians.

To Omie D'Lagranzie, SenV, his Exec'rs or Assigns, the quan- tity of thirty ounces of Plate afon's'd in full discharge of a Claim of Twenty Six Tound five Sbilliogs & nine peuce for freight due to him from this Governm't in the year Sixteen hundred & ninety, till the year Sixteen himdi-ed ninety five.

To Johannes Beekman, his Exec'rs or Assigns, the quantity of thirty Seven Ounces fifteen pennyw't of Plate afores'd, in full dis- charge of an account of Sixty Pound and ten Shillings for his Service and Company for Biding the Patrol upon the ffronteera at Albany in the Expedition against Canada in the year Seventeen hundred & nine.

To Jacob Dingman, his Exec'rs or Assigns, the quantity of Seven Ounces and a half of Plate afores'd, in full discharge of a demand Six Pound for his being wounded in the Service in the late Expedi- tion ag't Canada.

To William Bradford his Eiecr's or Assigns, the quantity of one hundred ounces and two Pennyw't and a halfe of Plate afores'd, in lull discharge of three Warrants drawn by Edward lord Cornbury, one dated the first of Ap'l Seventeen hundred and three. Payable to Rob't Walters or Order, for fire-wood for the ffort of New York, ab two Warrants dated the Seventeenth day of febry Seventeen hundred and three, payobie to John Bradock, &c. for the hire of his Sloop for two Voyages to Suppress Illegall Trode, and for Sundry other Oooda and Books deliver'd for the use of the Governm't amounting to the sum of Seventy five Pound four Shillings & ten pence

To Harmanus Van Slyke, his Exec'rs or Assigns, the quantity of Twenty two Ounces and a half of Plate afores'd, in full discharge o an account of eighteen Pound and three Shillings, for five days wage in Company with Several others in the Serrice of the Governm't, and bis loss of time and Expences when wounded in s'd Service.

To Steph: D'Lancey, his Exec'rs or Assigns, the quantity of thirty- foor ounces t^o pennyw't & a half of Plate afores'd, in full discha

of a Warrant assigned him by ffrederik Myndertse, Armorer at ftort Albany, drawne by Edward Lord Cornbury the nineteenth of October, Seventeen hundred & ;hree, being for a years Salary of the B'd Myndertse.

Digi-jzedbyGoOgiC

To Jellis van Vorst, his Exec'rs or Aasiyns, the quantity of fifteen Ounces and fifteen penny'wt of Plate afores'd, in full discharge of a Claim of Seven Pound and four Shillings for Carrying Sevwal Indian Sachims from Scliinechtady to Albany, during the Adminis- tration of the L'd Belloniont & the Lord Cornbury.

To Cap't. Arent Schuyler, his Exec'rs or Assigns, the quantity of on^ hundred & Seventy five ounces of Plate afores'd, for Six barrell of powder deliver'd for hia Maj'es ffort at Albany in the time of late happy Eevolulion, & for the discharge of his acc't amounting to one hundred & twenty five Pounds for Services done for the Govern m't.

To Gerrit Symons, Gerrit Verbrakel, Cornelia Polman and John Daniels, their or either of their Exec'rs or Assigns, the quant of Sixty nine Ounces and fifteen pennyw't of Plate afores'd, for the Service in an Expedition ag't the ffrench of Canada in the yeare Si teen hundred And ninety, And in full discharge of their account amounting to fifty five Pound & sixteen Shillings.

To Thomas Palmiter, his Exec'rs or Assigns, the quantity of Seventy five Ounces of Plate afores'd in full discharge of an acc't Seventy Six Pound and Sixteen Shillings for Sundry Services done for this Colony during the Administration of the Lord Bellomont.

To Ciipt. Lancaster Syma, hia Exec'rs or Assigns, the quantity of fiftj' four ounces twelve pennyw't and a half of Plate aforee'd, in discharge of a Warrant drawn by the Lord Cornbury, dated the first of July, seventeen hundred & eight, payable to himself for Salary, afid aasign'd to the aforea'd Syma.

To Justice Bosch, hia Exec'rs or Assigns, the quantity of thirty ounces Seventeen punnyiv't and a hiilf of Plate aforea'd, in full di charge of a Claim of Twenty four Pound & fifteen Shillings for the

hire of his Sloop, which assisted the unloading of CapL Jones's Ship, which was taken in the Colony Service in the yeare Seventeen hundred and five, In an Expedition ag't some ffrench Privateers the:3 icff'sting this Coast.

To John Theobalds, his Exec'rs or Assigns, the qnantity of four- teen Ounces twelve penny'wt and a halfe of Plate afores'd. in full diacharge of a Warrant drawn by the Ld. Cornbury, dated the eight day of May, seventeen hundred and four, for seven Pounds nine Sliill ings payable to Elizabeth Stokes for nursing Sick Soldiers.

To Mihiel and Belitie Lowrier, their or either of their Exec'rs or Assigns, the quantity of Twenty one ounces twelve penny weight & a half of Plate afores'd. in full discharge of an acc't o nine Pound & eighteen Shillings due to their ffather Christian

...C^ooglc

Ijowrier, dec'd, for the Passage of Several officers and Soldiers to Albany.

To Johanaes Bleeker, hia Exec'rs or Assigns, the quantity of Eighteen Ounces fifteen penoyw't of Plate aforea'd, in full dis- charge of a Claim of fifteen Pound for his Service, aa Interpreter to the Co'mmissioners of the Indian Affairs at Albany.

To ffrans Wessells his Exec'ra or Assigns, the quantity of Seventy five Ounces of Plate afores'd, for Sundry Services done for this Colony.

To Coll. Thomas Willet his Execr's or Assigns, the quantity of three hundred ninety one ounces two & a half pennyw't of Plate afores'd, for sundy Goods and Provisions for the use of the Sol- diers under the Comand of Jacob Leisler, Esq'r.

To Rich'd Chapman, his Exec'rs <x Assigns, the quantity of fourteen Ounces seventeen pennyw't & a half of Plate afores'd, in Full discharge of an account of Six Pound Sixteen Shillings & three pence for Carpenters Work done in his Maj'es fEort at N:York.

To Naning Harminse his Exec'rs or Assigns, the quantity of thirtet^n Ounces two peunyw't & a half of Plate afores'd, in full discharge of a Warrant drawn by tlie Lord Cornbury, dated the twenty seventh of febry, in the yeare Seventeen hundred & seven, payable to s'd Harminse for malcing Conveniences for the Gov'r in his Sloop for his Voyage to Albany in the year Seventeen hundred and four.

To. Robt Livingston, Esq'r his Exec'rs or Assigns, the quantity of three thousand Seven hundred and ten Ounces of Plate afores'd, for the full discharge of Sixteen hundred and, ninety six Pounds, claim'd for Arrearages of vitualllng the fEorces in Co'll. i>ongans Expedition to Albany, in the year Sixteen hundred eighty-Seven & eight, & other Incidentals advanc'd by him, and for his Voyage to Onondago by Order of the late Lord Bellomont, Gov'r of this Colony, in the year Seventeen hundred.

To Robert CranneJl, his Exec'rs or Assigns, the quantity of twenty five ounces of Plate afores'd. in full discharge for executing the office of Serjeant at Arms to the General Assembly of the Colony of New York,

To Jonathan Whitehead, his Exec'rs or Assigns, the quantity of twelve ounces ten pennyw't of Plate afores'd, for Victualling the Soldiers that Sfarch'd from the East End of Long Island to go to Albany in Coll. Dongans Expedition to Albany, In the yeare Sixteen hundred eighty eight.

. '.\.>ogle

To Cojl. Bicli'd logoldesby, his Exec'rs or Aftsigns, the quantity of Beveo hundred & fifty ounces of Plate afores'd, in full discharge of his Services as Lieu't Gov'r of this Colony.

To Anna D'Peysler, her Exec'rs or Assigns, the quantity of Twenty one ounces Seventeen pennyw't and a half of Plate aforesd, in full discharge of a Wan-ant drawn hy the Lord Combury, dated the twenty uineth of June, seventeen hundred & two, Pnyahle to John D'Peyater for a quarters Sallary, as Surveyor of the Customs, and in full discharge of all other Warrants.

To Coll. James Weenies his Exec'rs or Assigns, the quantity of thirty Seven ounces & ten penny'wt of Plaie afores'd, for Candles deliver'd for the Garrison at Albany, In the year Seven-teen hundred and nine.

To Jennit Meirit, her Exec'rs or Assigns, the quantity of two hundred Seventy nine ounces two penny'wt and a half of Plate afores'd, in full discharge of an account for Services done by her dec'd ffather George Lockhart, in an Expedition to Albany, And also for the Pay of two Men allow'd him, the whole amoant-ing to two hundred thirteen Pound four Shillings and two pence.

To Wybrugh van Dorsum & Anna Phenix, their or either of their Exec'rs or Assigns, the quantity of Sixteen Ounces Seven-teen pennyw't & a half of Plate aforesaid, for Service perform'd by Harmanus van Borsum and Jacob Phenix, their deceas'd hus-bands, who were Partners in a Sloop, and Carried up Soldiers to Albany.

To Johannes Janse, Esq'r Isaak IJ"Riemer & Gerrit Viele, tihelr or either of their Exec'rs or Assigns, the quantity of Eighty two ounces ten pennyw't of Plate afores'd, for bringing two thonsand eight hundred Pound of Powder from Philadel[Aia to his ilaj'es ff'jrt of N: York in the time of the late happy Revolution,

To Elizabeth Jordam, her Exec'rs or Assigns, for the use erf the heir of Thomas Penniston dec'd, the quantity of fifty ounces of Plate aforesaid, for Sloop hire and Service done by Capt. Pennis-ton io an Expedition against some ffrench Privateers, by Order of this Govemm't.

To Abraham Wendell, his Exec'rs or Assigns, the quantity of twenty one ounces five pennyweight of Plate aforesaid, in full dis-charge of a Warrant drawn by Gapt. Kanfan, dated the twenty Sixth day of Jany, Seventeen hundred and one, Payable to John Schuyler for Sundry Necessaries provided by him for the Messen-gers Sent to the Ounagonge Indians, by Order of the Ijord Eellomont.

1 1., Google

To ComeliB Yan der Hoeven, his Exec'ra or AsBigns, the quan-
tity of twenty two ounces two penny weight and a halfe of plate,
in full discharge of a Claim of Eighty four Foiund fourteen ahil-
lingBandalx pence,for materials taken from his ffatber for the use
of this Colony, and also in full discharge of a Warrant drawn by
the Lord Cornbury, payable to Coll, Schuyler, And by liim
Endorsed to the said VanderhocTen.

To Dand Provoost, Eaq'r, his Execr'rs or Assigns, for his Ser-
vice as Commissioner appointed by the Generall Assembly to
receive the Claims of the Governm't, the quantity of one hundred
eigh^ Seven Ounces ten pennyw't of Plate afores'd.

To Jacob Kip, Esq'r his Exec'rs or Assigns, for hia Service as
Comissiooer appointed by the gen'U Assembly to receive the
Claims of the Governm't, the quantity of one hundred eighty Seven
ounces ten pennyw't of Plate afores'd.

To Maj Bickley, hia Exec'ra or Assigns, the quantity of one
hundred Sixty five ounces of Plate afores'd, in full discharge of
his Claime for hia Seriices in Pi-osecuting twenty two Kegroes
convicted of Murder.

To William Sharpass, his Exec'rs or Assigns, the quantity of
Sixty ounces two pennyw't & a halfe of Plate, in fuU discharge of
a Claim of Twenty Seven Pound and ten Shillinga for "his Service
and trouble in the Tryal of Several Negro Slaves, in Ap'l, one
thousand Seven hundred & twelve.

To Jobfinnes Johnae, Esq'r his Exec'ra or Assigns, the quan-
tity of eleven ouncea and five pennyw't of Plate afores'd, for his
Expences in Proclaiming King William & Queen Mary, of Blessed
Memory.

To Samll Provoost, his Exec'rs or Assigns, for the account of
Cap't Partridge, the quantity of thirty two ounces twelve
pennyw't and a half of Plate afores'd, in full Discharge for his
Maj'ea King George hia Picture.

To Lucresia Hegeman, her Exec'ra or Assigns, the quantity of
Sixty two ounces ten pennyw't of Plate aforea'd, for the Services
perform'd by her dec'd husband Denys Hegeman, for this Colony

To Henry Wlleman, hia Exec'ra or .A.asigna, the quantity of
twenty two ounces ten penny weight of Plate afores'd, for his

Services as Coroner for the Citty and County of New York, in the Yeare Seventeen hundred & twelve, in taking nine Inqusitious on Several Persons that were murdeHd by the Negioea, in the lime of their Conspiracy in New Yorh.

Dic-jzedbyGoOQlc

To his ExceUency Robert Hunter, Esq'r Gov'r of this Colony, liis Exec'ra or Assigns, the quantity of two thousand five hundred twenty five ounces seven pennyw't and a half of Plate afores'd, for Incidents and sundry Extraordinary disbursem'ta for the Publick Service of this Colony, for which no Provision has been made.

To Martha Mompesson, her Exec'ra or Assigns, the quantity of three hundred and Seventy five ounces afores'd, for the Services perform'd by her dec'd husband for this Governin't.

To the Gentlemen of his Majestieg Councill for their extraordinary Senices, expences and trouble in the Publick Affairs of this Colony, the quantity of Plate following, vizt.

To Coll. Peter Schuyler, EsqV his Exec'ra or Assigns, the qoaiitity of two hundred and flBfty ounces of Plate aforesaid, in full discharge of all Claims and Demands whatsoever.

To Coll. Abraham D'Peyster, Esq'r his Exec'ra or Assigns, the quantity of two hundred and fHfty ounces of Plate afores'd.

To Capt. Robt. Walter Esq'r his Exec'ra or Assigns, the quantitr of two hundred and fQfty ounces of Plate afores'd.

To Coll. GerrardUH Beekman Esq'r his Exec'rs or Assigns, the quantity of two hundred and flSfty ounces of Plate afores'd.

To Rip van Dam Esq'r hia Exec'ra or Assigns, the quantity of two hundred and fifty ouncea of Plate afores'd.

To John Barbarie Esq'r hia Exec'rs or Assigoa, the quantity ot two hundred and fflfty ounces of Plate afores'd.

To Adolph Phillipse Esq'r his Exec'ra or Assigna, the quantity of two hundred and fflfty ounces of Plate afores'd.

To Thomas Byerly Esq'r hia Exec'rs or Assigns, the quantity of two hundred and fBfty ounces of Plate afores'd.

To Geo^e Clarke, Esq'r his Exec'ra or Assigns, the quantity of two hundred and fQfty ounces of Plate afores'd.

To John Johnstone Eaq'r his Exec'rs or Assigns, the quanitie of two hundred and fflfty ounces of Plate afores'd.

To Gabriel Ludlow, his Exec'rs or Assigns, the quantity of one hundred and fifty ouncea of Plate afores'd, for his Services as Cler of the General Assembly.

To the Exec'rs or Adm'rs of Cornells Post, the quantity of one hundred & twelve ouncea ten pennyw't of Plate afores'd, for his Ser-vices as Door-keeper of the General Assembly, and flre-wood and Candles, &c. furnish'd for the same.

To Lewis Morris Esq'r his Exec'rs or Assigns, the quantity of Sixty two ouncea ten pennyw't of Plate aforea'd, for S^ricefl per-form'd by him for the Publick.

[.....duCiOOglc

To John Thooni, Ms Exec'rs or Assigus, tlie quantity of Fifteen ouncea of Plate afores'd tor his Services as a Trooper Id Coll. Doo gana Expedition to Albany in the year Sixteen hundred Eighty-eight.

To Mathys Nack, his Exec'rs or Aaslgns, the quantity of thirteen ounces two pennyw't and a hulfe of Plate afores'd, in full discharge of a Claim of fifteen Pound for his Service in an Expedition to Onondago with Major Dirk Weasells and Bob't Saundors.

To Cornelia Gilbert, Widow of John Gilbert, dec'd, her Exec'rB or Assigns, the quantity of thirteen Seven ounce ten pennyw't of Plate afores'd, in full discharge of an acc't of fifty two Ponud El shillings and eight pence, for Bread dellver'd to hia Maj'es Souldier at Albany in the year Sixteen hundred & eighty & eighty two.

To Mary Tudor, Widow of Cap't John Tudor, her Exec'rs or Assigns, the quantity of thirty seven ounces ten penny w't of Plate afores'd, in full discharge of an account of three hundred Seventy o Pound four Shillings and two pence farthing.

To the Mayor and Comonalty of the City of New York, the quantity of five hundred ounces of Plate afores'd, for the Bepair of the Citty Hall of s'd Citty.

To the Exec'rs of Cornelius Willet, or their Assigns, the quantlry of Twenty five ounces of Plate afores'd, tor his Service in the Exp tion against Canada in the year Seventeen hundred & nine.

To William van Ale, his Exec'rs or Assigns, the quantity of six ounces ten pennyw't of Plate afores'd, for the Passage of two Com- issioners, two Interpreters and six Sachims from Albany to New York.

To Bernardus ffreeman, his Exec'rs or Assigns, tbe quantity of Twenty five ounces of Plate afores'd, in full discharge of an accoun of Twenty Pound for Service done by Livinus van Schalck, for the use of this Colony, by Order of Governour Dongan.

To Coll. Peter Schuyler, CoJi Killiaen van Renselaer, and the Widow of Major Dirk Wessels dec'd, they or either of their Exec'rs or Assigns, the quantity o! ninety nine ounces fifteen pennyw't of Plate afores'd in full discharge of a Warrant for five & forty Foun twelve Shillings granted by the Lord Cornbury dated the third of November Seventeen hundred & four payable to Peter Schuyler, Killian van Renselaer, Dirk Wessells and Johannes Coertlandt, for Shoes to three Conjpanys of Souldiers which were posted at Albany.

To Thomas Dyer, hia Execr's or Assigns, the quantity of fifty Seven ounces fifteen pennyw't of Plate afores'd, in full discharge of an account amounting to forty Six Pound four Shillings, for Car- 121

Digi-jzedbyGoOgle

pentera work in his Maj'ea HoPt at New York, from Beventeen buodred & four to seventeen hundred & Six.

To Lewis Morris, hla Exec'rs or Assigns, for his drawing Several Bills and Acts of the General Assembly of this Colonj-, the quan- tity of one hundred & twenty five ounces of Plate afores'd.

To David Provoost, Johannes Jansen and Jacobus Kip, Eaq'ra their or either of the Exec'ra or ABsigns, the quantity of fifty fi ounces of Plate to each of them, for Services done by them by Oi^er of the 0-eneral Assembly of this Colony.

To Henry Wileman, his eiec'rs or Assigns, the quantity of one hundred and BQfty ounces of Plate aforesaid.

To Robert Livingston, Junr. Attorney at Law, for his Services in transcribing & engrossing this Act, Seven & fonrty ouncea & a half of Plate afores'd.

To John Haskoll, his Execr's or Assigns, the quantity of fifty ounces of Plate afores'd.

And be it Enacted by the Authority afores'd, That the Treas- urer of this Colony, for the time being, shall pay in the Bills of Credit made current by this Act, unto the following Persons, their Exec'rs, Adm'rs. or Assigns, being some of them Officers and Souldiers now alive, who serv'd in his Maj'es ffort at New York under the Comand of Capt Jacob Leisler, in the years Six- teen hundred eighty nine & ninety, & some of them the Widows, Children, or nearest Relation of Such Officers or Souldiers as Perform'd the said Service, & are since departed this life, the Several and respective quantities of Plate following, that is to say.

To Juriaen Nagel, his Exec'rs or Assigns, the quantity of forty three ounces fifteen pennyw't of Plate afores'd.

To AllSertie 8oet, Widow of Johannes Soet, her Exec'rs or Assigns, the quantity of forty one ounces ten penny't of Plate afores'd.

To Johannes Burger, his Exec'rs or Assigns, the quantity of one hundred & fifteen ounces Seventeen pennyw't & one half of Plate afores'd, being for the Services Perform'd in ffort & Conip afores'd, by himself and his Brother Elias Burger, dec'd.

To Peter Bogaert, his Exec'rs or Assigns, the quantity of thirty Seven ounces five pennyw't of Plate aforesaid.

To Reynier Reyserick, his Exec'rs or Assigns, the quantity of forty Ounces of Plate afores'd.

To Philip Trevis, his Exec'rs or Assigns, the quantity of twelve ounces ten pennyw't of Plate afores'd.

Lc;–,:.tll:yG00gIC

To Johannea Tibout, his Exec'ra or Assigns, the quantiy ol Thirty four ounces Seven penDjw't and a half of I'late afores'd.

To Jacob Kool, bis Exec'rs or Assigns, the quantity of five ounces & Seventeen pennyw't & a half of Plate afores'd.

To John Cockeveer, his Eiec're or Assigns, the qnantity of flfty three ounces & five pennyw't of Plate afores'd.

To Alexander Phenix, bis Exec'rs or AsBigna, the quantity of Twenty four ounces & five pennyw't of Plate afores'd, for Service perform'd in ffort & Comp'e afores'd, by Isaak La Montagnie.

To Rutger van Hoorn, bis Exec'rs or Assigns, the quantity of sixty four ounces & fifteen pennyw't of Plate afores'd.

To Peter Bomen his Exec'rs or Assigns, the quantity of thirty three ounces & five pennyw't of Plate afores'd, for Service done in ffort & Comp'e afores'd, by bis Brother Jacob Bomen, dec'd

To Abraham Splinter, his Exec'rs or Assigns, the quantity of forty one ounces Seven pennyw't & a half of Plate afores'd.

To Henry van der Spiegel, his Exec'rs or Assigns, the quantity of Twenty ounces Seventeen pennyw't & a half of Plate afores'd, for Seriice perform'd in ffort & Comp'e aforesaid, by his Brother Tobias, dec'd.

To Catharina Barns her Exec'rs or Assigns, the quantity of Twenty Seven ounces ten pennyw't of Plate afores'd, for Service done in ffort & Comp'e afores'd, by Darid Thomas.

To ffrederik Shurmans, his Exec'rs or Assigns, the quantity of fourteen ounces Seventeen pennyw't & a half of Plate afores'd.

To Sarah van Amhcm, ber Exec'rs or Assigns, the quantity of Thirty three ounces Seventeen Penny weight & a half of Plate for Service perform'd in fEort & Comp'e afores'd, by her dec'd husband.

To Susanna Wood, & her fiistpr Anna Churchill, Co-heirs of their ffather William Churchill, deceas'd, their or either of their Exec'rs or Assigns, the quantity of one hundred thirty four ounces fifteen Pennyw't of Plate afores'd to bo Equally divided between them for Service perform'd by their s'd ffather in ffort & Comp'e afores'd, ns a Lieu't.

To Sarnh & Janneke Peerce, their or either of their Exec'rs, the quantity of Thirty one ounces of Plate afores'd, to be Equally divided amongst them, and the rest of Ihe Children of William Peerce, deceas'd, for Ser\ice perform'd by the s'd Peerce In flort & Comp'e afores'd.

To Simon Brestede, his Exec'rs or Assigns, the quantity of nine-teen ounces ten pennyw't of Plate afores'd, for Service perform'd in ffort & Comp'e afores'd, by his Brother Wouter Brestede, dec'd.

Coogic

To Mary Bui^t-r, hei- Exuc'ra or Assigns, the quantity of Twenty nine ouncts st-ven penuy w-'t & a haJf of I'late aforea'd, for serv form "d by her husband I'ett-T t^inbuin, deccas'd.

To Uaniel de Voor, bis Exec'rs or Assigns, the quantity of twenty five ounces fifteen p:nnyw't of Plate afores'd.

To Abraham Metselaer, his Exec'rs or Assigns, the quantity of Twenty Eight ounces of Plate afores'd.

To John Painter, his Exec'rs or Assigns, the quantity of Twenty nine ounces Twelve pennyw't & a half of Plate afores'd.

To Maike van der Wei'f, her exec'rs or Assigns, the quantity of

seventeen ounces twelve pennyw't & a half of Plate aforea'd, for Service perform'd in ffort &, Comp'e aforea'd, by her huaband CorneliB van der Werf, dec'd.

To Engeltie Gerritse, her Exec'rs or Assigns, the quantity of Kx-teen ounces tea pennyw't of Plate afores'd, for Service perform'd in ffort & Comp'e aforesaid, by her dec'd husband Otto Gerritse.

To Johannes Cock & David Cock, their or either of there Exec'rs or Assigns, the quantity of forty three ounces five pennyw't of Plat afores'd for Service done in ffort & Comp'e by their fCather Jocotms Cork, dec'd.

To Iba van Shy ven, her Exec'rs or Assigns, the quantity of Twenty two ounces fifteen pennyw't of Plate afores'd, for Service perform'd by her deceas'd husband in the Comp'e aforea'd.

To Willem de Graw, his Exec'rs or Assigns, the quantity of thir-teen ounces twelve pennyw't & a half of Plate aforea'd, for Service perform'd in ffort & Comp'e, by his dec'd ffather.

To John Henry, his Exec'rs or Assigns, the quantity of fifty five ounces of Plate afores'd.

To Anna Jackson, Daughter of Hartmsn Wessells, her Exec'rs or Assigns *he quantity of fifty ounces of Plate afores'd, for Service done by her dec'd ffather, as Surgeon of the s'd ffort, & Company.

It is also Enacted by the Authority afores'd, that the Treasurer do pay in Bills of Credit afores'd, unto the following Persons, their Exec'rs, Adm'rs or Assigns, being some of them Officers & Souldiers now alive, who serv'd in his Maj'es ffort at Albany, under the Comand of Capt. Jochim Btaats in the years Sixteen hundred eighty nine & ninety, & some of them the TVIdows & Children or nearest Relation of Sucb OfQcers or Souldiers as perform'd the s'd aervice, and are Since departed this life, the Sererall & Respective quantitie of Plate following, tliat is to Say.

To Ilendrik Ate, his Exec'rs or Assigns, the quantity of Twenty nine ounces Seven pennyw't & a half of Plate afores'd.

'.jQOglc

To Noah Barton, his Exec'rs or Asaigna, the quantity of Twenty three ounces Seven pennyw't & a halfe of Plate afores'd, to be Equall; divided among the Brethern of Elisa Barton who perform'd the Service in tlie ifort, & Company aforea'd.

To Edward Htndcok, his Exec'ra or Assigns, the quantity of Thirty seven ounces ten pennyw't of Plate afores'd.

To Johannes Symonse, his Exec'rs or Assigns, the quantity of Eighteen ounces twelve pennyw't & a half of Hate afores'd.

To itrancis Neel, his Exec'rB or Assigns, the quantity of Twenty Seven ounces of Plate aforesU

To Jacob Lawrence, his Exec'rs or Assigns, the quantity of thirty ounces twelve & a half pennyw't of Plate afores'd.

To Abraham Lawrence, his Exec'rs or Assigns, the quantity of nine ounces Seven pennyw't & a half of Plate afores'd.

To John Lawrence, his Exec'rs or Assigns, the quantity of Twenty five ounces of Plate afores'd.

To Joseph Bobinson, his Exec'rs or Assigns, the quantity of four-teen ounces twelve pennyw't & a half of Plate afores'd, for Service perform'd in ffort, & Comp'e afores'd, by his Sather Thomas Bobinson, dec'd, to be Equally divided among the Children of the s'd Thomas Bobinson, dec'd.

To Sarah Wright, her Exec'rs or Assigns, the quantity of Sixty two Ounces ten pennyw't of Plate afores'd, for Service done by her husband, Lieut. Jonathan Wright, dec'd, as Lieut, of the s'd Company.

To Thomas Bishop, his Exec'rs or Assigns, the quantity of seven-teen ounces ten pennyw't of Plate afores'd, for Service done in ffort & Comp'e aforesaid, by his deceas'd ffather.

To Thomas Williams, his Exec'rs or Assigns, the quantity of Thirty Seven ounces two pennyw't & a halt of Plate aforesaid.

To William Hogan, his Exec'rs or Assigns, the quantity of Twenty nine ounces Seventeen pennyw't & a half of Plate afores'd.

To Jacob Staata, his Exec'rs or Assigns, the quantity of flfty-two ounces ten pennyw't of I'late afores'd, for his Service as Surgeon t the said Comp'e.

To Tho. NoxoD, his Exec'rs or Assigns, the quantity of Twenty one ounces twelve pennyw't & a half of Plate afores'd.

To David Lewis, his exec'rs or Assigns, the quantity of forty ounces Seventeen pennyw't & a half of Plate afores'd.

To Solomon Boogh, his Exec'rs or Assigns the quantity of Seven ounces twelve pennyw't & a half of Plate afores'd.

To Jacob Eealomont, his Exec'rs or Assigns, the quantity of Thirty ounces of Plate afores'd, for Service done in the ffort & Comp'e, by his Brother Hendrik Eealeomont, dec'd.

. ... '.".ooglc

To Joauali Anderson, bis Exec'ra or Assigns, the quantity of tliirtj two ounces ten pennyw't ot Plate afores'd.

To Nathaniel Ba^'ly, his Exec'rs or Assigns, the quantity of Twenty four ounces Seven pennyw't and a halt of Plate afores'd, being for rice done in ffort, & Comp'e afores'd, by his Brother Nathan Bayly, dec'd.

To Geertie Ten Eyk, Widow of Jacob Ten Eyk, her Eiet'ra or Assigns, the quantity of fifty three ounces five pennyw't ol Plate afores'd, for Shoes deliver'd to the s'd Comp'e.

To the Exec'rs of Alexander Keny, the quantity of twelve ounces & ten pennyw't of Plate afores'd, for Services done by s'd Keny.

To the Brittish Officers following, which tarried here at the Bequest of this Colony, the quantity of Six hundred ounces of Plate afui'i.'s'd, in full discharge of all their Claims upon this Collouy, Respective following quantities of Plate, vizt

To William Hellin, his Exec'rs or Aswgns, the quantity of fifty ounces of plate afores'd.

To Abraham Jea, his Exec'rs or Assigns, the quantity of fifty ounces of Plate afores'd.

To Walter Harris, his Exec'rs or Assigns, the quantity of fifty ounces of plate aforesd.

To Timothy Bayly, his Exec'rs or Assigns, the quantity of fifty ounces of Plate afores'd.

To John Bennet, his Exec'rs or Assigns, the quantity of fifty ounces of Plate afores'd.

To Andrew Nicolls, his Exec'rs or Assigns the quantity of fifty ounces of Plate afores'd.

To Edward Blood, his Exec'rs cr Assigns the quantity of fifty ounces of Plate afores'd^

To Sam'll Babington, his Exec'rs or Assigns the quantity of fifty ounces of Plate afores'd.

To Rich'd Kitchiner, his Exec'rs or Assigns, the qnantity of fifty ounces of Plate afores'd.

To Matthew Loo, his Exec'rs or Assigns the qnantity of fifty ounces of Plate afores'd.

To the Exec'ra or Admr's of William Willkingson, the quantity of fifty ounces of Plate afores'd.

To Thomas Shprlok, his Exec'rs or Assigns, the quantity of fif^ ounces of Plate afores'd, for Prorisions and other necessaries fur- nish'd James Hall, one of the Brittish Officers, deceas'd.

To the following Persona their Exec'rs or Assigns the respective Sums annexed to each of their names for the loss of their Shares i

Ihe Hoorn ffrigat, which was taken from them hy Gov'r Slangbt^ for the use of the Governm't, vizt.

To Barent & Johannes Hebon, their or either of their Exec'rs or Assigns, the quantity of twelve ounces & a half of Plate aforea'd.

To Gerrit Viele, his Exec'ra or Assigns, the quantity of Eighteen ounces fifteen pennyw't of Plate aforea'd.

To Thomas Evans, his Exec'rs or Assigns, the quantity of twelve ounces & a half of Phite aforea'd.-

To Gerrit D'Boogh, his Exec'rs or Assigns, the quantity of twelve ounces & n half or Plate aforea'd.

To Sam'll Waldron, his Exec'ra or Aaaigna, the quantity of twelve onncea & a half of Plate afores'd.

To Elizabeth Burger, Widow, her Exec'ra or Assigns, the quantity of twelve ouncea & a half of Plate afores'd.

To Behecca Goederis, Widow, her Exec'ra or Aasigns, the quantity of twenty five ouncea of Plate afqres'd.

To Lammert Sickells, his Exec'ra or Assigns, the quantity of twelve ounces & a half of Plate afores'd.

To Catharina Viele, Widow her Exec'ra or Aaa^s, the quantity of eighteen ounces fifteen pennyw't of Plate aforea'd.

To Johannes Hardenbrook, his Exec'rs or Assigns, the quantity of twelve ouncea & a half of Plate aforea'd.

To tSusanna van Tienhoeven, her Exec'ra or Assigns, the quantity of twelve ouncea & a half of Plate afores'd.

To the Children of Aert Elbertse, deceas'd, their or either of their Exec'rs or Assigns, the quantity of twelve ounces & a half of Plate afores'd.

To the following Car-men, their Exec'rs, Adm'rs or Assigns, the respective quantities of Plate affli'd to their names, for carrying Btockadoes, Sand, Soda, &c. for his Majesties ffort at New York in the years Seventeen hundred & two & Seventeen hundred & three, vizt.

To Thomas Allison, his Exec'ra or Asaigns, the quantity of twenty three ouncea three pennyw't of Plate afores'd.

To Hubert van den Bergh, his Exec'ra or Assigns, the quantity

of fifteen ounces four & a half pennyw't of Plate afores'd.

To John Lukaa, his exec'ra or Aaaigns, the quantity of twenty two ounces Seven & a half pennyw't of Plate as aforesd.

To Edward Merrit, his Exec'rs or Aasigns, the quantity of Twenty two ounces Seven & a half pennyw't of Plate aforea'd.

To William Stoaks. his Exec'rs or Asaigna, the quantity of Twenty two ounces Seven & a half pennyw't of Plate as afores'd.

Lc;-,:.tll:yC00t^lc

To John Dyer, hia Ezec'rs or Agaigns, the quantity of Seven oaucea Seventeen & a half Pennjw't of Plate as afores'A

To George WilliamB, his Exec'rs or AasignB, the quantity of twenty two ounces Seven & a half pennyw't of Plate as afores'd.

To Benjamin Hem^tead, hia Exec're or Assigns, the quantity of fourteen ounces ten pennyw't of Plate afores'd.

To Edward Da^1B, his Exec'rs or Assigns, the quantity of four- teen ounces & ten pennyw't of Plate afores'd.

To Daniel Jonefl, his Exec'rs or Assigns, the quantity of thir^ teen ounces Seventeen pennyw't & a half of Plate afores'd.

To Robert Bussey, his Exec'rs or Assigns, the quantity of nine ounces Seven & a half pennyw't of Plate afores'd.

To John Cure, his Exec'rs or Assigns, the quantity of fonr ounces Seven & a half pennj-w't of Plate afores'd.

It is also Enacted by the Authority afores'd, That the Treas- urer do paj' in Bills of Credit afores'd, unto the following Per- sons, their Exec'rs, Adm'rs or Assigns, being some of them Offi- cers & Souldiera now alive, who serv'd on the ffronteers at Albany, under the Comand of Oapt Barent Lewis, In the years Sixteen hundred Eighty nine & ninety, & Some of them the Widows, Children or nearest Relations of Such Officers or Soul-

diers as perform'd the s'd Service, & are since departed this life, the Several & respective quantities ?f Plate following, that is to Say.

To Gerrit Wouterse, his Exec'rs or Assigns, the quantity of forty three ounces fifteen pennyw't of Plate afores'd.

To David Coesaert, his Exec'rs or Assigns, the quantity of twenty ounces five pennyw't of Plate afores'd

To Oerrit Burger, his Exec'rs or Assigns, the quantity of Eighteen ounces Seven & a half pennyw't of Plate afores'd.

To Thomas Van Boskerk, his Exec'rs or Assigns, the quantity of thirty Seven ounces ten pennyw't of Plate' afores'd.

To Johannes Nys, his Exec'rs or Assigns, the quanti^ of thirty ounces of Plate afores'd.

To Peter Luykasse, his Exec'rs or Assigns, the quantity of nine-teen ouncefi two & a half pennyw't of Plate afor^'d.

To Thomas Skllman, his Exec'rs or Assigns, the quantity of fourteen ounces seventeen & a half pennyw't of Plate afores'd.

To William Tyse, his Exec'rs or Assies, the tjuantlty of oine-teen ounces twelve & a half ponnyw't of Plate afores'd.

To ffemmetie Andriese, her Exec'rs or Assigns, the quantity of nine ounces Seven & a half pennyw't of Plate afores'd. for

Service pwform'd by her deceas'd husband Dirk Andriese in the ffronteers at Albany, in s'd Comp'e.

To Hester ffranse van Dyclt, her Ezec'rs or Aeaigns, the quan-tity of twenty two ounces & ten pennyw't of Plate afores'd, for Service perform'd hy her deceaa'd husband Tyme ffranse, in the fTronteere at Albany in s'd Comp'e.

To Teunis Woertman, his Exec're or AssignB, the quantity at twenty ounces fifteen pennyw't at Plate afores'd.

To Peter Lojsen, his Ezec'rs or Assigns, the quantity of twenty ounces two pennyw't & a half of Plate afores'd.

Tq Jacob Casaow, his Ezec'rs or Assigns, the quantity of Seventeen ounces of Plate afores'd.

To Jobs. Langeatrandt, his Ezec'rs or Assigns, the quantity of Eighteen ounces & Seventeen pennyw't & a half of Plate as afores'd.

To Benjamin van de Water, liis Ezec'rs or Assigus, the quantity of Eighteen ounces fifteen pennyw't of Plate afores'd.

To Aron van Noortstrandt, bis Ezec'rs or Assigns, the quantity of twenty five ounces of Plate afores'd.

To the Children of John Shute, dec'd, their or either of their Ezec'rs, the quantity of thirty ounces of Plate afores'd.

To John Gansell, his Ezec'rs or Assigns, the quantity of Seven Ounces two & a half pennyw't of Plate afores'd.

To Hendricus Beekman, bia Ezec'rs or Assigns, the quantity of four & forty ounces five pennyw't of Plate afores'd.

To Teunis Titue, bis Ezec'rs or Assigns, the quantity of twenty one ounces two & a half pennyw't of Plate afores'd.

To Henry Meyer, Molatto, his Ezec'rs or Assigns, the quantity of Seventeen ounces fifteen pennyw't of Plate afores'd.

To Isaak Denham, his Exec'ra or Assigns, the quantity of forty ounces of Plate afores'd.

To Susannah van Bounnell, her Ezec'rs or Assigns, the quantity of thirty three ounces ten pennyw't of Plate afores'd, for Service perform'd in the Comp'e afores'd, by her husband Jerominns van Bounnell deceas'd.

To David Danielse, bia Ezec'rs or Assigns, the quantity of fifteen ounces Seven & a half pennyw't of Plate afores'd.

To John Xx>ats, his Exec'rs or Assigns, the quantity of nlne^ tf-en Ounces ten pennyw't of Plate afores'd.

To Peter ffranaiaco, his Ezec'rs or Assigns, the quantity of twelve & a half pennyw't of Plate afores'd.
122

DgizedbyGoOgiC

To Jobs. Thomafise, bia Ezec'ra or Assigns, the qnantit; of four ounces two & a half pennyw't of Plate afores'd.

To Jobannes Bees, bis Ezec'rs or Assigns, the quantitie ol fourteen ounces Seventeen & a half pennyw't of Plate afores'd.

To Mary & Eliz: d'Warham, the Co-heirs of Jacobus d'Warham, dec'd, their or either of their Exec're or Assigns, the quantity of Eight; three ounces Seventeen & a half pennjw't of Plate afores'd, for service perforD[i'd in s'd Comp'e by their s'd ffather, Jacobus d'Warham, dec'd.

To Anna vander Bpiegel, Widow, her Exec'rs or Assigns, the quantity of eight four ounces ten penuyw't of Plate afores'd, tor Service perform'd by her husband Jacobus vander Spiegel, dec'd, as Lieut of s'd Compe.

To Tbo: Humphreys, his Exec'rs or Assigns, the quantHy of twelve ounces ten pennyw't of Plate afores'd.

To Eliz: Bisborough, her Exec'rs or Assigns, the quantity of twdve ounces ten pennyw't of Plate afores'd, for Service per form'd in s'd Comp'e by her dec'd husbands ffather John Baasett.

To John Anmot, his Executors or Asagns, the quantity of twelve ounces ten pennyw't of plate aforesaid.

To Abraham and Qerritt Kettletas, and their Sisters Child te be Equally Divided among them, or their Executors or astngns, the quantity of thirty ounces of plate aforesaid, for Service per-formed in said Company by tiieir Brother John Kettletas, Deceased.

To Jacob Sa1<Mnon's free N^ro, his Executors or Assies, the Quantity of thirty Seven Ounces ten penny weight aforesaid.

To John Baker, his Executors or assigns, the quantity of thirty five ounces twelve and half pennyw't of |date aforesaid.

To Enoch Andrlese, his Executors or Assigns, the quantity of twenty Seven Ounces fifteen penny weight of plate aforesaid.

To William Atkins, his Executors or Assigns, the Quantity of twelve Ounces ten pennyweight of plate aloKs'i.

To Manuell Gantalis Duck, his Executors or ass^s, ye Quan- tity of fifty ounces of plate aforesaid.

To Antie Sluyck, Widow, and Belict of Johannes Ellsworth, her Executors or assigns, the quantity of twenty one ounces Seven- teen and a half penny weight of plate aforesaid, for Service per formed in ye Said Company by her said Deceased husband.

To rnek Van Dyck, his Executors or assigns, the quantity of thirteen ounces ten pennyweight of plate aforesaid.

H;-,:.tll:yG00gIC

To Jacob Van Doom and Jacob Laning, their or either Ezecators or aesigns, the quantity of thirty two ounces fifteen pennyweight of plate aforesaid.

To Mary Van Dyck, Widow, her Executors or assigns, the Quantity of thirty ounces of plate aforesaid, for Service performed by her Deceased husband henry Van Dyck, as Surgeon to the said Company.

To Johannes Van Bleerkum, his Executors or assigns, the quanti^ of twenty five ounces of Plate aforesaid.

To Mary Dries, her Executors or assigns, the quantity of thirty Nine Ounces Seven and a half pennyweight of plate aforesaid, for Shoes, &c.

It is also Enacted by the Authority aforesaid. That the Treasurer of this Colony, for ye time being, Co pay in Bills of Credit afore unto ye following persons, their Executors, Adminiat'rs or assigns,

being Some of them officers and Soldiers now alive, who Served CD the frontiers at Albany under the Command of Capt Gabriel Thompson, in ye Year one thousand Six hundred and Eighty Nine And One thousand Six hundred an! Ninety, And Some of them the widows, Children or nearest Relations of Such officers or Soldiers as performed the said Service, And are Since Deceased, the Several and respective quantities of plate following, vizt

To the Executors or Administrators of the said Gabriel Thomp- son, the Sum of Two hundred and fttfty Ounces of Plate aforesaid, fo Service performed by him as Captain of the said Company on the ffrontiera at Albany.

To Benjamin Harrison, Ms Executors or assigns, the quantity of Seven Ounces & ten pennyweight of plate afores'd.

To Abel Biddenhaes, his Executors or Assigns, the quantity of forty Ounces Seven and a half pennyweight of plate aforesaid.

To Soger Barton, his Executors or assigns, for himself and the rest of ye Children of Roger Barton, Dec'd, their Executors or assigns, the quantity of Eighty Seven ounces Seven and a half penny weight of idate aforesaid, being for Service performed by their Deed father, US Lieutenant of Said Company.

To Susannah Ogden, her Executors op assigns, the Quantity of Eighteen Ounces twelve and a half penny weight of plate aforesaid, Cor Service performed by her Dec'd husband in a'd Company.

To Anna tfyn, her Exec'rs or assigns, the quantity of twenty Ounces five penny weight of plate aforesaid, for Service performed in said Company by her Deceased hnsband Johannes ifyn.

To Hans Pier, his Executors or assigns, the quantity of ten Onnces ten pennyweight of plate afores'd, for services performed by Robert Volharp, Deceased, in said Company.

. ... '.\.>oglc

To Zacharias Sickells, Lis Ezec'ra or assigns, the quantity of three ounces Beventeen i)eDuyweighc and A half of plate aforesaid.

To Jobu MliiiU DoDnell, alias Highlander, his Exec'rs or assigns, the quantity of thirty ounces uud ten penny weight of plate aforesai

To William Hopkins, his Exee'ra or assigns, the quantity of thir- teen Ounces fifteen penny weight of plate aforesaid.

IT is also Enacted by the Authority aforesaid, That the Treasurer do pay in Bills of Credit aforesaid, unto the following persons, the Executors, AdiulDieti ators or assigns, being Borne of them officn^ and Suldieis now alive, who Served on the frontiers at Albany, under yo Command of Capt John Thomas, in the years One thousand Six hundred and Eighty Nine And CiU' ilioiifand S\k hundred & Ninety, and Some of them the Widows, Children or nearest Belatioos of Such otScers or Soldiers as performed the Said Ser\~ice, And are Since Departed this Life, the Several and Bespective quantities of plate fo lowing, tliat is to Say,

To Sophia Thomas, her Exec'rs or Assigns, the Quantity of One hundred and twenty five ounces of plate aforesaid, for Service per- formed by her Dec'd husband, John Thomas, as Capt of s'd Company.

To Isaiah Bartlet, his Exec'rs or Assigns, the quantity of foar- teen ounces Seven and a half penny weight aforesaid.

To Thomas Chambers, his Executors or Assigns, the qnantity of twenty two Ounces and ten penny weight of plate aforesaid.

To John Embrie, his Exec'rs or Assigns, the quantity of Twenty Ounces of plate aforesaid.

To AlbertuB Hoist, tiis Executors or assigns, for himself and for the use of all ye Children of his father Lawrence Holat, Deceased, to be equally Divided amongst them, their ExecntOTS or Assigns, the quantity of Eighteen Ounces fifteen pennyweight of plate aforesaid.

To Simon Westphael, his Exec'rs or assigns, the qnantity of Seven Ounces ten penny weight of plate aforesaid.

To the Children of Anthony Swartwout, Deceased, their or either Exec'rs or Assigns, to be equally Divided amongst them, the quantity of Seven Ounces ten pennyweight afores'd.

To Cornells D'Peyster, his Exec'rs or Assigns, the qnantity of Seven Ounces ten pennyweigh't of plate afores'd.

To Eva Decker, her Exec'rs or assigns, the Quantity of Eighteen ounces five pennyweight of plate aforesaid, for Service performed in said Company by her Deced husband Matthya Decker.

Digi-jzedbyGoOgiC

To Jax:ob Hicks, Jobannea Vaowyck and Joseph Budd, their or eitber of their Exec'rs or aasigna, each of them the Quantity of ^venteea Ounces ten pennyweight of plate aforesaid.

To John Clute, his Kxetutors or aseigns, the quantity of fifty one ounces Seven and a half pennyweight of plate aforesaid.

IT ia alaa Enacted by the authority aforesaid, That the Treas-urer of this Colony, for the time being, Sail pay In Bills of Ci-edit made Currant by this Act, unto the following persons, tLeir Executors, Administrators or aasigua, the Several and Respective quantitys of plate following, it being for sundry Arms left in bis Maties ffort at New York, And taken from Some of the Inhabitants of this City, and Carried to the said ffort in year One thousand six hundred & Ninety one, for the Ser\'ice of their Maties King William & Queen Mary, of Glorious Memory, towit,

To ffrancia More, his Executors or Assigns, the Quantity of twelve Ounces of plate aforesaid.

To Johannes Laqueer, bis Exec'rs or assigns, the quantity of twenty five Ouncea five penny weight of plate aforesaid.

To Engelbert Lott, bis Exec'rs or assigns, the quantity of twelve ounces ten pennyweight of plate afores'd.

To Casparis Mebie, his Exec'rs or assigns, the Quantity of Bfventeen Ounces two and A half pennyweight of plate aforesaid.

To Orseltie Van Dyck, her Exec'rs or assigns, the Quantity of ten Ounces of plate aforesaid.

To Elisabeth fforeest, her Executors or Assigns, the quantity of Ninety ounces of plate aforesaid for Locks of Indians Ouns, &c.

To Charles Morgan, his Executors or assigns, the quantity of six Ounces & five pennyweight of Plate aforesaid.

To L^er Gerritse, his Exec'rs or assigns, the quantity of twelve onncea of plate aforesaid.

To lambert Janse, his Exec'rs or assigns, the quantity of three Ounces & fifteen pennyweight of plate aforesaid.

To Hendricus Kip, bis Exec'rs or assigns, the quantity of Eleven Ounces ten pennyweight of plate aforesaid.

To Isaac Suedker, his Exec'rs or assigns, the quantity of three ounces and fifteen pennyweigh't of plate aforesaid.

To Cornelius Kuyper, Esq'r his Exec'rs or assigns, the quantity of ten Ounces Seventeen and A half pennyweight of plate aforesaid.

To Elizabeth Salm, her Exec'ra or assigns, the quantiy of three Ouncea and fifteen pennyweight of plate aforesaid.

H;–,:.tll:yC00t^lc

To peter Cornell, tuB Exec'rs or aaaigna, the quantltj of twelve Ooncee ten pennyweight ot Plate aforesaid.

To Baxent ISweam, hia E>xec'rs or assigns, the quantity of three ounces and fifteen pennyweight of plate aforesaid.

To Jacob Hendi–ickse, Mb Exec'ra or assigiia, the quantity of eleven ounces fifteen pennyweight of plate aforesaid.

To John De Pew, and Susannah Panniter, their or either of their Ezec'rs or aasigns, the quantity of five Ounces and twelve peony–weight and a half of plate aforesaid.

To Teunia Titus, his Exec'rs or assigns, the quantity of ten Ounces of plate aforesaid.

To Uendrick Jansen, his Ezec'rs or assigns, the quantity of Eleven Ounces ten pennyweight of Plate aforesaid.

To William Post, hia Executors or as^gns, the quantity of twelve ounces of Plate aforesaid.

To Mary Matchcraft, her Executors or assigns, the quantity of Eight ounces tn'o and a half pennyweight of Plate aforesaid.

To ffrederick Symense, hia Exec'ra or ass^s, the quantity of twelve Ounces of plate aforesaid

To Gabriel Sprong, his Exec'rs or assigns, the quantity of ffoor Ounces two and a half pennyweight of plate aforesaid

To Joost Dury, his Exec'ra or asaigna, the quantity of five Ounces two and a half penny weight of plate aforesaid,

To peter B<^art, his Exec'ra or asugns, the quantity of three ounces fifteen pennyweight of plate aforesaid.

To Re,\-mer Keyserick, his Exec'rs or assigns, the quantity of twelve Ounces fifteen pennyweight of plate aforesaid.

To Sicolaa Bogacrt, hia Exec'rs or aaaigns, the quantity of three Ounces five pennyweig't of plate aforeaaid.

To Cornelius Catt, his Exec'rs or Assigns, the quantity of three Ounces fifteen pennyweight of plate aforesaid.

To Elizabeth ffishcr, her Exec'ra or assigna, the quantity of Eighteen Ounces twelve anda half penny weight of plate aforesaid.

To Dirk Volkertse, his Exe'crs or assigns, the quantity of Sine Ounces fifteen pennyweight of plate afores'd.

To Johannes Cuyler, Esq'r his Exec'rs or assigns, the quantity of ten Ounces of plate aforesaid.

To Leonard Lewis, Esqr hia Exec'rs or assigns the quantity of thirty Ounces of plate aforesaid.

To Jeronimus Durhain, Joseph Baatide and Nicolas Larsillore, tlicir or either of their Exec'ra or assigns, the quantity of twenty

Digi-jzedbyGoOgiC

five Ounces two and A half pennyweight of plate aforesaid, to be . Hjiiallj divided Amongst them.

To Cornelius Tan Brunt, hig Eiec'rs or assigns, the quantity of ten Ounces Seventeen and a half pennyweight of plate aforesaid.

To Henry Suydman, his Eiec'rs or assigns, the quantity of Six Ounces ten pennyweight of plate afores'd.

To William 'ntworat, his Exec'ra or assigns, the quantity of forty Ounces of plate aforesaid.

To Joost Van Brunt, his Eiec'rs or assigns, the Quantity of four Ounces Seven and a half pennyweight of plate aforesaid.

To Jacob (fortune, his Exec'rs or assigns, the quantity of ffour- teen Ounces two and a half pennyweight of plate aforesaid.

To Daniel Hendrickse Bront, his Exec'rs or assigns, the quan- tity of six ounces five pennyweight of plate aforesaid.

To John Gerritse Van Cowenhoven, his Exec'rs or assigns, the Qu't of Seven Ounces ten pennyweight of plate aforesaid.

To Jacob Cowenhoven, his Exec'rs or assigns, the quaatity of five Ounces Seventeen and a half pennyweight of plate aforesaid.

To Japie Hardenbergb, her Exec'r's or assigns, the quantity of twenty three Ouaces two and a half pennyweight of ptate- aforesaid.

To Lammert Andries, his Exec'r's or asfngns, the quantity of Seven Ounces twelve & a half pennyweight of plate aforesaid.

To Volkert Hermans, his Execr's or assigns, the quantity of Eight Ounces fifteen pennyweigh't of plate aforesaid.

To Barent Waldron, his Exec'rs or assigns, the quantity of five Ounces Seven and a half pennyweight of plate aforesaid.

■ To Isaac D'Lamatre, his Exec'ra or assigns, the Quantity of fiv Ounces Seven and a half pennyweight of plate aforesaid.

To Jacob Verdon, his Exec'r's or assigns, the quantity of thirteen Ounces two and A half pennyweight of plate aforesaid.

To Suannah Wood, And her Sister Anna Churchill, Co-heirs if Lieut William Churchill, Dec'd, their or either of their Executors or assigns, the quantity of twelve Ounces ten pennyweight of plate aforesaid, to be Equally divided as aforesaid.

To Barent Hesbon, his Executors or assigns, the Quantity of Six Ounces ten pennyweiRht of plate aforesaid

To John Kierson, his Executors or assigns, the quantity of ten Ounces seventeen and a half pennyweight of plate aforesaid.

To Marte Willse, his Exec'rs or assigns, the quantity of ten Ounces fifteen pennyweight of plate aforesaid.

To Benjamin Vandewater, his Exec'rs or assigns, the Quantity of Six Ounces ten pennyweight of plate aforesaid.

Lc;-,:.tll:yG00gIC

To CorneliuB Cornel, his Exec 're or assigns, the quantity of Seven Ounces twelve pennyweight and a half of plate aforesaid.

IT is also Enacted by the Authority Aforesaid, That the Treasurer of this Colon;, for the time being, shall pay in Bills of Credit m Current by this Act, unto the following persons, Their Eiecutors, Administrators or Assigns, the Several and respective quantity of Plate following, it being for G-oods, merchandizes & Stores of War taken for the Publique use & defence of this Colony, vizt

To Henry Coerten, his Executors or Assigns, the quantity ttf twenty four ounces ten pennyweight of Plate aforesaid, for wheat, &c.

To Oliver Baily, his Executors or Assigns, the Quantity of forty seven ounces ten pennyweigh't of Plate aforesaid, for Powder, &c

To Helena D'Key, her Executors or Assigns, the quantity of thirty seven ounces two and a half pennyweight of Plate afores'd.

To Hacbel Teller, h^ Executors or Assigns, the quantity of sixty ounces of Plate afores'd.

To Ebenezer Wilson, his Executors or Assigns, the Quantity of fifteen ounces five pennyweight of Plate aforesaid.

To Gerrit van derPooI, his Executws or Assigns, the quantity of fifteen ounces of Plate aforesaid.

To Cbpt Thomas Wiltet, his Executors & Assigns, the qnautlty of Eleven ounces two and a half pennyw't of Plate afores'd.

To the Widow of Abraham Brasier, dec'd, her Exec'r's or Assigna, the Quantity of one hundred twenty two Ounces of Plate afores'd.

To William l>oughty, his Exec'r's or Assigns, the quantity of ninety ounces of Plate afores'd.

To William Lawrence, his Ezec'rs or Assigns, thequantity of thirty Six ounces five pennyweight of Plate afores'd.

To Jonathan Whitehead, his Executors and Assigns, the quantity of fifty Eight ounces fifteen pennyweight of Plate afores'd.

To Altie tfoster, her Exec'rs & Asmgos, the quantity of fforty five ounces of Plate afores'd.

To John Stevenson, bis Exec'rs and Assigns, the quantity of twelve Ounces ten pennyw't of Plate afores'd.

To Joria Hnnse, his Exccr's or Asfrtgns, the quantity of Seven Ounces fifteen pennyweight of Plate afores'd.

To Elizabeth Lawrence, Widow, her Exec'rs or Assigns, the quan-tity of fifteen Ounces of Plate nfores'd.

To Jurinen Xagel. his Exec'rs or assigns, the quantity of twenty five ounces spventeen and a half pennyweight of Plate afopes'd.

To Lnvkas Stevmwin. his Exec'rs or Assigns, the quantity of five Ounces Ave pennyw't of Plate afores'd

To Peter Jacobee, his Ezee'ra or Assigns, for Umself & for the use of the Cbildien of John Hanse, dec'd, their & either of their Exec' 01- Assigns, the quantity of thirty Seven ounces twelve & a half pe weight of Plate afores'd, to be Equally divided amongst them.

IT is also Enacted by the Authority afores'd, That the Treasurer of ttiis Colony, for the time being, shall pay in Bills of Credit Current by this Act, unto the following Persons, their Exec'ra, Adm'rs or Assigns, the Several & respective quantities of Plate following, it being for Money advanc'd, & Sundry disbarsem'ts. Pro- visions, AmunitiOD % materials, &c. dellver'd for the use of his Maj'es fforts of N: York & Albany, in the years Sixteen hundred eighty nine & ninety, & divers Bnvices perform'd during the time of the late happy Revolution.

To John Peterse Boss, his Exec'rs or Aas^ns, the quantity of five ounces seven & a half pennyw't of Plate afores'd.

To AlbertuB Bingo, his Exec'rs or Assigns, the quantity of twelve ounces ten pennyw't of Plate afores'd.

To David Provoost, Sen'r, his Exec'rs or Asrigns, the quantity of Eleven Ounces of Plate afores'd.

To Anna Jackson, Widow of William Jackson, dec'd, her Execr's or Asugns, the quantity of Seventy eight Ounces five penny weight of plate aforesaid.

To Nicholas Andrise, his Exec'rs or Assigns, the quantity of Nine- teen Ounces twelve & a lialf Pennyweight of plate aforesaid.

To Abeltie Leepienard, Ids Exec'rs or Assigns, the quantity of thirty Nine Ounces Seven and a half penny weight of plate aforesaid.

To Anna Tell, Sometime Widow of Joost Tell, Dece'd, her Exec'rs or assigns, the quantity of One hundred Ounces of plate aforesaid.

To Phillip Wendell, his Exec'rs or assigns, the quantity of thirty Ounces ttn pennyweight of Plate afores'd.

To John Enwoutse, his Exec'rs or Assigns, the Quantity of Six-teen ounces Seven and a half pennyweight of plate aforesaid.

To the Widow of Abraham Brasier, Dec'd, her Exec'rs or asHgns, the quantity of Eighteen Ounces Seven and a haJf pennyweight of plate aforesaid.

To Aeltie Moene, Widow, her Exec'rs or assigns, the quantity of fforty nine Ounces ten pennyweight ot plate aforesaid.

To Abraliam and Johannes Van Deusen. their Exec'rs or Assigns the Quantity of thirty two Ounces fifteen pennyweight of plate aforesaid.

123

Digi-jzedbyGoOglC

To Abraliam Wendell, his Exec'rsor Assigns, the Quantity of fforty five OuuceB Seventeen & A lialf pennyweight of plate aforeBaid.

Tc Andriea Coemans, bia Exec'rs or Assigns, the Quantity of Six Ounces ten pennyweight of plate aforesaid.

To Andries Meyer, his Executors or assigns, the Quantity of thirty Ave Ounces fifteen pennyweight of plate aforesaid.

To Edward Blagge, his Executors or Assign^ the Quastity of two Hundred Seventy three ounces Seven and A half pennyweight of plate aforesaid.

To Mary Duyking, Widow, her Exec'rs or Aas^s, the Quantity of thirty Seven Ounces ten pennyweight of plate Aforesaid.

To Samuel Beeckman, his Exec'rs or Assigns, the Quantity of four Ounces seven and a half pennyweight of plate Aforesaid.

To Abeltie Lespinard, her Exec'rs or Assigns, the Quantity of

ten Ounces of Plate aforesaid.

To Bichard Edsall, his Exec'rs or Assigns, the Quantity of twenty Ounces of plate aforesaid.

To George Elseworth, his Exec'r's or Assigns, the Quantity of forty five Ounces Seventeen and a half pennyweight of plate Aforesaid.

To the Executors or Administrators of Jan Nack, Deceased, or to their Assignes, the Quantity of fifty eigh't Ounces fifteen penny-weight of plate aforesaid.

To Jean Bosie, his Exec'rs or Assigns, the Quantity of twenty Six Ounces five pennyweight of plate Aforesaid.

To peter Mayer his Exec'rs or Assigns, the Quantity of Six Ounces Seven and a half pennyweight of plate Aforesaid.

To Claes Luykasse, his Exec'rs or Assigns, for himself and for the use of the rest of the Children if Luycass Gerritse, Dec'd, their Exec'rs or Assigns, the Quantity of fforty Klne Ounces two and a half pennyweight of plate Aforesaid, to be Equally Divided Amongst them.

To Albert Byckman, his Exec'rs or Assigns, the Quantity of four Ounces five pennyweight of plate aforesaid.

To John Vroman, his Exec'rs or Assigns, the Quantity of Eleven Ounces Seventeen and A half pennyweight of plate Aforesaid.

To ffrans Pmyn, his Exec'rs or Assigns, the Quantity of twenty four Ounces fifteen pennyweight of plate aforesaid.

To Ilendrick Hanse, his Exec'rs or Assigns, for himself and for the use of ye rest of ye Children of Hanse Hendrickse, Dec'd, thrir Exec'rs or Assigns, the Quantity of Seventy three Ounces of jdate aforesaid.

Digi-jzedbyGoOgiC

To Takel Dirkse, his Ezecntora or Assigos, the Quantity of thirty Eight Ounces twelve and a half pennyweight of Plate aforesaid.

To Jan Casperae Halenbeecb And Catrin, ye Widow of peter Lassing, their or either of their Exec'rs or Assigns, the Quantity o fifty Ounces of Plate Aforesaid, to be Equally divided amongst them

To Stephen Bockenhove, his Exec'rs or assigns, the Quantity of thirty Seven Ounces ten penny weight of plate aforesaid.

To John ffoster, his Exec'rs or Assigns, for himself and for ye use of the daughters of Jacobus Cornelise, Dec'd, their Exec'rs, or assig the Quantity of Sixty Nine Ounces Fifteen pennyweight of plate Aforesaid,

To Jacob Mauritse, his Exec'rs or Assigns, the Quantity of two hundred forty five Ounces twelve And a half pennyweight of plate Aforesaid.

To Anna Cross her Executors or Assigns, the Quantity of forty three Ounces five pennyweight of plate aforesaid.

To Elias peitreao, h's Exec'rs or assigns, the quantity of fifty Six Ounces Seven and A half penny weight of plate aforesaid.

To Nicolas Wyngart, his Exec'r's or assigns, the Quantity of Seven Ounces ten pennyweight of plate Aforesaid.

To ffrans Wynne, his Exec'r's or Assigns, for himself and for

ye use of the rest of the Children of his ffather Peter Wynne, Dec

. their Exec'rs or Assigns, the Quantity of thirty Nine Ounces ten

pennyweight of plate aforesaid, to be equally Divided Amongst them,

To Johannes Van Ale, his Exec'rs or Assigns, the Quantity of five Ounces and five pennyweight of plate aforesaid.

To Cornelius Langevelt, his Executors or Assigns, the Quantity of thirty Eight Ounces five penny weight of plate aforesaid.

To Daniel Toy, hia Exec'rs or assigns, the quantity of Thirty three Ounces twelve and a half pennyweight of plate aforesaid for Bnudrys, &c.

To Neltie Lydecker, her Execrs or Assigns, the quantity of four Ounees ten penny weight of pi ate' aforesaid.

To Adrian Gerritse, his Executors or assit, for ye use of him- self and ye rest of the Children of Gerrit Cornelise, Dec'd, their Executors or assigns, the quantity of twenty four Ounces and five pennyweight of plate aforesaid.

To Jellis Funda, his Executors or assigns, the Quantity of Nine Ounces & ten pennyweight of])late aforesaid.

To Sarah Greveraet, widow, her Executors or assigns, the Quantity of forty Seaven Ounces twelve pennyweight and a half of plate aforesaid.

Digi-jzedbyGoOgiC

To Thomas Swartwout, Bernardua Swartwout and Jacob Kip, their or either of their Executors or Assigns, for themselves and tl rest of the Children of Boeloff Swartwout, Dec'd, and their Eiec'ra aud Assigns, the quantity of Sixty four Ounces ten pennyweight of pliite aforesaid, to be Equally Divided Among them.

To Catherine Van Rollegum, her Executors or assigns, the Quan- titj- of Nineteen Ounces and five pennyweight of plate aforesaid.

To Belltie Ten Eyck, her Exec'rs or assigns, the quantity of twenty lour ounces five pennyweight of plate aforesaid.

To Daniel Toy, his Executors or assigns, the quantity of Eight ounces five pennyweight of plate aforesaid.

To Abraham Governeur, his Executors or assigna, the Qaantity of Eighty one Ounces fifteen pennyweight of plate aforesaid, in full Discharge of two Accounts brought in by him, the One Amounting to one hundred pounds for Service done by said Ooverneur in his Majesties flort, As Clerk, Anno One Thousand Six hundred and Eighty Nine And One thousand Six hundred and Ninety, in the time of ye late happy Rerolution, the Other Account Amonoting to One hundred & Sixty pound And Six Shillings, for Service Done by his

predecessor Jacob Milburn, Dec'd, as a Commissioner for ye Expedition Against Cnnada, And as Major of the fforces in Said Years.

To Gerrit Viele ind the rest of the Children of hendrick Van Veurden, Dece'd their respective Executors or assigns, each their equal proportion, being one third part of the Quantity of plate here under Expressed, that is to Say, To Gerrit Viele one tliird part. To Elizabeth Viele, Widow of Dr. Arnout Viele, one third part. And to the Children of Cornelia Jacobae, Dece'd, one third part of three hundred and thirteen Oances and five pennyweight of plate aforesaid.

IT is also Enacted by the Authority Aforesaid, that the Treasnrw of this Colony, for the time being, Shall pay in Bills of Credit m Current by this Act, Unto the following persons, their Executors. .Administrators or Assigns, the Several and respective qnantitys of pLite following, it being for the pay of Some Officers and Soldiers which Served and were Employed In the Expedition against Canada, in the Year One Thousand Seven hundred and Nine, and for Divers horses lost. And Waggons broke in the Said Expedition, vizt

To Johannes ^Tiitebeeck, his Exec'rs or Assigna, the QnanHty I'f lwr?lve Ounces ten priinyweight of plate aforesaid.

To Mathya Goes, his Executors or aasigna, the qaantity of twelve Ounces ten i)eunywpight of plate aforesaid.

To Volkert Whitbeeck, his Executors or Assigns, the qnantity of twelve ounces and ten pennyweight of plate aforesaid.

To Jacob Meyer, bis Ezecntors or assigns, the qnantity of Eight Ounces and ten pennyweight of plate aforesaid.

To Herman ShuuemanB, his Exec'rs or Asaigns, the quantity of thirty five Ounces of plate Aforesaid.

To Capt philiip Schuyler, his Executors or Assigns, the quantity of fourteen Ounces two And a half pennyweight of plate aforesaid.

To Johannes Willemse, his Executors or assigns, the quantity of five ounces twelve and a half pennyweight of plate aforesaid.

To Peter Willemse, his Executors or assigns, the quantity of Seven Ounces ten pennyweight of plate aforesaid.

To Mary Bodyn, Widow, her Executors or Assigns, the quantity of seven Ounces of plate afores'd,

T,o Volkert Symonse, bis Executors or assigns, the quantity of two Ounces five pennyweight of plate aforesaid.

To Andries Nack, hia Executors or Assigns, the quantity of thirty one Ounces ten penny Weight of plate aforesaid.

To Johannes Mayson, his Executors or assigns, the quantity of one Ounce and five pennyweight of plate aforesaid.

To phillip Schuyler, Son of Arent Schuyler, Lieut his Exec'rs or assigns, the quantity of thirty Seven Ounces and A half of plate aforesaid.

To David Schuyler, Lieut his Executors or assigns, the quantity of forty four Ounces of plate aforesaid.

To Daniel Ketelyn, Leiut his Exec'rs or Assigns, the quantity of forty four ounces of plate afores'd.

To John Dunt)ar, Leiut. his Executors or Aligns, the quantity of forty four ounces of plate afores'd.

To John Holeron, his Executors or assigns, the quantity of Seven ounces ten pennyweight of plate aforesaid.

To John Higbon, Junior, his Executors or Assigns, the quantity of Seven ounces ten pennyweight of plate aforesaid.

To Jacobus Moll, his Exec'rs or assigns, the quantity of five Ounces twelve and a half pennyweight of plate aforesaid.

To Evert Wyncoop, his Executors or Assigns, the Quantity of thirteen Ounces two and a half pennyweight of plate aforesaid.

To Johannes TeuBroek, his Exec'rs or assigns, the Quantity of twelve Ounces ten pennyweight of plate aforesaid.

To Johannes Marston, his Exec'rs or assigns, the quantity of twelve ounces of plate aforesaid.

To Peter D'Milt, his Executors or assigns, th(> Quantity of twenty Six Ounces five pennyweight of plate aforesaid.

To Matheys Ten Eyck. his Executors or assigns, the Quantity of Six Ounces of plate aforesaid.

[.,...dL, Google

To Jan Goes, his Executors or Assigns, the Qnantit; of twelve Ounces ten pennyweight of plate aforesaid.

To Jan Tyse Goes, his Executors or assigns, the qnanti^' of twelve Ounces and ten pt^unyweight of plate aforesaid.

To Bobert Livingston, now Mayor of Albany, hia Executors or Assigns, the quantity of Nineteen Ounces two niid a half penny-weight of plate aforesaid.

To the Executors of Major Dirick Wessells, the quantity of three Ounces two and a half pennyweight of plate afore-said.

To Hendrick Janse, his Exec'rs or Assigns, the quantity of four-teen ounces fifteen pennyweight of plate aforesaid.

To Anna Garton, her Executors or Assigns, the quantity of Sevea ounces ten pennyweight of plate aforesaid.

To Charles Broadhead, his Executors or assigns, tlie quantity of twelve Ounces ten pennyweight of plate aforesaid.

AND he it Enacted by the Authority aforesaid, That the Treasurer of this Colony, for the time being, shall pay in Bills of Credit m Current by this Act, unto ye following persons, their Executors, Administrators or assigns, the Beveral and respective quantities of plate following, if being for flre-wood Delivered to the fforts of Newyork and Albany in the time of the late happy Revolation (towit).

To John D'Groot, his Executor or assigns, the quantity of four Ounces Seventeen and a half pennyweight of Silver plate aforesaid.

To William Hogen, his Executors or Assigns, the quantity of

Seven Ounces Seventifen And a half pennyweight of plate aforesaid.

To John Canon, his Exec'rs or sfisign^ the quantity of forty Ounces fifteen pennyweight of Plate aforesaid.

To Nicolas Bust, his Executors or asHgns, the quantity of fifty Ounces of Plate aforesaid

To Tennis Ydeson, his Executors or assigns, ye Quantity of thir- teen Ounces two and a half pennyweight of plate aforesaid.

AND be it Enacted by the Authority aforesaid, That the Treasurer of this Colony for THE time being, Shall pay in Bills of Credit ma Current by this Act, I'nto the following Persons, their Executors, Administrators or Assigns, the Several and respective quantities of Plate following. It being for their Service performed in an Expeditio to Pitnapskutt, under the Command of Capt. John Cornelise, Anno One Thousand Six hundred and Ninety One, for the Service of this Government,

To Daniel Remsen, his Executors or Assigns, the Quantity of Six Ounces and ten pennyweight of Plate aforesaid.

To George Ryerac, his Executors or assigns, the Quantity of fonr Ounces and Seventeen and A half pennyweight of plate aforesaid.

To Gerrit Onkelbagh, bis Executors or assigns, the quantity of four Ounces Seventeen and A half pennyweight of plate aforesaid.

To Jan Van Der Veer, his Executors or Aasigna, the Quantity of fifteen Ounces of plate aforesaid.

AND' WHEREAS in the Year of our Lord One Thousand Searen Hundred and Twelve There waa a Horrid and Bloody Conspiracy . and Massacree Devised and Contrived by Great Numbers of The Negroe Slaves in the City of New York, against his Majesties Sub- jects of the said City In Consequence and proeecutlon of which sev- eral of his Majesties aforesaid Subjects were Cruelly and Barbar- ously Murdered by Several of the Said Negroes, Nineteen whereof were Tryed, Condemned and Executed for that Bloody and horrid fact, by Virtue of an Act of General Assembly of this province. Intituled, an Act for preventing the Conspiracy of Slaves, passed

in the Seventh year of the Reign of her Late Majesty Queen Anne, the Owners of which Said Nlneteene Negroes have not Received the Satisfaction Intended by the Said Act, to be Given them, for Want o Some formalities which were Omitted by Reason of the General Disorder and Confusion which the Common Danger at that time occasioned.

BE IT therefore Enacted by the Authority aforesaid, Tliat the Treasurer of this Colony, for the time being, Shall pay in Bills of Credit aforeSaid, to the Several persons hereafter Named, their Executors, Administrators or Assigns, the Several and Respectirt' Quantities of plate following, That is to Say,

To Rip Van Dam, Esq'r his Executors or Assigns, the Quantity of One hundred Ounces of Plate for Two Negroes, So as aforesaid Executed.

To John Barbaric, Esq'r his Executors or Assigns, the Quantity of flafty Ounces of Plate, for One Negro So as aforesaid Executed.

To Walter Thong, his Exec'r's or Assigns, the Quantity of fflfty Ounces of Plate, for One Negroe So as aforesaid Executed.

To Allanc Jarroet, his Executors or assigns, the Quantity of tBfty Ounces of Plate, for One Negroe So as aforesaid Executed.

To the Executors c^ Administrators of Adrian Hoogland, Deceased, the Quantity of IHfty Ounces of Plate, for One Negroe So aforeSaid Executed.

To Peter ffauconier, his Executors or Assigns, the Quantity of fBfty Ounces of plate, for One Negroe So as aforeSaid Executed.

To Nicolas Rosevelt, his Executors or assigns, the Quantity of fifty Ounces of plate, for One Negroe so as aforesaid

To Abraham Provooat, his Executors or Assigns, the Quantity of fBfty Ounces of plate, for One Negroe So as aforesaid Executed.

To Isaac Goremeur, his Executors op Ass^s, the Quantity of fflfty Ounces of plate, for One Negroe So as aforeSaid Executed.

To Peter Moryne, his Executors or Assigns, the 'iuantity of fflfty Ounces, of plate, for One Negroe So as aforeSaid Executed.

To John IX'. Uoneur, his Executors or Assigns, the Quantity of ffifty Ounces cf plate for One Negroe, so as aforeSaid Executed.

To Buth Shepherd, her Executors or AsBigns, the Quantity of (Bfty ounces of plate for One Negroe So as aforeSaid.

To Cornelia Norwood, her Executors or assigns, the Quantity of (fifty Ounces of plate, for One Negroe so as aforeSaid Executed.

To John Cure, his Executors or Assigns, the Quantity of IBfty Ounces of plate, for One N^rof So as aforeSaid Executed.

To Kichard Bay, his Executors or assigns, the Quantity of fflfty Ounces of plate, for One Negroe, So as aforeSaid Executed.

To Darid Ljell, his Executors or assigns, the Quantity of fflf^ Ounces of plate, for One Negroe, So as aforeSaid, Executed.

To Andrew Stuckey, his Executors or assigns, the Quanrity of fflfty Ounces of plate, for One Negrof So as aforesaid Executed.

AND To Guysbert Van InBurg, his Executors or Assigns, the quantity of fBftj' Ounces of plate, for One N^iroe So as aforeSaid Executed.

AND BE IT further Enacted by the Authority aforeSaid, That the Treasurer of this Colony, for the time being, Shall pay in Bills d Credit aforesaid, unto James Dixon, Esq'r Collector and Beceirer General of this province of New York, the Quantity of Two Hun- ■ dred and fflfty Ounces of plate, to be by him Applyed for the R ing his Majesties Custome house in the City of New- York, for which he Shall Account to the Governour, Council and General Assembly, or either of them.

AND WHEREAS the place which has been for many Years Last past Assigned and made Uae of for the Becretaries Office of this Colony, In Which the Publick Records Original! Wills, and other papers and Writeing of Great Concern and Consequence both to his Majesty and his Subjects of this Colony, ia So Small and otherwiae So Inconvenient, that his Excellencey the Governour has been pleased to Appropriate the Building over the ffort Gate for that Service, Where in the Records and other papers Mentioned will be

better preserved, and the OfBce more Conveniently kept To the end therefore that the Bald Buildings may be fitted up and made Com- modious for the purpose afore Mentioned,

BE IT EXACTED by the Authority aforesaid. That the Treasurer of this Colony for the time being. Shall pay in Bills of Credit af

\

LfizcdtjGooglc

said, unto George Clarke, Esq'r Secretary of tbia province, or his Assigns, the Quantity of Three hundred Ounces of piate aforesaid, to be by him Applyed in Materials and WorkmuuSbip for the fitting up the Said Building for the Use aforeSald, for which he Shall Account to the Governour, Council and General Aaaembly, or either of them.

AND BE IT further Enacted by the Authority aforesaid. That the Treasurer of this Colony for the time being. Shall pay in Bills of Credit aforeSaid, unto the following persons, their Executors, Admio- istrators or Assigns, the Several and respective Qnantltiea of ilate following. That is to Say,

To Bip Van Dam, Esq'r hla Executors, Administrators or Assigns, the Quantity of Two Hundred Twenty ffour Ounces and f&ve penny Weight of plate aforeSaid, for Sundry Services performed by him for this Government.

To Geoi^e Clarke, Esq'r his Executors, Administrators or Assigns, the Quantity of Three Hundred Sixty Two Ounces and Ten penney Weight of plate aforeSaid, being for Sundry Services performed by him for this Government, and In full Discharge of a Warrant Drawn by the Lord Cornbury, Dated the Thirtieth of September, One Thou- sand Seaven hundred and Eight, for the Bum of Se\'en pound? Ten Shillings.

To Bobert Walter, Eaq'r his Executors, Administrators or Assigns, the quantity of One hundred Thirteen Ounces and Seventeen penny- Weight and ail halfe of Plate aforesaid, being for Sundry Services

performed by him for the Government, And in full Discharge of a Warrant Drawn by the Lord Cornbury, Dated the Third Day of August One Thousand Seaven Hundred And Three, for the Sum of Nine pounds ffourteen Shillings

To Adolph Phillipse, Esq'r his Executors, Administrators or assigns, the Quantity of Eight hundred and Sixty Ounces and Ten penny Weight of plate aforesaid, being for Sundry Services per-formed by his late father flrederick Phillipse, Deceased, for this Government,

To John Johnson, Esq'r his E.;ecutors, Administrators or Assigns, the Quantity of Sixty two Ounces and five pennyweight of plate aforesaid, for Sundry Services performed by him on the Expedition against Canada.

Tn Gponre Clarke, Esq'r his Executors, Administrators or Assigns, the Quantity of Seventy fflve Ounces of plate aforesaid, for Ingrose-
124

Digi-jzedbyGoOgiC

ing this Acton Farclimeiit, and a Duplicate thereof to beTransmitti-d to Great Britain,

To JoliQ Itarberie, Esq'r his Executors, Administrators or Assigns, the Quantity of Eighty 8ix Ounces Ten penny Weight of plate EtforeSaid, for Sundry Ser^'ices perform'd by him for flua GoverDment.

To Coll Abraham DePeyster, his Executors, Administrators or Assigns, the Quantity of ffour Hundred fHfty Two Ounces and an halfe of Plate aforeSaid, in full Discharge of Six Warrants Drawn by John Nanfan, Esq'r formerly Lieutenant Governour of this pro-vince, Dated the Tenth Day of November, One thousand Seven Hun-dred and One, payable to the Right honble the Countess of Bellomont, and by her Indorsed to the Said Colt D'Peyster, Amounting in the Whole to Two hundred Seventy Two pounds Thirteen Shillings and Nine pence Sterling, at the rate of One Hundred Thirty Three pounds New York Money for One hundred pounds Sterling.

To Adolph Phillipse, Esq'r his Executors, Administrators or

Assigns, the Quantity of Twenty fflve Ounces of Plate aforesaid, ftw the Hire of the Brigantine ffrederick on a Cruiss to Sandy Hooli in the Yeare One Thousand Seven Hundred and ffour.

To George Clarke, Esq'r his Executors, Administrators or Assigns, the Quantity of one Hundred Ounces of plate aforeSaid.

AND be it Enacted by the Authority aforeSaid, That the Treas-urer of this Colony, for the time being. Shall pay in Bills of Cred aforesaid, to the Several persons Incerted in A List, Signed by ihe Speaker of the Assembly, and Lodged with the Treasurer aforeSaid, Nine Hundred and Seventeen Ounces twelve penny Weight and a half of plate aforeSaid, to be paid in sach propor-tion as is Ascertained in the Said List, To Each of the persons therein Named, their Executors, Adminstrators or assigns, or nearest Relation, as is mentioned in this Act, being for Services performed by them for the Govemment, And who were Directed to be paid by the Act passed in the Thirteenth Year of Qaeen Anne aforeSaid, But Did not Come within the time Limited, by the Said Act, for the Receiveing of the Same, which was Occa-sioned by the Remotness of Some of the Said persons, habita-tions from the Treasury of this Colony, As also because Several of them Dying Intestate, And no persons taking out Letters of .idministration on their Goods and Chatties, the Sums they were to Receive being not Sufficient to Defray the Charges of Sach Administration, The Said Money Remained in the Treasurers hands, and was otherways-Disposed off.

Digi-jzedbyGoOgiC

AJTD be it farther Enacted by the Authority Aforesaid, That the Quantity of Four hundred thirty two Ounces imd ten penny-weight of plate aforesaid, in Bills of Ci-udit, be I'aid by the Trea urer of this Colony To Wm Bradford, his Executors or ussigna, for printing the said Bills of Credit aforesaid, made Current by this Act, and for to Defray the Charges of Cutting & Ingraving the Stamp, And for Books and paper, &c. Delivered for the use of the publick.

AND WHEREAS Sereral of the persona appointed to be paid by this Act Are to receive but Small Quantities of plate aforesaid,

and it may So happen that Several of the aaid persons may Depart this life before they have received of the Treasurer of this Colony ye Qoantitya of plate due tO' them. And by this Act Directed to be paid, And may not have made a Last Will or Testa- ment, by which means the Said plate may be in the Treasurers hands,

BE IT THEREFORE ENACTED by the GOVEBNOUR, Council & General Assembly, And It is hereby Enacted by the Authority of the Same, That if any of the persons who by this Act are Directed to receive the Quantity of twenty five Ounces of , plate, or any Smaller Quantity of plate than twenty five Ounces, shall Depart this life before they have received of the Treasurer aforesaid, the said Twenty five Ounces or Smaller quantity of plate, and shall not have made his or her Last Will or Testament, That in Such Case the Said twenty five Ounces or lesser Quantity of plate aforesaid, Directed by this Act to be pnid, Shall by the Tieasurer aforesaid be paid unto ye Widow of Such Deceased person, And in Case the person So Dying had no Wife, That then Such plate shall, by the Treasurer aforesaid, be paid to such person or persons as by two Justices of ye peace of the Neighbour- hood of Such person or persons. Shall be Certified to the Treas- urer to be nearest related to the person Deceased who had Such twenty five Ounces, or Smaller Quantity of plate, due to him or her, Any thing in this Act, or any other Act to the Contrary in any wise Notwithstanding.

AND TS^EREAS after the Several Quantities of Plate atore- Siiid Shall be by ;he Treasurer aforesaid, paid According to the THrection of this Act, there will remain in his hands the Quantity fif Three Thousand Seven hundred and Fifty ounces of Plate, being Deposited there for payment of Ambrose Phillipae, Esq'r tht Agent of this Colony, or the Agent of this Colony for the time

1 1., Google

being, And for Runaing the Partitiao liaes between this Coiony & tht Colony's of 0<Hinetticiitt & Js'ew Jersey, Aud for answering UDj Exigent of this Colony.

BE IT THEREFORE Enacted by the Authority afores'd That

the Treasurer of this Colony Bhall as soon as eonveniently may be, Remitt to AmhroBe Fhilllpse, Esq'r afores'd, the Quantity of fflve hundred Ounces of Plate, part of the Plate afores'd.

And be it Epacted by the Authority afores'd; That Abraham D'Peyster, Esq'r the now Treasurer of this Colony, or the Treas-urer of this Colony for the time being, Shall & may with part of the Plate afores'd, left In his hand pay uoto himself the quantity of two oouces & a half of Plate aiores'd, for everj hundred ounces of s'd Plate by the said Treasurer, for the time being, paid accord ing to the Direc'eons of this Act, which s'd quantity of two & a half ounces of Plate afores'd, is hereby given unto the s'd Treas-urer as a Reward & Salary for Collecting, paying, Sinking & destroying the s'd Bills, & for doing & perfcH*miDg Every thing by this Act required of him to be done, AND Be it farther Enacted by the Authority aforesaid, That the Quantity of Seven hundred and fifty Ounces, part of the aforesaid Plate left in the Treasurers hands, shall be Applyed to defray that part of the CSiai^e of Running, Surveying and Ascertaining the Partition Line Limitt and BoQudary betweene this Colony and the Colony of Kew Jersey, which may be requisite for this Colony to pay, to be Issued by Warrant under the hand and Seal of the Governour of this Province, for the time being, by and with the Advice and Consent of his Majesties Council in such parts & proportions as shall be requisite for that Service, when the Survey Ascertainelng and Banning of the said Line Limitt and Boundary, shall be began and Carryed on by the mutual! Consent and Agreement of his Excellency & Council! of this Province, and the Proprietors of the Soil of the said Province of New Jersey, And the Sum of Seven hundred and (Bfty Ounces, part of the aforesaid plate left in the Treasurers hands, to be Issued as aforesaid to Defray that part of the Charge of Bunning the Partition Line Limitt and Boundary Between this Colony and the Colony of Connecticut, which will he Requisite for this Colony to pay, when the Survey Ascertaine-lng and Running of the said Line Limitt and Boundary, shall be begun and Carryed on by the mutual Consent and Agreement of his said Excellency and Councill, and the Governour and Council of the said Province of Connecticut, Which Lines being Bun

D,!,i:cUl:yG00giC

Ascertained and Agreed «n hy the Surveyors —and CcHnmiftsionera of each Colony, bb aforesaid, sliall for ever thereafter he Deemed, taken be and remain as the partition Line Limltt and Boundary of this Colony, And all bodya Corporate and Politick, and all other persons whatsoever within this Province, shall be for ever Con- cluded thereby.

AifD Be it further Enacted by the Authority aforesaid, that the residue of the said Plate not particnlarly Disposed of by this Act, shall remain in the hands of the said Treasurer to Answer any Sudden Exigeucey of this Colony, to be Issued in such manner and in snch quantities as shall be Directed in and by an Act or Acts of General Aaeembly of this Province for that pur- pose to be made, and not otherwise.

And be it Enacted by the Authority afores'd, That the Treas- urer of this Colony, for the time being, shall pay in the Bills of Credit made current by this Act, unto each of the Persons here- after named, the Several quantities of Plate hereafter Expressed, vizt

To William NicoU, Esq'r his Exec'rs or Assigns, the quantity of three hundred Seventy five ounces of Plate afores'd, for his service In Gen'll Assembly of this Colony.

To Audrlea Coyeman, Esq'r his Exec'rs or Assigns, tor his Service as afores'd, the quantity of one hundred eight? three onnces fifteen pennyw't of Plate afores'd.

To Oar^l Hansen, Esq'r his Exec'rs or assigns, for his Service as afores'd, the quantity of one hundred eighty three ounces & fifteen pennyw't of Plate afM^sd.

To Johannes Cuyler, his Exec'rs or assigns, for his Service as afores'd, the quantity ot one hundred eighty three ounces fifteen pennyw't of Plate afores'd.

To Robert Livingston, Eaq'r his Exec'rs or asedgns, for his Ser- vice as afores'd, the Quantity of two hundred & two ounces & ten pennyw't of Plate afores'd.

To Abraham Qasbeeck, Esq'r his Exec'rs or Asfdgns, for his Service as afores'd, the quantity of one hundred & thirty 8tz ounces & five pennyw't of Plate afores'd.

To Jacob Bntsen, Esq'r his Exec'rs or assigns, for his Service as afores'd, the quantity of one hundred & Eighty three ounces & fifteen pennyw't of Plate aforesaid.

To Leonard Lewis, Esq'r his Exec'rs or assigns, for his Service as afores'd, the quantity of one hundred and Eighty three ounces & Fifteen pennyw't of Plate aftores'd.

1 1, Google

To Johannes Terbosh, Eflq'r his Exec'rs or assigns, for Ida Service aa uforea'd, ttie qaanttty of one hundred & fort; Biz ounces And five pennyw't of Plate afores'd.

To Cornelius Ouyper, Esq'r Mb Exec'ra or Assigns, for bia Service as aforea'd, the quantity of two hundred & aevenijr five ounces of Plate afores'd.

To Peter Herring, Esq'r liis Execr's or Assigns, for his Service as afores'd, the quantity of two hundred & Seventy five ounces of Plate afores'd.

To Abraham Lakennan, his Exec'rs or Assigns, for bis Service as afores'd, the quantity of two hundred Seventy five ounces of Plate afores'd.

To John StiUwell, Esq'r hia Exec'rs or Assigns, for his Service as afores'd, the Quantity of two hundred & Seventy Ave ouncas of Plate afores'd.

To Lewis Morris, Esq'r his Exec'rs or assigns, for his Service as afores'd, the quantity of two hundred & Seventy five ounces of Plate afores'd.

To Joseph Bud, Eaq'r hia Exec'rs or assigns, for his Service as aforea'd, the quantity of two hundred & Seventy five Ounces of Plate aforea'd.

To William Willet, Eaq'r hia Exec'ra or aasigna, for hia Service as aforea'd, the Quantity of two hundred & Seventy five ounces erf Plate afores'd.

To Thomaa Wlltet, Esq'r hia Exec'ra or aasigns, for hia Service as aforea'd, the Quantity ctf two hundred and Seventy five ounces afores'd.

To Tsaack Hicks, Esq'r his Exec'rs or Assigns, for hia Service as aforea'd, the quantity of two hundred & Seventy five ounces of Plate aforea'd.

To Samll Gerritse, Esq'r his Exec'rs or Assigns, for his Service as afores'd, the quantity of two hundred Seventy five ounces ot l'lat<* afores'd.

To Comelis Sebring, Esq'r his Exec'rs or Ass^s, for hia Ser- %i(e aa afores'd, the quantity of two hundred and Seventy five ouncpa of Plate afores'd.

To Gerrit Van Hoorn, Esq'r hia Exec'ra or Aaaigna, for his Ser- vice as afores'd, the Quantity of two hundred & fifty Ounces of Plate aforea'd.

To Jacob Kip, Esq'r hia Exec'rs or assigns, for hia Service as ni'orps'd, the Quantity of two hundred & fifty Ounces of Plate aiores'd.

.., C A.>(.>glc

To Johannes Jansen, Eeq'r, hia Exec'rs or aBsigns, for his Ser- vice aa afores'd, the Quantity of two hundred and fifty Ounces of Plate aforea'd.

To David Provoost, Esq'r his Exec'rs or Assigns, for his Service aT afores'd, the Quantity of two hundred & fifty ounces of Plate afores'd.

To Hendrick Hansen, Esq'r his Exec'rs or Assigns, for his Ser- vice as afores'd, the Quantity of one hundred Sc. Eighty three ounces & fifteen pennyw't of Plate afores'd.

[CHAPTER 34&]

[Chapter 34S. of Livingston & Smith aod VaD Schaack, where the title only Is printed. Title only Is printed In Bradford, 1732 ed., p. 17 In full In Baskett, p. 280. Expired. December 23, 1720.]

An Act to Prohibit the Exportation of Raw Hides from this Colony.

[Passed, December 23, 1717.]

WHEREAS the Exportation of Raw Hides from this Colony to Holland, and to the Neighbouring Plantations, is, by Experience, found to he very hurtful to the Inhabitants of this Colony, for preventing of which for the future,

BE it Enacted by the Gouvernour, Council and General Assem- bly, and by the authority of the same, That no Ox, Bull, Cow or Steer Hide or Skin, Raw &-untann*d, be Exported from this Colony in any Ship, Sloop, Boat, Scow, Oanoe, Float, Raft, or any other Vessel whatsoever, or in any Oart, Waggon, Wain, Sled, or any other Carriage Whatsoever, or upon any Horse or other Beast, or by any Person, under the penalty of Forfeiting Twenty Shillings for every Hide so Exported, Contrary to the true Intent & meaning- of this Act, to be recovered before any Justice of the Peace of this Colony, by any Person who will sue & Inform for the Same, the one half to the Use of his Ma'ty, his Heirs and Successors, the other half to the Persons Informing of the Same, in which Case the Oath of the Said Informer, or of any other Person, shall be Sufficient Evi- dence to Convict the Owner or Exporter of such Hide or Hides, and Accordingly Subject him or them to the Forfeiture of Twenty Shillings, above mentioned, for each Hide as aforesaid, HO Exported, to he Levied upon his or their Goods & Chatties, by Warrant from any of the said Justices of the Peace hefore whom

Lc;-,:uJbyC00gIC

any each Ififormation Ib brought, directed to the High-8heri£F of the City and County, High-Sheriff of the County or Constable of th(Town, Ward or precinct, in which the said Justice Doth Inhabit, who is hereby Authorized, Directed and required to put the same in Executioo; and in Case the Said Uoods and Chatties

are Not in Six Dayea redeem'd, by paying the said Forfeiture, and the Additional Sum of two Shillings on each pound valne for- ffited, to be paid to the OfBcer Executing the Warr't aforesaid, that then the said Gooda & Chatties be Expos'd to publick Sale to the Highest Bidder, & the Forfeiture and Charges paid, as aforesaid, & the Overplus, if any be, returned to the Owner or Exporter of the said Hide or Hides from whom the said Goods & Chatties were taken. Provided nevertheless, and 'tis hereby further Enacted, That this Act no'r any part thereof shall be Con- strued to Debar Merchant or other person from Exporting any such Raw hides, as aforesaid, from this Colony to the Kingdom of (Jreat Brittain, nor to debar any Master of any Ship or Vessel fi^m taking on Board and Exporting two Baw Hides for the necessary use of his said Vessel, any thing herein contained to the contrary In any wise Notwithstanding. This Act to be and remain in force for three Years, and no longer, and to Commence from the Publication thereof.

[CHAPTER 349.]

tChaptcr 349, of LIvlnKstoD & Smltb and Van Schaack, wbere the title only l8 printed. This act Is not In Bradford, 1T32 ed. Title only ta Baskett, p. 280.]

An Act to Invest the Property of a Cer- taine Dwelling House & Ground thereunto belonging in the City of New Yorlt In Daniel & Christopher the Sons of Daniel Robert Dec'ed.

[Passed, December 23, 1717]

WHEREAS Daniel Robert of the Said City Dec'ed by his last Will & Testament bearing Date the Sixth Doy of Decemtwr in the Seventh Year of the Relgne of her Late Majesty Queen Ann of Glorious Memory Did (Amongst other things) Give and bequeath unto his Said Son Daniel The Sume of Three hundred Pounds Current money of New York & did also Give & bequeath unto his Said Son Christopher Two hundred ponnds of like Money, wliicb Respective Sums he did thereby order his Executors to

pay to each ot them when they Bbould Bespectlrely come to Age

or be Married, & the Hame in the Interim should be put on Interest, & the Income thereof Given to his Wife Busannah, during She should remaine his Widdow for tlie Maintaining hia t>aid Bona, untill they should come of Age as aforesaid, Oiyiug all the rest of his Estate to his Said Wife Susanna & i>id thereby Nominate & appoint John Bai-berie Esqr. Benjamine Fanevill & hit> Said Wife Susanna or the Survivor or Survivors of them to be Executors of his Said last Will & Tutors to his Said Sons until they should come of Age or be Married As by the Said Last Will & Testament Eelation being thereunto had may more at Large appear & the Said Daniel Robert somie after Departed this Life, Leaving behinde him his Said Sons Daniel & Christopher Infants under Age afber whose Death the Said Benjamin Fanevill & Susanna proved the Said Will & took upon them the Burthen & Execution thereof, the Said John Barberie Renouncing the Said Executorship & refusing to ACT therein The Said Susanna for the Interest of the Said Infants Daniel & Christopher purchased wilh Some of their Legacies aforeSaid a Certaine Dwelling House Blessauge or Tenement and Lott of Ground thereunto belonging wUhin the Said City of New Yorli. Which fronts Northerly to Kings Street bounded Easterly to Teter Baunt and Southerly to Angenite Adolph with all the Appurtenances thereunto belong* ing and before tho Deeds for the Said Dwelling House were Exe- cuted Married with One Thomas La Roche in whose name the Deeds for the Said Dwelling House were made who Is Since Dead AND WHEREAS the Said Thomas La Roach in hia life ti'tip after his Inter marriage w'th ye said Susannah for Secureing the portions of ye Said Children and for their Maintenance untill the Same should Become payable by a certaine Instrument Id Writing under his Hand and Seale bearing Date the Twenty Eighth Day of August in the Yeare of onr Lord one thousand Seaven hundred and fourteen Did Execute a Warrant of Attor- ney for Entring n judgment in the Supream Court of this Province at, the City of New York as of the then next September Terme at the Suite of the aforesaid Benjamin ffanevill One of ye Executort as aforeSaid for the Same of One Thousand Pounds Currant money of New Yorli besides Cost of Suite which Judgment waa Accordingly Confessed and Entred upon Record in the Said Court And by a Certaine Other Deed or Instrument in Writeing (beare-

Digi-jzedbyGoOgiC

iDg the Same Date with the Said Warrant of Attoroe;) made and Executed between the Said llenjamen ffanevill and the Said Thomas La Itouch and Susaoiiah his Wife the Said Judgment is Declared to be for the Sole Use Benefit and Intrest of the afore-said Childi'en Daniel Robert and Christopher Kobert and for Recureing their Fortions aa aforeSaid as by the Said Severall Instruments and Judgment relation being thereunto had may more fully and at Large Appeare.

■ AND WHEREAS the Said Thomas La Roach at the time of his Decease Did not leave any Visible Estate behind him otha than the aforesaid Dwelling house and Oround thereunto belong-ing purcliased in his Name for the use of the Said Children as abovesaid.

AND WHERAS the Said Susanna by her Petition to the General Assembly hath set forth, that Bhee is advised the Said Dwelling House will Devolve on the Heirs of the Said La Roche & the said Infants will be intirely Distitute & Defeated of some part of their Legacies Therefore humbly prayed a Bill might pass to Enable the Said Daniel & Christopher Jointly or the Sun'ivor of them to Enjoy or Dispose of the same when they Shall arrive at the Age of Twenty one Years.

BE IT therefore Enacted by the Governour Council! & General Assembly and by the Authority of the Same To the Intent the Said Legacies may be ascertain 'd & the better Secured to the L^atees according to the True Intent and meaning of the Said Last W'ill It Shall & may be Lawful! for the Said Daniel & Christopher &, their Heirs & Assignes Respectively To have hold Occupy posses & enjoy the Said Dwelling House & all & Singular the premises thereunto belonging as Tennants in Common & to Sell & Convey the Said Dwelling House with the Appurtenances to any Person or Persona whatsoever when they Shall Arrive at the Age of Twenty one Years And the Said Daniel & Christopher their Heirs and As^gnes are hereby fully Authorized & Impowered to Seal & Execute all manner of Deeds & Instruments in Writing & to Act & Do all Lawfnll Act & Acts thing & things necessary for the Assuring & Confirming Such Sale as Shall or may at any time hereafter be made thereof, Which Deeds and Instruments of the Said Dwelling House and Appurten-ances thereunto beloning shall be good & Effectuall in the Law to al Intents & purposes whatsoever, Rai-ing to all persons all Lnwfall Claims or Interest to the Said Dwelling House. Except the Heirs of

the Said Thomas I>a Roache anv thing herein Contained to the Con-
trary in any wise notwithstanding.

DgizedbyGoOgiC

PBOVTDED aJwaies The Said Susanna Shall have & Receive the
Bent lasae's & profSts of the Said Dwelling House nntill the Bald
Daniel & Christopher Shall arive at the Age of Twenty One Years
anything herein Contained to the Contrary in any wise
notwithstanding.

[CHAPTER 350.1
tCbapter 350, of Livingston & Smith and Van Schaack, where tbe title
only U printed. Thte act te not in Bradford, 1732 ed. Title onl
In Baskett, p. 2S0. Expired, December 1, 1721. See chapter 245]

An Act Reviving an Act entituled an Act
Prohibiting all Persons but John Parmiter and
his Assigns to make Lamb-black during the
Space of Fire Years.

[Passed, December 23, 1717.]
BE It Enacted by the Governour Council & General Assembly, and
it is hereby Enacted by the Authority of the Same. That an Act
entitaled an Act prohibiting all Persons but John Parmiter and his
Assigns to make Lamb-blnck during the Space of five Years made in
the Eleventh Year of the reign of Her late Ma'ty Queen Anne of
Immortal Memory Expired by Its owne Limitation shall be Revived
& Continued from the first Day of December One thousand Seven
hundred and Seventeen unto the first Day of December which will
be in the Year of our Lord One thousand Seven hundred and Twenty
four.

[CHAPTER 351.]
[Chapter 351, of Livingston & Smith and Van Schaack, where the title
only Is printed. This act Is not In Bradford. 1732 ed. Title on
lu Baskett, p. 280.1

An Act for the Further Enabling Thomas
Whitehead to Sell & Dispose of Some part of
the Lands Devised to him by his Father under

the Limitation of a generall Intail.

[Passed, December 23, 1717.]
WHEREAS Thomas Whitehead son of Daniel Whitehead Esqr late of Jamaicca in Queens County Dec'ed hath by his Peti'con sett forth that in an Act of the General Assembly of this Colony made I the Tenth Year of the late Queene Anne Intituled an Act to Enable Thomas Whitehead to Sell & Dispose of some part of the Lands Devised to him by his Father under the Limitation of a General Intail there is a Claua restricting him to Sell & Dispose of four dred Acres of the Said Lands out of one or at most two Tracts or cells thereof & the said Lands lying in many parcells the said rest tion haa wholy prevented him from making the Disposition aforesaid

^■.ooglc ^

& thereby ihe true Intention of the said Act of Generall Asaemhly i frustrated.

THEKEFOKE Be it Enacted by his Excellency the Governoor Council & tii'ut lal Assembly & by the Authority o! the same that tiball & may be LawfuU for Iiim the said Thomas ^Miitehead to Alien Kt'll & Dispose in fee Simple or otherwise out of any of the Said or parceI1» of the said Devised Lands with the appurtenances not Exceeding tlie Quantity of four hundred Acres any thiug in the said llecitcd Act tu the Contrary hereof uotwitliatanding.

THE SE\'ENTEENTH ASSEMBLY.

Fifth Session.

(Begun May 37, 1718, 4 George I, Bobert Hunter, GoTemor.)

[CEtAPTEB 352.]
[Chapter 352, of Livingston & Smith and Van Schaack, where the titto only Is prluted. Printed la full In Bradford, 1732 cd., p. 177; B ReTlved by chapter 473.]

An Act to prevent small Stalliona ran-

ing at lai^e & to Geld all Horses under the Siie

therein mentioned.

[Passed, July 3, 17ia)
"WHEREAS a breed of Horses whether for the Saddle or the Draft will he of great'benefit to the Inhabitants of this Colony & which cannot be Ohtain'd while Stallions of Small Size are Suffered to run at large, in order therefore to prevent the same for the future & procure a Strong & large breed of Horses. Be it Enacted by the Governour Council & General Assembly of this Colony & it is hereby Enacted by the Authority of the same, that it shall be Lawfull for any Person whatsoever to Geld any Stone Horse runing at large In any Grounds within this Province not inclos'd, being above Three Years old, & not being at the height of Fourteen hands to be meas-nted from the lowest part of the hoofe of the forefoot to the high part of the wither; & each hand to containe four Inches English Measure, for which Gelding & curing upon Delivering the horse sate and sound to the owner, who is hereby required to receive the same, he shall pay or secure to be paid in Thirty Days unto the Gielder Sum nf Twenty Shillings, for Gelding & curing the said Horse & in Case the Owner shall refuse to pay or Secure the payment of the Sum of Twenty Shillings aforesaid unto the Person Gelding and Curing the said Horse that then & inn Such Case the Gelder shall take the said Horse to himself & put his owne Brand upon bim, ft use sell and Dispose of the Same as his Owne propper Goods & Chat-

ties & in Case the Owner aue for the aaid Horse or Damages lor Gelding the Same, the Gelder shall plead the General Issue & give this Act in Evidence & treble .costs shall be allowed to the said Gelder.

AND for preventing any Abuses that may be Committed TTuder Colour of takeing up and Gelding of Horses in Manner aforesaid Be it further Enacted by the Authority aforeSaid that all and every per Kon or persons that Shall take up any Stone Horse or Horses Run-ning at Large as aforeSaid Under ye Size and Above ye Age before Mentioned Shall before he presume to Cutt or Geld ye Same Carry Such Horse or Horses to the Next Justice of the peace of that County wherein Such Horse or Horses Shall be taken up and Such Horse or Horses Shall be then and there Measured in Manner afore-said in the presence of such Justice of the peace and if Said Justi Shall Approve and Allow of Such horse or Horses to be above ye Age

and Under the Size before mentioned that then Such Horse or Horses Shall and may be Gelt by Such Person or persons so taking up the Same in Manner aforesaid and if any person or persons (Except ye Rightfall Owner or Owners) Shall presume to Geld any Stone Horse or Horses not ffirst having the Approbation and Allowance of Such Justice of ye Peace as aforesaid or Shall Geld any Horse or Horses above ye Size before mentioned Every Such person or per- sons Shall Suffer Imprisonment by the Space of One]t[onth without Bayle or Mainprize, and fforfeit to ye Owner or Owners Treble the Valine of Such Horse or Horses to be Appraised by three Indifferent persons of the Neighbourhood and to be Recovered by Action of Debt by Bill plaint or Information In any Court of Record within this province Wherein No Essoigne protection or Wager in Law or any More than One Imparlance Shall be Allowed. THIS ACT to Com- mence the fflfteenth Day of April next Ensueing and to be in fforce untiil ye fflfteenth Day of Aprill in the Yeare of our Lord One th sand Seaven Hundred and Twenty Six.

[CHAPTER 353.]

An Act for an Allowance to the Repre- sentative of the Township of Schenactadie in the County of Albany,

(Passed. July 3, 17ia]

BE it Enacted by the Governour, Council and General Assembly & by the Authority of the same, That the Representative of flie

...C^ooglc

Townsltip of Sclionaotadie shall be allowed (or his Service and attendance in Ihe 'jeueral Assembly of this Prorince, Ten Shil!ing8 per Day, to Commence from the Fifteenth Day of May last, in the Year of our Lord, One thousand Seven hundred and Eighteen, and at no time to exceed eight Days for his comelng and Eight Days for his returning^

AND be it further Enacted by the Authority aforesaid, that his Wages & Allowance shall be levied, Assessed, raised, and paid, in such manner and form as is directed by an Act <rf the Second Year

of Queene Anne, entituled, an Act for the ioetter Explaining and more Effectual putting in Execution, an Act of General Assembly, made in the third Year of the late King William and Qoeen Mary, entituled, an Act for defraying the Publlck and necessary Charge thro' out this Province, and for maintaining the Poor and preventing Vagabonds.

[CHAPTER 354.]

[Chapter 354, of Livingston & Rmith and Van Schaack. where the act is printed In fuU. Printed tn full in Bradford, 1732 ed., p. IHi; p. 284.]

An Act for granting to the Freeholders & Inhabitants of the Precincts of Catskill & Cox- hackey in ye County of Albany the privilege of Choosing Yearly a Supervisor.

[rassed, July 3, ITia]
BE it Enacted by the Governour Council & General Assembly and by the Authority of the Same That it shall & may be Lawful! for t Inhabitants of the Precinct of Catskill & Ciixliackey and all of the Inhabitants dwelling to the Southward of Kenslaerwick on the Westside of Hutchens River as far as the County of Albany Extends to Elect & Choose one Supervisor & that the Justice of the Peace f the Precinct aforesaid, shall & is hereby required to Issue his W^ar rant to the Constable of the said Precinct to give Warning to the Freeholders and Inhabitants in the said Precinct thereof to Assem- ble and meet at Such Convenient place as the Justice shall appoint, the third Tuesday of August next, there to mal;e Choice of and Elec one Supervisor, who shall Serve till the first Tuesday in April, the next following, and afterwards the Supervisor for the said Precinct to be Elected & Cliosen Yearly and every Year in the Same Manner and forme as the other Supervisors are Elected & Chosen in the said Conntv of Albany & Shall have the same power. Authority, OfBce and Function & doe pcrforme Execute & Serve in Conjunction with

.., Google

the peat of the Supervisors in the County aforesaid when Occaaion ahall require & be liable to the Same Pains & Penalties as the Sup

visors of the Several & respective Counties within this Colony have, ought, or are Intendt-d to have, do performe & be liable to, by on taine Act of General Assembly piissed in the Year of our Lord, one thousand seien hundred and three entituled an Act for the Ijetter 'Explaining & more Effectual putting in Execution an Act made in the third Year of the late King William & Queen Mary of Glorious Memory entituled an Act for defraying the Publick and necessary Charge thro'out this Province and for maintaining the Poor and Preventing Vagabonds, Any thing to the Contrary hereof in any wise notwithstanding.

[CHAPTER 355.]
[Chapter 355. of Llvinmton & Smith and Van Schaack, where the title only is printed. Title ooly Is printed In Bradford, 1732 ed.. p. In full in Baakett, p. 2%. See chapter 274. Expired, July 3. 17

An Act for reviving & continniDg an Act of General Assembly entituled an Act for Lycencing Hawkera & Pedlars within this Province.

[Passed. July 3, 1718.1
WHEREAS the Act entituled an Act for Lycencing Hawkers & Pedlars within this Province is expired by its owne Limittation & the same having by Experience, been found to be very beneficial. BE it therefore enacted by the Govcrnour Council & General Assembly and by the Authority' of the Same, That the said Act & every Arti-cle, Clause & thing therein Contain'd, by & is hereby, reviv'd & con tinu'd to remaine in force, for & during the terme of Four Years, Excepting Sc reserving from the Penalties of the Act aforesaid, Jeremiah Smith of Queens County, who is hereby Lysenced to Trade ns a Petty Chapman within Queens County only, any thing in the before recited Act to the Contrary notwithstanding.

[CHAPTER 356.]
[Chapter 356, of LiviDitston & Smith and Van Schaack, where tEe Utl« only Ib printed. This act le not lu Bradford, 1732 ed. Title on in Baskett, p. 285.]

An Act for Naturalizing Nicolas Caron Abraham DeCasserez Tobias Boel Henricua Boel Jacob Pit Jan Pit and Samuel Richards.
[PaBBed, July 3. 1718.7
WHEREAS Nicolas Caron, Abraham de Casserez, Tobias Boel, Henricua Boel, Jacob Pit, Jan Pit and Samuel Rucbarda have by

desired that tliej might be Xnturalized & become his Ma'tiea Sob-jects. Be it Enacted by his Excellency the Governour Council and General Assembly and by the Authority of the same, That the said Nicolas Caron, Abraham de Casserez, Tobias Boel, Henricus Boel, Jacob Pit, Jan Pit and Samuel Richards are hereby declared to be Naturalized, to ail Intents, Constructions and purposes whataoeTcr, and from henceforth are, & at all timt's hereafter shal be, eutitide to have and enjoy all the Rights, Liberties, I'riviledges & advantage which his Ma'ties Natural Borne Subjects in this Colony have & enjoy, or of right ought to have and Enjoy, as fully to all Intent Constructions and purposes whatsoever, as if the said Nicolas Caron, Abraham de Casserez, Tobias Boel, Henricus Boel, Jacob Pit, Jan Pit and Samuel Richards, had been born within this his Ma'ties Province of New York. PROVIDED alwaies and it is hereby Enacted, That the said Nicholas Caron, Abraham de Cawerez, Tobias Boel, Hen-ricus Boel, Jacob Pit, Jan Pit and Samuel Richards shall take the Oaths appointed by Law in Stead of the Oaths of Allegiance and Supremacy, Subscribe the Test, and make repeat and Swear to, and Subscribe the abjuration Oath, in any of his Ma'ties Courts of Recor within this Colony, which said Courts are hereby Required, npon application to them made to administer the same & take Subscribions, and Cause the Names of the Person and Persons so Swearing and Sub-scribing to be entered upon Record in the said Court, for which ever one of the said Persons, is hereby required to pay the Sam of Six Shillings, Current money of New York to the Judge of the said Courts respectively, and three Shillings to the Clerk.

And be it further Enacted by the authority aforesaid, That if all or any of the said Persons having so Sworne & subscribi'd as afores shall Demand a Certificate or CVrtitlcates of his being entered npon Record in manner aforesaid, the said Court or Courts are herel»y Directed and required to grant the same, under the hand of the Judge & Seal of the said Court in which the said Nicolas Caron, Abraham de Casserez, Tobias Boel, Henricus Boel, Jacob Pit, Jan Pit and Samuel Richards or any of them, shall so Swear and Subscribe as aforesaid. Counter Signed by the Clerk of the said Court, for which Certificate the Person requiring the same shall- pay over &

above the Nine Shillings before mentioned, the sum of Six Shillings, one half to the Judge of the said Court or Courts, & the other ha the Clerk tliereof, which said Certificate or Certificates, shall at times be a Sufficient proof of the Person or Persons being Naturaitx by this Act, as if the Record afnrosjiid were A cf nally produced said Nicolas Caron, Abraham Casserez, Tobias Boel, Henricus Boel, Jacob Pit, Jan Pit and Samuel Richards or any of them.

LAWS OF THE COLONY OF NEW YORK.

{CHAPTER 357.]

[Chapter 3S7, of Livingston & Smith and Van Schaack, wbere the title 0DI7 Is printed. Title onl; Ig printed In Bradford, 1732 ed., p. 17 In loll in Baskett, p. 286. See chapter 334. Continued b; chapte

An Act for the revi\-ing an Act 6t General Assembly entituled an Act for the better Set- ling the Militia of this Province & making it more Useful! for the Securelty & Defence thereof.,

[Paseed. July 3, 1718.1
BE it Enacted by the Governour Conncil and Assembly, and it is hereby Enacted by the Authority of the Same, That one Act of Gen- eral Assembly entituled an Act for the Setling the Militia of this Province and makeing it more Usefull for the Security and Defence thereof made in the first Year of Her Jate Ma'tys reign, expired by Its own Limittation, Shall & is hereby Enacted by the Authority nforesaid, to be of force from the Publication hereof, for and until the first day of November, which Shall be in the year of our Lord, One thousand seven hundred & Twenty, and no Longer,

[CHAPTER 358.]

[Gbapter 358, of Livtngetou & Smith and Vhd Schaack, where the title only ie printed. This act la not In Bradford, 1732 ed. Printed in Baskett, p. 280. Expired, July 3. 1723.1

An Act for EBtabliehing Pilotage.

[Passed, July 3, 17ia]
WHEREAS his Excellency by the Advice of his Ma'tya Council hatb granted a Warrant to Jacob Mauritz and William Kirten Severally and Jointly to be Pilots for the Port of New York to tak under their care his Ma'tya Ships of War and all other Ships and V eels requiring a Pilot that shall come into, and goe out of the sa Port, at such rates & allowances as are particularly Expressed in th said Warrant, They the said Jacob Mauritz and William Kirten hav- ing entred into Bond with Sufficient Sureties to keep an able Pilot
126

D,g,;,zeclbyG00gIC

residing at or near Bandy Point, proTided with a Snfflident Boat, Tackle, and Furniture to be at nil times ready to goe on Board & any Ship or Vessel into the harbour of the Province of New York. T the Intent no unskilful] Person or Persons for Gain, may (Hreaume to Pilot Ships and Vessels coming into, and goeing ont of the said Port, and to prevent the Loss of any Ship or Vessel bound to and from the said Port.

BE it Enacted by his Excellency the Oovernour Council and Gen- eral' Assembly and it is liereby Enacted by the Authority of the Same, That any Person or Persons whataoever that are not Author- ized by the Governour of thia Province for the time being, or that shall not be Deputed by such Person op Persona so authorized as afo said, that shall take upon him or them to Pilot any Ship or Veead coming into or goeing out of the said Port, shall forfeit and pay Sum of Three pounds Current money to be recovered before any Jua- tice of Peace in this Colony by any Person that will sue and prose cute for the same, the one half to the Use of his Ma'ty his Heira and Successors, to be paid to the Treasurer of this Colony for the time being to be apply'd towards the Support of this Government and the other half to the Person Informing and prosecuting the same as aforesaid in which the Oath of the said Informer, or any otber Person, shall be Sufttcient evidence, To be Levied upon his or their Goods and Chatties, by Warrant from the Justice of Peace before whom Such Information shall be brought. Directed to the High Bherriff of the City or County, or Constable of the Town, Ward (w Precinct, in which the said Justice shall Inhabit, who is hereby Authorized & Required to put the Same in Execution: The said

Goods & Chatties to be expos'd to Sale to the Highest Bidder the forfeiture & reasonable CHARGES first Deducted the Overplns if any be, shall he returned to the Owner from whom the said Goods and Chatties were taken.

PROVIDED always that it shall and may he Lawfnll for anj P«- Bon or Persons to take under his Care & Charges to pilot into or of the said Port any Ship or Vessel as often & when some able and SufBeient Persona appointed as aforesaid for that purpose, Shall not be ready at Sandy Point aforesaid, and at the said Port of New Tor to take on them the Charge of Piloting Such Ship or VeMel so reqai ing a Pilot, from time to time as Occasion shall happen. I^Ua Act to Continue for five Years & no loDgn".

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OP NEW YORK.

[OHAPTEH 359.]

[Chapter 359, of LlvIiiKSton & Smltb and Van Scbaacfc, where the tit only la printed. Printed lu f nil In Bradford, 1732 ed., p. 176; B ReTlved by chapter 472.]

An Act lor encouraging the returning of Nett Cattle & Sheep to their Owners.

[Passed, July 3, 1718.
WHEREAS Cattle & Slieep often atray from their Ownerg who not knowing where to find them, Seldome See or recover them. Be it therefore Enacted by his Excellency the Governour, Council & General Assembly & it is hereby Enacted by the Authority of the same, That any Persons or Persons finding, Iteeping or receiving any NettCattle or Sheep in any of his Lands within Fence from and after the first day of December to the first Day of May in every Year t shall not be his Owne & shall not give an Account of their or eve of their Natural & Artificial Marks & Colours to the Clerk of the Town or the next Justice of the Peace to or in the Precinct where such Person or Persons Shall Inhabit, that shall from time to time have any Stray'd Nett Cattle or Sheep in his or their Possession, within one month after such stray as aforesaid. Shall come to his o their knowledge, Shall pay to the Owner of Such Strays as aforesaid,

Twenty Shillings Current money of the Province of New York for every Nett Cattle & three Shillings Current money aforesaid for every Sheep, so detained or Conceal'd to be recovered before any Justice o the Peace by any Person that will sue & prosecute for the same, in which Case the Oath of the Informer or any other Person shall be Sufficient Evidence to be Ijevied on his or their Goods & Chatties Warrant from the Justice of the Peace before whom such Information Shall be brought, directed to the High Sheriit of the County or Con stable of the Town or precinct in which the Said Offendor shall Inhabit, who is hereby Authorized & required to put the Same in Execution ; the said Goods & Chatties to be publickly exposed to sal to the highest bidder, the Forfeiture and reasonable Charges being Deducted, the Overplus if any be, shall be returned to the Owner from whome the said Goods & Chatties were taken. AND Bee it further Enacted by the Authority aforesaid That if after such Account given of the marks & Colours of such Nett Cattle and Sheep as afor

Digi-jzedbyGoOgiC

said To the Clerk of the Towd or the next Jastice of the Peace as aforesaid the Owner or Onners of such Neti" Cattle or Bbeep shall not take Care of the same Every such Owner or Owners shall pay to such person or persons who shall keep or maintaine snch Cattle o Sheep a reasonable Becompence for aoe doeing from the time of sach Notice To be Adjadged by any Justice of the Peace in the said county.

And be it further Enacted by the Authority aforesaid, That the Owner of Such Strays as aforesaid. Shall pay to the Clerk of the T who shall receive the Marks of any Stray, Nine pence for every Nett Cattle & four pence half penny for every Sheep. This Act to Con- tinue in fforce for and during the Terme of fBve Yeares from the Pu lication hereof & noe longer.

[CHAPTER 360.]

[Cbapter 360, of Livingston & Smltb and Van Bctaaack, where the titl only Is printed. PHnted lu full in Bradford, 1732 ed., p. 174. Buke 288. See chapter 32S. Further provided for by chapter 660.]

An Act repealing that part of an Act

entituled an Act for restraining the taking of Extravagant & Exceaire Usury, whereby Interest, was Reduced to Six per Cent per Annum.

[Passed, July 3, ITiai
WHEREAS by an Act of the General Assembly of this province entituled an act for the restraining the takeing of Extravagant and Excessive Usury it was amongst other things Enacted that no person Whatsoever should after the publication of the said act take Directly or indirectly any greater use or interest than Six pound) Current money of this Province for the forbearance of one hundred pounds for a year, And so after that rate for a greater or Leaser or for a Longer or shorter time for the Loan of any moneys wares Merchandize or any Commodities whatsoever. And the said act not having obtained the Ends thereby Designed

BE IT THEREFORE ENACTED by hia Excellency the QOTe^ Qour Councill and General Assembly & it is hereby Enacted by the authority of the same That the before recited clause in the said ac be and is hereby repealed.

Digi-jzedbyGoOgiC

AND Be it further Enacted by the authority aforesaid That no person whatsoever shall after the publication of this act take Directly or indirectly any Greater use or interest than Eight pounds current money of this province for the fort>earance of one hundred pounds for a year and so after that rate for a Greater or Ijesser or for s Longer or shorter time for the Loan of any money wares Mwchandise or any Commoditys whatsoever Under the pains penal< ties forfeitures and Restrictions in the afore cited act Gontained.

TECE SE\'ENTEENTH ASSEMBLY.

Sixih Session-

(Begun Sept. 24, 1718, 5 George I, Robert Hunter, Governor.)

[CHAPTER 361.]

[Chapter 361, of LlvlngstoD & Smith and Van Schaack, where the title only la printed. Title ouly Is priuted In Baskett, p. 1T8, as havin passed in 171Q. Title only la priuted in Baskett, p. 291.]

An Act to enable the Treasurer of this Colony to remit Ambrose Phillips Esq'r the Sum of One hnndred Eighty Seven Ounces & one half of Plate for the Service of this Colony.

[Passed October 16. 1718.J

BE it Enacted by the Goveruour Council & General Assembly & It is hereby Enacted by the Authority of the same, That the Treaa- iirer of this Colony, Do by the first Conveniency Remit to Ambrose Pbillipa Esq'r the Agent of this Colooy the Sum of One hundred and Eighty Seven Ounces & a half of Plate for the Service of thii Colony, out of the money left in his hands, by vertne of one Act General Assembly of this Province, en tituled, an Act for paving & D charging Several Debts due from this Colony to the Persons therein named and for raising and putting into the hands of the Treasurer of this Colony Several quantities of Plate to be apply'd to the Pub lick & necessary Vses of this Colony and to make Bills of Credit t the value of Forty One thousand five hundred and Seventeen Ounces & a half of Plate for that purpose.

Digi-jzedbyGoOJ^Ic

LAWS OF THE COLONY OF NEW TOEK.

[CHAPTER 362.]

[Chapter 882, of Livingston & Smith and Van Scha&ck, where the tltld oaly iB prlQt<:(l. Title only is priateil iu Bradford, 1T32, ed., p. ing beeii passed In 1719. Title only is printeil In Baskett, p. 28& was repealed by the King, excejit no far as the act revives cb. 31 uopy oi: veto, see Doc. Rel. to Col. Hlat., V., p. 520.)1

An Act for reviring an Act of QenCTal Assembly Entituled an Act for the easier Par- tition of Lands in Joint Tennency or in ConimoD

, and mailing the same more tlBefull and effectual

for the purposes therein mentioned.

(Passed, October 16, ITia]
BE it Enacted by the Governoup Council and General ABsembl;
and it is hereby Enacted by tlie Authority of the same tliat one A
of Genera) Assembly, entituled an Act for the easier partition of
Lands in Joint Tennency or in Comon passed in the t^venth Year of
the Reign of her late Majesty Queen Anne now Expired by its owne
UmittatioQ shall be and is hereby Enacted by the Authority afore-
said to be Revived & be in full force and to continne & be in fal
force for and untill the first day of November One Thousand Beven
hundred and Twenty one.

And for the better Selling Laying out and Improveing any Lands
Tennements or Hereditam'ts held in Joint Tennency or in Comon.
Be it further Enacted, & it is hereby further Enacted by the Author
aforesaid, That from & after the I'ublication hereof it shall & may
be Lawfull to and for the Major part of any Number of Patentees
or Aflsignees of full shares of Patentees, who hold any Lands, Tenne
ments or Hereditaments in Joint Tennency or in Comon by th«n-
selves their Guardians Agents or Attorneys thereunto BnfficieDtly
Authorized, to enter into and make and Execute any Agreements in
Writing under their Hands and Seals, for the Dividing & laying out
any part or proportion of their Land so held as aforesaid &. Equall
and Impartially with respect to the Goodness of the Land, to Assign
to each Person or Persons their Helra and Assigns in whom the Right
Title and Interest of the said Lands are vested any part Share or
proportion, not Exceeding two full third parts of his & their Joat
proportion & Share of the whole Tract or Tracts of Land according
to his or her or their Right and Interest therein Respectively. To
bold the same Share & proportion so laid out as aforesaid to them
their Heirs & Assigns for ever Respectively and all such Divisions
Laying out & Assignments as aforesaid shall be Deemed held &

J by Google

adjudged a Gcwd Partition and Division In Law to all Intents & pur-
poses as if the same had been Divided and Laid out by Virtue of an
Writ of Partition in due Form of Law prosecuted, any thin^ to the

Contrary thereof in any wise notwithstaucling, which Parts, sbarea or Proportions of Lands so to be laid out or Divided, as aforesaid shall be drawn by Lott in the presence of Two or three Indifferent Persons to be Nominated by the Majority of the said Petentees or Assignees of full shares of Patentees.
This Act to remain in Force during the Tenne abovesaid.

[CHAPTER 363.]

[Chapter 363, of LlvlDgston & Smith and Van Scbaack. wbere the title only is printed. This act is not In Bradford, 1732 ed.' Title onl7 Id Baslcett, p. 291.1

An Act for Paying the Quantity of Fifty three Ounces & one half of Plate unto Johannes Van Zant, & the qhantity of Twelve Ounces & one half of Plate unto Willempie Uytden Bogart Widdow.

IPaaaed, October 16, 1718.]
WHEREAS it did appear to the General Assembly of this Colony, that there was doe unto Johannes Van Zant the quantity of Fifty three Ounces & one half of Plate, & unto Willempie Uytden Bogart Widdow, the quantity of Twelve Ounces & one half of Plate, bnt by the neglect of the Transcriber of the Act entituled an Act for payi & Discharging several Debts due from this Colony to the Persons therein named, & for raising & putting into the bunds of the TreaEh orer of this Colony, Several quantities of Plate, to be apply'd to Publick & necessary Uses of this Colony; & to make Bills of Credit to the value of Forty one Thousand five hundred & Seventeen Ounces & one half of Plate, for that purpose, made in the fourth Year of Ma'tys Reign, the names of the said Johannes Van Zandt, Willempie Uytden Bc^art were not incerted in the said Act. Be it therefore Enacted by the Governour, Council & General Assembly, & it la hereby Enacted by the Authorily of the same, That the Treasurer of this Colony for the time being, doe pay out of the money Lodged in his hands by virtue of the Act aforesaid the quantity of Fifty ounces & one half of Plate, or the value thereof in Bills of Ci'ed made Current by the said Act, unto Johannes Van Zant his Execu- tors or Assigns, & the quantity of Twelve ounces & one half of Plat or the value thereof in Bills of Credit made Current by the said A unto Willempie Uytden Bogart her Executors or Assigns any thing In the said Act to the Contrary notwithstanding.

Lc;-,:.tll:yG00gIC

LAWS OF THE COLONY OF KEW YOBK.

tCHAPTEB 364.]

[Chapter 864, of Llvlngstoa & Smith and Van Scbaacfc, wbere the titl only is printed. TliU act la not in Bradford. 1T32 ed. Printed tn Baskett, p. 281.]

An Act for Setting the BouDdaries between the Lands Granted by Patent unto Cor- nelius Coel Adrian Oerritse Mattbiaa Ten Eyck, Jacobus DuBois, Johannes Bchipmoea^ Boelof Swartwout Cornelius Lammefse, Peter Fieterse Lawrence Ooaterhout & Janoetae Newkirk scituate lying & being in the County of Ulster comonly called the Town of Hurley & the Lands Granted by Patent unto Coll Henry Beek- man, Capt Thomas Garton & Capt Charle* Broadhead Tnistees for & in the ly^half of the Inhabitants of the Town of Marble Town in the County of Ulster aforesaid.

[Passed, October 16, 1718.]

For the final ending & for the preventing all Disputes Strifes Quar- rels & contentions which now are or at any time or times hereafter may be had moved Commenced or prosecuted between the said Cor- nelius Coet, Adrian Gerritse, Matthiaa Ten Eyck, Jacobus DuBola, Johaanes Schipmoes, Roelof Swartwout, Cornelius Lammerse Peter Pieberse Lawrence Ooaterhout and Jannetse Newkirk their Heirs & Assigns of the one part and the Trustees of the Towne of Marble Town and their Successors & Assigns of the other part relating and concerning the respective Boundaries of the said Town of Marble Town in the County of Ulster and the Lauds granted nuto the said Cornelius Coel Adrian Gerriste Matthias Ten Eyck, Jacobna DuBoia Johannes Seblpmoes Roelof Swartwout CorQelius Lammerse Peter Pieterse Lawrence Ooaterhout and Jannetse Newkirk comonlj culled the Town of Hurley in the County of Ulster which Lines or boundaries in the Patent Granted to the said Coll. Heury Beekman Capt Thomas Garton & Captain Charles Broadhead Tmsteea for and on the behalf of the Inhabitants of the Town of Marble Town in the County of Ulster and w'ch bears date

the ^ Twenty fifth day of June In the Year of our Lord
One thousand Seven hundred & three as far as relates to
the matter in Question in the Words following (Vizt) all
that parcel of Land Lyeing & being in the County of Ulster afore-
said & beginning at the Bounds Established and laid oat by the Com-

miBfiionere appointed by CoJI Lovelace Gov'r' of gup Said Province ol
New York in tiie year of our Lord One thouaaud Six hundred & Sixty
Nine between the Town of Marble Town and the Town of Hurley
in the Said County of Ulater thence rnnuing SouthEast to the North
Weat Bounds of the Paltz, As in and by the said Patent relation
being thereunto bad may more fully & at large appear & in the
Patent Granted to the aaid Cornelius Coel, Adrian Oerritse Matthias
Ten Eyck Jacobus Du Boia Johannes Schipnioes Boelof Swartwout
Cornelius Lammerse Peter Pit terse Liiwi eoce Oosterhout & Jannetse
Newkirk their Heirs & Assigns coinonly called the Patent of the
Town of Hurley bearing Date the Nineteenth Day of October in
the Year of our Lord One thousand Seven hundred and Eight in the
words following vizt A certain Tract of Vacant Land in the County
of Ulster begining at the South Corner of the Old house of Scliipmo
being the bounds between Kings Town and Hurley due South untill
it meets with the bounds of the New Paltz and so along the Said
bounds untill it meets with the Northmost bounds of the said New
Plutz thence on a Streight Line till it meets with the House of Jo
Joosten beii^ nigh the Division Line of Marble Town and Hurley.
As in and by the said Patent relation being thereunto bad may
more fully & at large appear. Now for the Establishing the bounds
between the Trustees of Marble Town aforesaid and the aforesaid
Cornelius Coel Adrian Oerritse Matthias Ten Eyck Jacobus DuBois
Johannes Schipmoos Roolof Swartwout Gorueliua Lammerse Peter
Pieterse Lawrence Ousterhout and Jannetse Newkirk. Be it
Enacted by his Excellency the Gov'r and Council and General Assem-
bly and it is hereby Enacted by the Authority of the Same, That
the Boundaries and Division Line i>etween the Said Trustees of
Marble Town in the County of Uhter their Successors & AsBigns
and the Patent granted the Nineteenth Day of October in the Year
of our Lord One thousand Seven hundred and Eight unto the said
Cornelius Coel Adrian Gerritse Matthias Ten Eyck Jacobus DuBols
Johannes Schipmoes, Roelof Swartwout Cornelius Lammerse Peter
Pieterse Lawrence Oosterhout and Jannetae Newkirk their Heirs
and Assigns shall from henceforth and for ever hereafter be & are
hereby from henceforth and forever hereafter Established to be in

manner following that is to say, That the said Division Line between the Parties aforesaid shall begin at a Certaine place called the Hou of Jan Jooste in the County of Ulster aforesaid and now in the pos session of Cornelius Elten at the Southermost part thereof and
127

DgizedbyGoOgiC

thence ran on a Straight lAae to the Kortherwest bounds ot the new Platz aforesaid any thing in the said Patents or either of them con tained to the contrary hereof in any ways notwithstanding Saveing unto al) and all manner of Person and Persons Bodys Politicly or Corporate their rcspectiye rights by Patent or otherwise to the Landa aforesaid and every part thereof any Law Usage or CustcKne to the Contrary hereof in any wise notwithstanding.

[CHAPTER 366.]

[Cbapter 365, of LlTlDgston & Smith sod Van Sctaaack, where the tiUe onl7 is priDted. Tbls act la not In Bradford, 1T32 ed. Printed In Boskett, p. 289. See cbapters 292, 324.]

An Act for the Explaining of certain Claases in one Act of the General Assembly of this Colony entitnled an Act for a Supply to be granted to His Ma'tie for the Su[^rting bia Oovernment in the Prorince of New Yorke and for Striking Bills of Credit for that purpose Passed in the Year Seventeen Hundred & fifteen and for the Explaining certain Claases in an Act of the General Assembly of this Colimy made in the Year Seventeen hundred & Sixteen, entltuled an Act to Oblige all Vessels Trading into this Colony (Except snch as are therein Excepted) to pay a certain Duty & for the f^ ther Explanation & making more Effectual cer- tain Clauses in an Act by which a Duty is laid on all Negroes & other Slaves Imported into this Colony.

tPMsed, October 16, 1718.1

WHEREAS by an Act of the General Assembly of this Coloi;, entituled an Act for a supply to be granted to His Majestic for th Support of his Government in the Province of New York & for Btrik- Ing Billa of Credit for that purpose, it is among other things Enac that for every Pipe rf Wine Imported into this Colony directly from the place of its Growth production <x Manufacture, there

DgizedbyGoOgiC

Bboald be paid the Quantity of Seven Ounces & a half of Plate, and for every Pipe of Wine Imported from any other place, than that of its Growth production or Manufacture, the Sum of Fifteen Ounces of Plate and so in proportion for a greater or Lesser Quantity And Whereas thia may Seem to Subject Wines Brought directly from the Isle of Britain to the Duty of Fifteen Ounces of Plate for every Pipe of Wine so Imported and So in proportion for a greater or Smaller quantity. In order therefore to take away all Doubts, Con- troversies and Disputes, that may arise upon the same for the future. Be it Enacted by the Governour Council and General Assembly & it is hereby Enacted by the Authority of the same, that every Pipe Wine or greater or Smaller Quantity thereof & every Gallon of Bum or Brandy or other Distilled Liquors Imported Ijegiilly & directly from the Kingdom of great Britain into this Colony, shall pay no other nor greater Duty than if the said Wine, Rum, Brandy or other Distilled Liquors were Imported into this Province Directly from the place of its Growth, Production or Manufacture, and no greater or other Sum whatsoever any thing in the said Act or any other Act to the Contrary notwithstanding.

AND WHEREAS on & by reason of certain Clauses in one Act of the General Assembly of this Colony, entituled an Act to Oblige all Vessels Trading into this O^ony Except such as are therein Excepted to pay a certain Duty, & for the further Explanation & rendring more Effectual certain Clauses in an Act of General Assembly of this Colony, entituled an Act, by which a Duty if laid Negroes and other Slaves Imported into this Colony there has some Disputes arisen whether shipps wholly own'd by the Inhabitants of this Colony are lyable hy the said Act To pay the Duty of Tonnage,

to prevent therefore any Dispute or Controversy that may for the future arise on or Concerning the same. Be it Enacted by the. Antho ity aforesaid that ships or other Vessels not built in this Colony wholly own'd hy the Inhabitants of the same are & shall be liable pay the said Duty of Tonnage Given & Granted by the said Act, & Ships & other Vessels wholly Owned by the Inhabitants of the King- dome of great Britain shall be & are hereby excepted from paying the said Duty any thing in the said Act or any other Act, to tho trary hereof notwithstanding, and for the prevention of fraud? that may be made Use of to Evade & Elude the Intention of this Act and prevent Ships or other Vessels from paying the Duty Given & Granted by the said Act, Be it Enacted by the Anthority aforesaid, that it

Digi-jzedbyGoOJ^Ic

Bhall be Lawfull for the Officer appointed to Collect the said Duty Tonnage to Examine the Master upon Oath, Mate, Purser op Saper Cargoe of any Ship or Vessel in order to discover the true Owners the said Ship or Vessel and place of their habitation & any Master, Mate Purser or Super cargo refusing to be Examined upon Oath aforesaid, shall forfeit the Sum of Forty pounds Current Money of this Colony to be recovered and apply'd in the same manner aa is directed Express'd Intended & prescribed in and by an Act of Gen- eral Assembly of this Province, made in the Thirteenth Year of her late Majesties Beign entitnled an Act For Levying and paying the Several Duties therein mentioned for the Use of this Colony.

And Whereas by a Clause in the Act aforesaid, entituled an Act to Oblige all Vessels Trading into this Colony, Except as are therei Excepted, to pay a certain Duty and for the further Explanation and making more Effectual certain Claims in an Act by which a Duty is Laid on all Negroes and other Slaves Imported into this Colony, there is a Duty of Ten Ounces of Plate appointed to be paid for e Negroe Slave Imported into this Colony directly from Affrica in any Vessel not wholly own'd by the Inhabitants of this Colony, by vertne of which Act Negroes Imported in Vessels Own'd by the Inhabitants of Itrltaln are iiable to pay the Said Duty of Ten Ounces of Plate Be it therefore Enacted by the Jtathority aforesaid that for every Negroe or other Slave Imported into this Colony directly from Affrica in Vessels wholly owned by the Inhabitants of great Britain, there shall be no other or greater Duty paid than is op shall be

for each Negroe or other Slave Imported into this Colony in Vessels wholly owned by the Inhabitants of the same, any thing in the said Act or any other Act to the contrary hereof in any wise notwithstanding.

Proviijed alwaies & it is hereby further Enacted by the Anthority aforesaid, that This Act nor any part thereof shall be Constmed to Extend to make any Ship or Vessel wholly own'd by the Inhabitants of this Colony, before the first Day of September Seventeen hundred & Sixteen, liable to the Duty of Tonnage, but that every Snch Ship or Vessel wholly own'd by the Inhabitants of this Colony, on or before the said first day of September Seventeen hundred and Sixteen, Is and Shall be Kxcepted & Discharged from paying the said Duty any thing in this or any other Act to the contrary hereof in any notwithstanding.

H;–,:.tll:yG00gIC

THE SEVENTEENTH ASSEMBLY.

Seventh Session–

(Begoa April 28, 1719, 5 George I, Robert Hunter, GoTernor.)

[CHAPTER 366.]

[Chapter 366, of LiTlngstou & Smith and Tan Schaack, where the tltl« onlj Is printed. Title only la printed In Bradford, lTi{2 ed., p. I chapter aiKJ. Repealed by chapter 396.]

An Act for a Supply to be Granted to his Majestie for Supporting his Government in ye province of New York from the first day of July which Sha I be in ye year of oar Lord One thou- sand Seven hundred and twenty until the first , day of July one thousand seven hundred and twenty one.

(Passed, Jtine 24. 1719.]

FOR the better defraying the publick and necessary Charges and Expences of this his Majesties Government BE IT ENACTED by the

Governour Council & General Assembly and it is hereby Enacted by the Authority of the Same, That from and after the first day of July which shall be in the Year of our Lord One thousand Seven hundred and twenty there be Iz-vyed Collected and paid the Several & respective Dutya and Customs hereafter Specifyed which are hereby given and Granted unto his Majestie his heirs and Successors for the Space and terme of one year then next ensuing and ending tb* first day of July, which Shall be in the year of our Lord one thousand Seven hundred and twenty one Vizt:

For every pipe of Wine that Shalt be imported into this Colony directly from the place of its Growth, production or manufacture the Sum of Seven ounces and a half of plate of the Spanish Coyns of Sevil Pillar or Slexico or the Value thereof in Lyon Dollars or Dollars at thirteen penny Weight and eighteen Grains each Doltat or in Bills of Credit made Currant in this Colony and So in propor tor all greater & Smaller quantitys imported as aforesaid

For every pipe of wine Imported from any other place than that of its growth production or manufacture the Sum of fifteen ounces of plate aforesaid and So in proportion for a greater or Smaller quantity.

For every Gallon of Rum, Brandy or other Distilled Liquors imported directly from the place of its production or manufacture the Bum of fifteen grains of plate aforea'd.

For every Gallon of Rum, Brandy or other Distiird Liquors not directly imported from the place of its production or manufacture or imported in any Vessel which has Traded trafflqued or broke bulk in any other port or place after the Same has been Loaden on hoard, her and hefore her Coming into this Colony the Sum of thirty Grains of plate aforesaid (Caaea of Erident necessity only Excepted).

For every hundred Weight of Cocoa imported directly from the place of its growth or from any Island part or place of the West one ounces of plate aforesaid.

For every hundred weight of Cocoa not directly imported from the place of its growth or from any Island part or place of the West Indies two ounces of plate afores'd.

For all European Ooods imported into thte Colony from Boston twelve ounces and an half of like plate for every hundred pounds Value prime Cost and so in proportion for a Greater or Smalla quantity

For all European Goods Imported into this Colony from any other of hiM Alajesties plantations Eighteen ounces and three quarters of plate aforesaid for every hundred pounds Value prime Cost so liiipoi'ted and so in proportion for a greater or smaller quantity.

For every Negro Imported directly from Africa five ounces of plate aforesaid and no greater or Other Sum whatsoever any former or other Law to the Contrary hereof in any wise notwithstanding

For every Kegro or other Slave not imported directly from Africa the Bum of ten ounces of plate aforesaid N^roes or other Slaves belonging to the Navigation of any Ship Sloop or other Vessel and Slaves belonging to the •Neighbouring Colonies going to and from one Colony to the other on the Service of their owners Masters or Slistresses and Negro or other Slaves under the age of four years only Excepted

And Whereas debates and Controversies may arise touching and Concerning the age of Negro or other Slaves So imported be It Enacted by the Authority aforesaid that in Such Case tbe Negro or other Slave Shall be brought before any two of the Aldermen of the City of New York who Shall by iu^tection finally determine whether the age of the Said Negro or other Slave be under the age of four years or noft

For the Tannage of all Vessels trading into or out of this Colony the Sum of Seven penayweight and a half of plate aforesaid for each Tod and no greater or other sum whatsoever Coasting Sloop* belonging to the Masaachusets, Rhode Island Connecticut or New Jersey whilst their Navigation is to and from those parts, Bhlpi

...C^ooglc

directly from Great Uritaiu, Ships and other Vessels built in this (Jolony and also Such Uhipa or other Vessels as were wholly owned by the Inhabitants thereof before the thirteenth day of

June One thousand 8ev«;D hundred and Sixteen and Such Vessels as have been freed from paying the Duty of Tonnage by act or acts of the General Assembly of this province only Excepted any I<aw to ye Ck>Dtrary hereof notwithstanding.

AND ItE IT FURTHEll ENACTED by the authority aforesaid That for the more effectual Collecting the aforesaid Duties Imposed by this Act on the Tonnage of Vessels and on Negroes lu manner aforesaid the person or persona appointed or to be ajipointed for Collecting the Same Shall be invested with all and every the powers and authoritys mentioned and Contained in an Act of the Gen'l Assembly of this Colony pass'd in the thirteenth Year of her late Majesties Reign Entituled an act for Levying and [Kiying the Several Dutys therein mentioned for the use of this Colony And the said respective duties Shall be levyed Col- It-cted & paid under the Same pains penalties regulations restric- tions Conditions and forfeitures and in like manner and method as is prescribed and directed in and by the a'd Act any Law Custom or usage to the Contrary in any wise Notwithstanding.

AND BE IT FURTHER ENACTED by ye Authority afores'd That for all Bread and flower brought to his Majesties Beam and Weighed there Shall be paid for Weighing the Same unto hia Slajestie his heirs and Successors the Sum of five grains of plate aforesaid for every hundred wei^t so Weighed and for every other tiling Ooods Wares and Merchandises whatsoever brought to his Majesties Beam and Weighed there shall be paid the Sum of ten grains of plate afores'd for every hundred Weight So weighed & So in proportion for a greater or Smaller quantity.

AND BE IT ENACTED by the authority aforesaid That ail Cocoa whether imported or exported be brought to the beam oforeaold and Weighed And that there be paid unto his Majeatie Ills heirs and Successors the Sum of thirty Grains of plate afore- said for every hundred Weight of Cocoa So weighed and So In proportion for any Greater quautity,

A2ro BE IT FURTHER ENACTED by the Authority aforesaid That for the better qnd more regular Collecting and paying the Rates and Duties hereby given and Granted for the weighing the Cocoa before mentioned all and every person and persons who Blinll Export from or import into the City of New York any of the Said Cocoa of the Weight or quantity aforesaid withou

. l'.tH>J^lc

W(;i{;liiDg the same at bis Majesties Beam and Answering and paying tlie Bates and Dutys aforesaid Sliall forfeit and pay the Bum of Ten tShillinga for every hundred Weight So imported or exported as aforesaid Contrary to tlie meaning of tliis act without Wf ighing the Same at his Majesties Beam aforesaid to be recov- ered before any one of his Miijesties Justices of the peace of the suld City one half to his Majestie his heirs and Successors and the other half to him who Shall prosecute or Sue for the Same.

ANI> for the due and orderly Collecting the rates and duties before imposed on Wine Rum Brandy or other Distilled Liquors Cocoa and European Goods not bi-ought directly frMn Europe & foi- preventing frauds & Imbenilments of those rates and Duties

BE IT FURTHER ENACTED by the authority aforesaid that the Master Mate or purser of all and every Ship or Ships Vessel or Vessels that Shall ccmie into any Creek port or harbour within this pravince to trade or Trafflque Shall repair and Come to his Majesties Custome hoase and there make report of all snch parcel or parcels of Goods Wares or merchandize as he iv they hath or have on Board his or their Ship or Ships Vessel or Vessells and nlao Declare upon Oath that he or they have not broke hulk Since hit or their arrival within this province and before he or they made such report as aforesaid And all and ev^y Merchant and Merchants who have any goods Wares or Merchandize on Board any Such Ships or Vessels as aforesaid Shall at the Said Custome house make a true and distinct Entry of all and every Such parcel or parcels of Gqods Wares or Merchandize as he or they hath or have on Board all or any and every snch Ship or Ships Vessel or Vessels as aforesaid And if any difference shall arise touching and Concerning the Value of European Oooda not hi-ought directly from Europe So Entered the Collector tor the time being or his deputy is hereby authorized end required to administer an Oath to all and every Such person or persona mak- ing Such Entry as aforesaid That the said Entry Is according to the Invoice or Invoices Sent to him or them from the place or places from whence Such goods or merchandizes did come And if the Collector or his Deputy shall not rest Satisfyed therewith the Sferchant or Merchants entring such European Goods Shall give proof upon oath of the Value at the Same as near as may be

ard pay the duties accordingly.

AND BE IT FURTHER ENACTED by the authority aforesaid that if any Master or purser of any Ship or Vessel whatsoever or any merchant fact™* or other S^iall break bnlk or Land any goods

Wares or Merchandize whateoever before he or they make report & entry and pay and Secure to be Paid the duties hereby imposed, All the goods So landed or taken from on Board without or before report and Entry made Shall be forfeited one third part whereof to be to his Majestie his heirs and Successors to be apply'd to th Support of bia Majesties Governm't in this Colony, One third part to the Governor of this Colony for the time being and the other third part to the person who shall Sne for the Same by Bill plaint or information in any Court of Record within this province where no Esaoyn protection or Wager of Law shall be allowed,

AND BE IT FURTHER ENACTED by the authority aforesaid ' tliat all & every person and persons importing into this province any European Goods Cocoa Wine Rum Brandy or other distilled Liquors Shall upon entering the Same pay to his Majestle hia heirs and Successors the Duties hereinbefore given & granted thereon or in Case ye Duties Arising by this act upon Such importation Shall amount to abo^e the Sum of four pounds shall well & Bufilciently secure the Same to be paid as aforesaid within the Space of three months from ye day of ye Entry thereof And if any person or persons shall refuse or delay to pay or secure to be paid the Said Duties That then and in Such Case it Shall and may be lawfull for the Collector to take and Detain the Said European Goods Cocoiii Wine Rura Brandy or other Distilled Liquors for the Space of three months or until! the duty given by this Act is and Shall be paid and Satisfied And if the Duties be nci paid within the Said three months that then the Collector Shall and may at the Expiration thereof Expose to Sale the goods Wares and merchandizes so detained returning to the owners the overplus if any be, the duties and Charges of the Sale being first Deducted.

rROVn>ED always and it is hereby further Enacted That if the owner or importer of any Cocoa Shall upon the Importation thereof, Enter into Bond to hia Majestie with SufBcient Surety in the penalty of Twenty pounds for each Tun, to Export the Same

or any part thereof directly to Great Britain within the Space of fllfteen months from the time of its importation That then and In Surh Case the owner or importer Shall pay the aforementioned Duty or Dntys for no greater or other quantity than Such as he Shall not as aforesaid enter into Bond to Export in manner l)eforementioned And in Case Such owner or Importer Shall neg- lect or refuse to Export the Quantity which he or they, ahall ao

DgizedbyGoOgiC

as aforesaid, oblige themaelvta to Export within Ihe time men- tioned in the Bond, Tliat then he or they Shall pay the aforesaid Duties respectively given on the said Cocoa and be Debarre'd frani the benefit of any Drawback thereon, tho' he Bhould at any ttnie after Export it And to prevent any frauds or abuses, the Exjwrter of any Cocoa Shall at the time of his Entering the Baiue for Transportation make Oath that the Same is all or such part of Such a parcel or quantity of Cocoa, imported into this proTlnce at Snch a time in Such a Vessel from Such a [dace Expresdug tlie pai-cel or quantity of Cocoa imported the time when the Ves- sels name and from what place, or if the said Exporter shall have bought the Cocoa So by him Entered for Exportation from any other person or persona in this province, then he Shall give proofF by the person or persons from whom he bought the same, or by the person or persona who imported the Same, That the Said Cocoa, So by him Entered for Exportation is all or such part of Such a parcel or quantity of Cocoa imported into this province at Such a time in Such a Vessel from snch a place Expressuig the quantity imported the time when the Vessels Name and from what place as aforesaid.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Several and Respective Duties hereby laid and given Shall be paid to the Treasurer of this Colony for the time being who is hereby impowered to receive the Same.

AND BE IT FURTHER ENACTED by the authority aforesaid that upon the importation of any European Goods Cocoa Wine Kum Brandy or other Distilled Liquors aforesaid the owner or owners Importer or Importers thereof Shall give to the said Treasurer a Coppy of the Entry of the respective quantitys of the

Several goods aforesaid, So by. him Entered with the Collector and pay or Secure to be paid for the Same the Dntya aforesaid And that upon Such payment or Security given the Said Treasurer Shall give to the Importer or owners aforesaid without fee or reward a Certificate Signifying that the Duty for Such and Such Quantities of Goods Wares and Merchandizes as are by him Imported are paid or Secured to be paid upon which Certificate the Collector Shall permit the owner or owners Importer or Importers to Unload and Land the Said Goods Wares and Merchandizes and not otherwise.

AND BE IT PLTtTHER ENACTED by the authority aforesaid that tlie aforementioned Duties on Negroes and the Tonnage of Vessels and the Duties given for Weighing at his Majesties Beam

...C^ooglc

Bhall 1)6 paid to the said Treasurer by the respective officers appointed or to be appointed to Collect and Receive those Dntiea when and So often as they Shall be thereunto respectively required by the Said Treasurer whose Receipt shall be a Sufficient diticbarge tor the Same

AND BE IT FURTHER ENACTED BY the Authority atore- said that the Treasurer of this Colony for the time being ehall pay or Cause to be paid all and every sum and Sums of money tliat shall Come to his hands by Virtue of this Act and not par- ticularly disposed of by this Act to Such person and persons and In Such manner as he shall from time to time be directed by Warrant or Warrants to be pass'd in Council under the hand and Seal of the Govemour or Commander in Chief of this Colony for the time being by and with the advice and Consent of the Bald Council, which warrants Indorsed by the persons to whom they are made payable shall be a Sufficient Discharge to the said Treasurer which Warrants Shall be Numbered and paid in Course according to their Niunber. And to the End the Treasurer may at all times know what Warrants are Drawn the Clerk of the Council for the time being is hereby directed and required imme- diately after the Drawing of any Warrant or Warrants to Sig- nifle to ye Treasurer under his hand, the Name or Names of the person or persons to whom Such Warrant or Warrants are made

payable together with the Sums and numbers of the Same.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer of this Colony Shall pay or Cause to be paid in Bills of Credit made Currant in this Colony to all and every the Mem- bers of the General assembly of this Colony Ten Shillings per Diem for each day they have Served or shall Sen-e from the first day of this iwesent Sitting of Assembly to the Expiration of the Same according to a Certificate to be produced to him by every of the said Mpmb*'ra Signed by the Speaker of the said Assembly f jr the time being Expressing the Number of Days that each member has attended the Service of the said General Assembly And the receipt of each of the said members Endorsed on his Certificate Shall be a Sufficient Discharge to the Said Treasurer for So much.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Certificate for the Speakers Service in the house Shall be Signed by the Majority of the house and the Treasurer ia hereby ordered to take notice of it and pay it accordingly And the said Speakers receipt Shall be a Dlschai^e to the Said Treasurer for BO much.

. '.'.oogle

AND WHEREAS by ao Act of the General assembly of this Colony pass'd in the first year of Uis present ilajeatieB Beign Eutituled an Act for a Supply to be granted to his Majesty for Supporting his Government in the province of New York and for Striking Bills of Credit for that purpose it is amongst other things Enacted tliat the Treasurer of this Colony shall Yearly retain in his liiinds the Sum of Three Thousand Ounces of Plate out of the first money Yearly arising by Virtue of Said Act, which Said Snm of three thousand ounces of plate so retained in his hands shall yearly and every year on the first day of July by the Treasurer aforesaid be given in Exchange for Bills of Credit made Current by said act to any person or persons bringing in the Same and that the Said Bills of Credit shall on or before the Expiration of one Month after the Said first day of July Yearly be Sunk and Desti-oyed in the presence of Robert Walter John Cruger David Provoost Junior and John Read or the Major part of them alive

In order therefore that the Treasurer of this Colony may be Enabled to pay the Representatives as above is ordared and iJirected.

BE IT ENACTED by the authority aforesaid that the said three Thousand ounces of Plate which by the said Act is Directed to be Sunk on or before the Expiration of one Month after the flret day of July One Thousand Seven hundred and Nineteen Shall not be Sunk at that time hut that the Said three thousand Ooncea of Plate Shall be Sunk and Destroyed in the manner afore in the Said act Directed before the Expiration of one Month after the Month of July which Shall be in the year of our Lord One Thoo- sand Seven hundred and Twenty Any Law to the Contrary hereof Kotwithstanding.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Treasurer of this Colony for the time being Shall retain In his hands the Sum of Five pounds tor every hundred ponnds received and paid by him as a reward for his Service in receiving and paying the Moneys to be received and paid by him by Virtne of this Act and that has been received and payed or that Shall "be received and paid by Virtue of an act of the General assembly of this proviuf^e passed in the Year One Thousand Seven hundred niid fifteen and Entituled an Act for a Supply to be Granted to his Majestic for Supporting his Government in the province of New York and for Striking Bills of Credit for that purpose and for the disposition of The Publick Money Lodged in his hands by

Digi-jzedbyGoOgiC

Ylrtue of this or aoy other act of the General aseemblj of tliis lirovJDce tlie Said Treasurer shall be accountable to the Governor Council and General assembly of this province or either of them when required thereto Any thing in this or any other Act to the Contrary Xotwithstanding.

[CHAPTER 367.]

[Chapter 367, of LlvlDgeton & Sulth and Vao Sctaauck, where the titl oul; Is printed. Friutcd In full lu Bradford, 1732 ed., p. 183. See 2U. lUvlved by chapter 493.]

An Act for Reviving an Act entituled an
Act for the Regulating and returning able &
SuCBcient Jurors in Tryals at Law.

[Passed, June 24, ITIB.]
BE it Enacted by his Excellency the Oovernour Council and
Ofueral Assembly and by the authority of the Same. That one
Act cntituled an Act for the Regulating & returning able and
Sufficient Jurors in Tryals at Law, made in the Eleventh Year o(
ihe Reign of our late Soveraigne King William the third of
Glorious Memory, expired by its Lymittation shall be and Is
hereby Enacted by the authority aforesaid to be Revived and of
Force for and untill the first day of July which flhall be in the
Year of our Lord, One Thousand Seven hundred and Twenty Six.

[CHAPTER 308.]

[Chapter 368, of T.lvlOfstou & Sailth and Van SchHacb, where the tit
only 1b printed. Title ouly Is printed in Bradford, 1T32 ed., p. 18
chapter 320. Continued by chapter 399.]

An Act reviving an Act entitled an Act
for Laying a Duty on Goods Sold by Auction,
Vendue or Out-Crv.

[Passed. June 24, ITlO.j
Be It Enacted by the Goveraour Council & General Assembly,
& it is hereby Enacted by the Authority of the same, That an Act
entituled an Act for Laying a Duty on Goods sold by Auction,
Vendue or Out-Cry, made in the third Year of his now Majesties
Reign, expired by its Lymittation, shall continue & be in Force
until the fourteenth day of Sfny, which shall be in the Year of ou
Lord, One Thousand Seven hundred and Twenty One.

Lc;-,:.tll:yC00t^lc

LAWS OF THE COLONY OP NEW YORK.

[CHAPTER 369.]

[Chapter 3(t9, of LlrlngstoD & Smith and Van Schaack, where the titl

only is printed. Title only Is printed in Bradford, 1732 ed., p. 18 June 24, 1721, but provided for by chapter «14.1

An Act Laying a Duty on all Emp^
Casks Imported into this Colony.

[Paased, June 24, 1719.]

WHEREAS the Importation of great qnantitiee of Empty Caska out of the Neighbouring Colonies into the City of New York by Experience is found to be verj' hurtfuU to the Co«q>er8 Inhabiting tlie Said City and will Lay the said Coopers under a necessity of deserting their habitations and Employments, which will be a great Discouragement to the Trade & manufacture & of great Inconveniency to the Inhabitants of the same. Be it therefore Enacted by the Ooveruour Council & General Assembly and it is hereby Enacted by the Authority of the Same, that there Shall be paid by the Importer of the Same for every Empty Caake Tiuported into this Colony from any of the Neighbouring Colonies Viz for every Tlte Hi^shead the Sum of one Shilling, for every Tite half barrel, anker, half anker or other Tife Cask nine pence for every flower & bread barrel the sum of one shilling for every llower or bread half Barrel Six pence and the Dockmaster of this City is hereby Impowpred and required to Collect and Gather the Said Duty arising by Virtue of this Act, and one half part thereof to the Treasurer of this Colony for the time being to be applyed towards the Support of his Ma'tys Government in this Colony, and take to himself the other moiety thereof, for Collecting the Same.

And be it further Enacted by the Authority aforesaid that in Case any Empty Caske Shall be made appear before any one of tbc Aldermen of this City, by the Oath of any Credible Witness, to be Landed without first paying and Discharging the duty for o;(ch Caske as by this Act is directed & appointed, every Such Cjisk Landed as aforesaid Shall be adjudged forfeited, the one half to any Person that shall Informe & sue for the Same, and the other to his Sta'ty to be applyed towards the support of This Onvernment.

This Act to Continue in force for the Terme of two Years from the Publication thereof and no Longer.

Lc;–,:.tll:yG00gIC

tCHAPTEB 370.] ,

[Chapter 370, of LIvlngBton & Smftli and Van Schaack, where the titl only Is printed. Printed la full In Bradford, 1732 ed., p. 183. See 156. Revived by chapter 483.]

An Act for Eeviving an Act entituled an Act for Begulating Slaves.

[Passed, June 24, 1710.]

BE it Enacted by liis Excellency the Governoar Council and General Assembly and by the authority of the same, That an Act, entituled, an Act for Regulating Slaves made in the first Year of Queen Anne of blessed Memory, expir'd by its owne Lymittation, shall be and la hereby Enacted by the authority aforesaid, to be revived and of Force, until the first day of July, which shall be the Year of our Iiord, One Thousand Seven hundred and Twenty Six.

[CJHAPTER 371.]

[Chapter 871, «f Livingston & Smith and Van Schaack, where the title only la printed. Title only Is printed In Bradfoi-d, 1732 ed., p. 1 chapter 823. Elxplied December 25, 171&.]

An Act reviving an Act entituled an Act appointiug an Agent for this Colony at the Court of great Britain & for raising of money Annually to defray the Charge thereof in the roome of John Champaaty Esq'r Dece'd.

[Passed, June 24, 1719.]

Be It Enacted by his Excellency the Govemonr, Council and Qeueral Assembly and by the Authority of the same. That an Act entituled an Act appointing an Agent for this Colony at the Court of great Britain and for raising of money Annually to defray the Charge thereof in the roome of John Champanty Es(j'r Deceas'd, made in the third Year of the Beign of His present Ma'ty expired by its own Lymittation, shall be and is hereby

Enacted by the Authority, aforesaid to be Reviv'd, and of Force until the Twenty fifth Day of December which Shall be in the Year of Lord, One Thousand Seven hundred & Nineteen.

IbyCoOt^lc

LAWS OF THE COLOMY O*' KEVV YORK.

. [CHAPTER 372.]

IChapter 372, of Livingston & Smith ftnd Vnn Scbaack, where the titl only la printed. Printed In full in Bradford, 1732 ed., p. 185. Sea cUtipter 27a]

An Act for repealing an Exception or Provlsoe mentioned & expreBsed in one Act of General Assembly, entituled an Act for the better laying out, r^alating, Clearing & pre- Berring publick Comon higbways in tbis Colony and for tbe Erecting & Building a County Goale & County House in tbe County of Richmond.

[Passed, June 24, 1719.)

WHEREAS in an Act entituled an Act for the better laying <iut regulating Clearing and preserving, Publick common Iiigb- w ays in this Colony & for the Erecting & building a County Oonle & County House in the County of Richmond, passed in third Year of the Reign of the late Queen Anne. It is amongst other tbiogs Enacted, That the great Road within the County of Richmond, shall only extend in breadth Four Rod English Measure & no iiKire, the lesser Buads in the said County Shall be of tbe breadth of three Rods English Measure & no more. Except & always Piovided whei^ & when a Road is or shall be directed & laid out thro' any Persona Land who by his Patent is Obliged to allow a greater Breadth for Roads & highways. Several unhappy Differences having arrisen amongst the Inhabitants in the said County occasioned by the said Provisoe concerning the said Leaser Roads, To prevent therefore any further Difference that shall or may arise in or about the lesser Boads in the said County It(it Enacted by the Oovemour Council & General Assembly

and by the Authority of the same, That the said Exception Pro-visoe or Clause in the said Act mentioned for the breadth of the lesser Roads in the County shall be & is hereby repealed made null void & of none Effect. And the said Lesser Roads in the County aforesaid shall be of the breadth of three Rodd & no mat^ any thing in the said Act, or any other Act, contained to the Contrary thereof in any wise notwithstanding.

jdbyGoOgic

[CBAPTEE 373.]

[Chapter 373, of LtTlngaton & Smith and Van Bchaack, where the title only is printed. Printed In fnll in Bradford, 1732 ed., p. 181. Wha act relates to Weetcheeter count7 expired June 24, 1724, and as to counties June 24, 1722, Revived as to Queens county by chapter 442

An Act to authorize the Justices of tlie Peace to Build & Repair Goales & Court Houses in the Several Countjs of this Province.

[Paaaed, June 24, ITlft.)
WHEREAS Several Gtoales & PriBons within this Province for want of due repair, are become prejudicial to the Health of the Prisoners, & Insufficient for the safe Custody of them, and in some of the Countys within this Province there are not Houses or Places Erected at the Puhlick Charge, for the keeping & holding of Courts and many of those so Erected are Inconvenient for that purpose, which proves a great Obstruction to the Publick Admin-istration of Justice, in order therefore that Convenient, Court Houses may be Erected where they are wanting, & those made Convenient that at present are not so, and that the Ooalos in the Several Countys of this Province may be made Convenient and Biifficient, for the preservation and safe Custody of such Pris-oners, as are or shall be put into them. Be it Enacted by the Governour Council and Assembly and it is hereby !E)nacted, by the authority of the same, That it shall & may be LawfuU for the Justices of the Peace or the greater Numl>er of them, within th Limits of their Commissions upon presentment of the Grand Jury or Grand Juries at the General Sessions of the Peace or General

Goal Delivery, held for the said County (or upon their owne view) of iie Insufficiency or Inconveniency of their Goal or Prison or the Inconveniency of their Court House (& in case there be no Court House or Goal in the County for which they are Justices) to Conclude & agree upon such Sum or Sums of mony as upon Examination of Sufficient & able workmen shall be thought necessary for the Building, flniahiug or repairing a pnbltck Goale or Goales or Court House belonging to the County of which they are Justices of the Peace, which Sum or Sums of money bo Concluded & agreed upon shall by the Assessors of the said County be Charged upon the Inhabitants of the same, by even & Equal Portions according to their Several Estates, to be Levied for the Uses aforesaid. And the Justices of the Peace are hereby Authorized & Impowered at the General Sessions of the Peace
129

..Goot^lc

1026 LAWS OP THE COLONY OF NEW YOBK.

lield for each respective Connty to direct their Warrants or Pre-cepts to the CollectOTB, High CoDBtables, Petty ConBtablea, BajliA or other officer or Officers, as they in their Discretions shall thi moat Convenient for Levying the Same. And be it further Enacted & Declared, that if any Person or Persons stiall refuse or neglect piiy his or their Assessment by the space of Fourteen days after Dt-mand thereof by the propper Officer appointed to Collect the same, then it shall & may be Lawful to and for the said Col-lectors by Warrants from any two of the Justices of the Peace present at the said General Sessions as aforesaid, to Le^y the tium Assessed by distress and sale of the Goods & Chatties of Biich Persons so refusing or neglecting to pay, & the Goods & Chatties then & there found & the distress so talen, to keep by the apace of Six days at the Costs & Charges of the owner tbereof & if the said Owner do not pay the Snm or Sams of mcmy bo rated or Assess'd within the Space of the said Sax Days, then the said Distress to be sold by the Collector at a Publick Out Cry or Vendue for the payment of the said money & the Overplas of such Sale (if any be) over and above the Sum so Assessed, & Cliarges of taking & keeping the said Distress to be Immediately returned to the Owner thereof, & the said Justices of the Peace are hereby Authorized and Impowered under their hands and Seals or and^ the hands of the greater Number of them, to agree

with Constitute & appoint one or more Sufficient person or per-
sons to be Receiver of the money so Assessed, the said Receivw
OP Receivers first Giving Security to be accountable when there-
unto required, for all Sums of money received and Disburst by
him or them in pursuance of such order aa he shall have received
rnder the bands & Seals of the Justices of the Peace or the
greater number of them, and if the said Receiver or Receivers,
high Constable, Petty Constable or other Officer, shall by the
Space of Six days after demand, refuse to account for all Sums
of mony Received by them in pursuance of this Act, then it shall
& may be Lavrfull for the Justices of the Peace or the greater
number of them to comit him or them to Prison, there to remaine
without Rail or Mainprize, until he or they shall have made &
true Account Satisfied or paid, Such Sum or Sums of money
as shall appear to remain in his or their hands, & the receipt of
such a Receiver shall be a sufBcient Discharge to all high Con-
stables, Petty Constables or other Officer or Officers, paying Such
Sum or Sums of money as they have Collected by Virtue of this
Act, & the Discharge under the hands & Seals of the Justices

■oo;ilc

of tbe Peace or the greater Number ot tliem at thdr General Sea-
sloDS to Such their Beceivers, ahal be deemed & allowed as a good
& sutBcient Release, acquittance or Discharge in any Conrt of
Law or Equity^ to all Intents & purposes whatsoever, & the said
Justices of the Peace are hereby Authorized & Impowered or the
greater Number of them at their Sessions, to Covenant, Contract
and agree with any Person or Persons for the well & SufQcieut
itnildiug, Finishing or Repairing of the said Ooale or Goales or
Court House in the said Conn^ to be Bnilt, Finished or Repaired

And be it farther Enacted by the Authority aforesaid, That
If any Action, Suit Plaint or Information shall be prosecuted
against any Person or Persons for what he or they shall doe in
pursuance or in Execution of this Act, Such Person or Persons
80 sued in any Court whatsoever, shall & may plead the General
Issue (not Guilty) & upon any Issue Joined, may give this Act
& the bjpecial matter in Evidence, & if the Plaintifi or Prosecutor
shall become Nonsuit or forbear further Prosecution or suffer
a discontinuance, or if a Verdict pass against him, the Defend-
ants Shajl recover double costs, for which they shall have the like

remedy, as in any Case where Costs by Law are given to Defendants.

Provided alwaies & it is hereby farther Enacted, That this Act nor any part thereof, shall be oonstmed to extend to the Counties of Orange & Richmond within this Province. This Act to con- tinue & be in force in the County of West Chester for & during the term of Five Years from the publication of this Act & no longer, & in the City and County of Albany & the rest of the Counties not Excepted in this Act, for & during the Terme of Three Years from the Publication of this Act & no longer.

ICHAPTER 374.]

rChapter 374, of LlrlDgstoii & Smlt'i and Van Schnapk, wln-rc the il only Is printed. Title only 1b printed In Bradford, 1732 ed., p. 18 June 24, 1724.]

An Act for destroying Wolves in Dutchess Couuty.

[Passed. Jnne 24. 1710.]
WHEREAS the Inhabitants of Dntchess County suffer great Losses in their Stocks of Horses and Neat Cattle by the Increase of Wolves in the said County for preventing which & Incouraging those who shall destroy Wolves in the said County.

RE it Enacted by his Excellency the Govemonr, Council and Gen- eral Assembly, and it is hereby Knacted by the Authority of the same That every Person or Persons Inhabiting in the said County who

shall kill any Wolf & Carry tlie head thereot to any Justice of th Peace in the said County, Such Jnatices shall give lilm or them a Certificate to the Treasurer of the said County, who upon si{;ht thereof shall pay to the said Person the Sum of Ten Shillings Carre money of this Colony, & to any Indian so killing any Wolf and ta^g Such Certificate as aforeaaid the Sum of Five Shillings mony aforesaid.

And be it further Enacted by the Authority aforesaid, That for defraying the necessary Chains of Destroying of Wolves, there be Raised, Levied, Collected & paid by the Freeholders Inhabitants

Residents & Sojourners of & Inhabiting in the said County, Sach Snm or Sums of money as the Justice of the Peace & Superviaora of the said County or the Major part of them for the time being, shal seone requisite & the necessary Charges for the Same aforesaid in such way & in like manner, and nnder such pains & Forfeitures & under such Begulations & Directions as all other publick & neces- sary Charges of the said County are by Law raised. Levied. Collected & paid, any Usage or Cnstome to the Contrary hereof notwithstanding.

And be it farther Enacted by the Authority aforesaid. That this Act shall be & continue in force for five Years from & after the cation hereof and no Longer.

[CHAPTER 375.]

An Act for Annulling and making void a fraudulent Conveyance of ?Jary Davenport, made by her while she was sole, by the Name of Mary Mlserol, to one James Brown, of Certain Lands Goods and Chatties late belonging to John Miserol her former husband Deceased.
[Passed, Juno 24, 1710.1
FORASMUCH as Mary Davenport while she was Sole by the Name of Mary Miaerol by Sinister Insinuation & practices was pre- vailed upon and induced to Execute one Deed of Conveyance bearii^ date the Beaventecnth day of November in the year of our Lord One Thousand Seven hundred and thirteen, of a Certain House, Grist- mill and ffarm Commonly called or known by the Name of Turtlebar ffarm Scituate and being in the City and County of New York and of three Slaves vizt. Tom and Joe two Neiicroe boys, and Betty s

S.

N^roe Girl and also of a Certain piece of Land lying against Jtirja NagelB point containing about ten Acres Also one other piece of Meadow Land lying over against the said Juryau NageU land Con- taining about two acres more or less Both which two pieces of Land last mentioned are to be Esteemed and taken to belong to Tnrtlebiy ffarm aforesaid, And also one other peice of upland lying in New

Bushwick between John prices Land and Francis Titus's Land Con-
taining about forty five acres and a half be the same more or leas
all the Cattle Stock Slaves and all other the pieces and parcels of
Land poesessed by said John Miserol at ye time of his Death, withou
any real or valuable Consideration, fraudulently to defeat and
Deprive the petitioners John Cornelius, Margarita, Deborah and
Janetie the Children & heirs of the said John Miserol of their lawf
Bight and Title to the Same Lands Tenements Hereditaments Gtoods
and Chatties as well Descending and answering by the due Course
of Iaw, as by the Last Will and Testament of the said John Miserol
tlieir ffather Dece'd.

BE IT theref(H% Enacted by his Excellency the Oovernonr Council
and Genera! Assembly and by the Authority of the Same That the
said Deed of Conveyance, and every Clause, matter and thing there
in Ezpress'd and Contained and all mean Conveyance made by force
or Colour of the Bame, Are hereby Declared to be fraudulent and as
such are hereby Enacted and Declared to be Vicious, Null and Void
to all intents and purposes, and the said petitioners John, Cornelius
Margarita, Deborah, and Janetie the Children aud heirs of ye said
John Miserol dece'd are hereby Enacted and declared to have the
Same Claim Bight and title Interest & Demand as if the same fraudu-
lent Conveyance had never been made or Executed any thing to ye
Contrary hereof in any wise notwitbetanding.

PROVIDED That nothing In this Act shall be Construed to Debar
the Just Claim of any Creditor any thing herein Contained to the
Contrary in any wise notwithstanding.

[CHAPTEE 376.]
[Chapter 376. of LlvlngBton & Rmltb anil Van Scbnack. whore the titl
only Is printed. This act is not printed In Bradford, 1732. ed.
Jnne 21, 1721.]

An Act to prevent Kams rnning at Large
in the Township of Hempstead in Queens
Coonty.

[Paaaed. June 24, 1718-1
WHEREAS the Township of Hempstead having lar^e Plains &
Comons, the Inhabitants permit their Bams to run at large, by

.„ Google

reason whereof, the Ewes, Lamb at uDseaeonable times to tbe great prejudice of the eaid Inhabitants. Be it therefore Enacted by his Ezcelleocy the GoTemoor Ooancil and General Assembly, and it is hereby Enacted by the Authority of the same. That Bom or Bams mning at large from the first day of June, till the Twenty fourth day of October yearly, on the Plains & Comons belonging to said Township, shall be carried to the Pound of the said Township & there Sold by Publick OntCry to tlie highest bidder, by the Pound keeper, who detaining one shilling for pounding each Bam & shall pay to the person that delivered such Bam, tbe one half of the remainder of what the said Lamb shall be sold for, & the other half th^eof to the Church Wardens ot the said Town for the time being, for the Use of the Poor of the Town to be paid tbe said Poor, by direction of one Justice of the Peace & one of the Vestreymen for the time being. Inhabiting in the said Town. This Act to continue for Two Years from the Publication thereof & no longer.

[CHAPTER 377.]

An Act for Building a Bridge over the Creek or Kill called Kinderhooks Creek ac Kill in the County at Albany and for Altering the highway in that part of the s'd County.

[rasaed, June 24, ITld.]
WHEREAS the highway that now goes orer the Kill or Creek commonly called or known by the name of Kinderhooks Creek or Kill in the County of Albany is found to be inconvenient and unsafe for Travellers by reason of floods and overflowings of water at certain Sinsons of the year in order therefore to render the Said Boad or highway safe and Convenient for the future

BE IT ENACTED by the Oovernour Council and General Assembly of this Colony and it is hereby Enacted by the Author-ity of the Same, That the Justices of the peace Inhabitants of Kinderhook Claverack and the Mannor of Livingston or the greater Number of them are hereby Authorized and impowcred ti meet at such Convenient time and place as to them Shall Seem most fit to Consult and agree upon what Sum of money not Kxceeding Eighty ounces of plate they shall think to be neces-

snry for the Erecting and building a good Strong and Sufllciont

. '.iooglc

Bridge over the Haid Kill or Creek of Kinderliook in Such place ot the Said Creek as the Justices aforesaid or the greater Dumber of them SliaJI Judge to be most Convenient for that purpose which Sum of luoue^' So agreed on Shall he equally and in due proportion assessed upon the Inhabitants of Kinderhook Claveraclj ui'd the Mannor of Livingston by the Assessors of the Same and Hvyed by their respective Collectors by Warrant from the Said Justices or the Greater Number of them and paid by the said Collectors To a Treasurer to be appointed by the said Justices.

AND BE IT ENACTED by the authority aforesaid that it shall and may be lawfull for the Justices aforesaid or the Greater Number of them and they are hereby impowered to Contract and agree with Workmen and others for the Building and finishing tlic Said Bridge and for materials for the Building of the Same uud to appoint one or more person or person to inspect oversee direct, and from time as they Shall see occasion to order payment t.i be made for materials for the Same or to the Workmen Employ'd upon the Same, as the money by agreement to be paid to them Shall become due, and the Treasurer aforesaid is hereby directed nod required out of the money coming to his hands by Virtue of this Act to pay Such Sum or Sums of money as from time to time Shall be ordered and directed to be paid by orders under the hands of the said Director or Directors appointed by the Justices aforesaid.

AND BE IT ENACTED by the Authority aforesaid, that from henceforth the Kings highway or Boad shall go by the house of Cornelius Martense and So Straight through the Woods along by Dirick Meese and So along to the bridge aforesaid hereby Directed to be Built and from the Said Bridge to the Kings old road which goes from Kinderhook to the green Bush over ag't Albany.

AND WHEREAS it is found by Experience that in the County of Albany the Length of the Axle trees of {he Waggons Carts and other Carriages are found very much to differ whereby the Kmgs Roads are Spoiled, The Rutt or Track which one wa^on

makes being Several inches narrower than that w'ch is made by another and that Such inconveniencea may be prevented for the future.

BE IT ENACTED by the Authority aforesaid that in the Space of Ten months after the publication of this Act All Waggons Carts or other Carriages which are used in any of the Kinsirs hiffhways in the County of Albany Shall be so made that the Rutt or Track which they Shall make from outside to out-

Coogic

Bide to be four feet and Ten Inches English, measure and no more or leas upon the penattj of Ten Shillings Currant money ot this Colony to be Paid by the owner or driver of the Waggon Cart or Carriage to he Destrained by one Justice of the peace by the Evidence of one or more Sufficient Witness or Witnesses or upon his own Tiew which Sum So forfeited Shall be for the Cooatable or any other person who Shall Sue for the Same This Act to Continue to the first tuesday in June which Shall be in the Year of our Lord One thousand Seven hundred and twenty two and no longer.

[CHAPTER 378.]

[Chapter S78, of Livingston & Smith and Van Schaack, wbere the UUe 0DI7 is printed. Title only Is printed In Bradford, 1T32 ed., p. 18 June 24, 1T2L}

An Act for raising the Quantity of Sixty Ounces of Plate for the Township of Schenec- tady Id the County of Albany.

[PSBBed, June 24, 1719.]

BE it Enacted by the Qovernour Council & General Assembly and it is hereby Enacted by the authority of the same. That it shall & be Ijawfull to and for the Justices of the Peace for the County of Albany dwelling in the Town of Schenectady and Precincts thereof of the Major part of them, to rasie and Levy upon all and ev^y tt Freeholders, Inhabitants and Sojourners, Inhabiting & dwelling

within the said Town and Precincts thereof. Yearly and Once in every Year, during the continuance of this Act, tor the Use of His Ma'ty his Heirs & Saccessors Thirty Ounces of Plate to be Imployed by the said Justices for and towards the Extraordinary Charges, that fhall or may happen on the said Township.

And be it further Enacted by the authority aforesaid, That the said Justices do cause the .issessors of the said Town and Precincts thereof by Warrant under their hands & Seals that Thirty Ounces of Plate part thereof be raised on the first Tueday in December, One Thousand Seven hundred & Nineteen, & Thirty Ounces of Plate in December, One Thousand Seven hundred and Twenty, and to be Col- lected and paid as by them Shall be Directed at the Same time as t allowance for their Representative shnll be raised and this Act to continue for two years from the Publication thereof.

Digi-jzedbyGoOgiC

LAWS OF THE COLONY OF NEW YORK.
[CHAPTEBI 379.]

An Act to enable the Precincts of Havei^ straw in the County of Orange to Elect a Snper- visor a Collector, two AssesBors, one Constable & two OverseerB ot Highways,

IPaesed, June 24, 1719.]
WHEREAS Several Friocipal Freeholders and Inhabitants of Haverstraw In the County of Orange in behalf of theiuBelves & others liLve by their Petition to the General Assembly, pray'd they may be enabled to Elect one Supervisor, one Collector, two ABSessors, one Constable & two OverseerB of the highways by reason of their great Distance from Tapan in the said County. Be it therefore Enacted hy his Excellency the Governour, Council & General Aaaembly, & by the ouUiority of the same, That from after the Publication of this Act, That it shall & may be Luwfull for the Inhabitants of the Districts Pi'ecincts of Haverstraw in the County of Orange, from the Korth- most bounds of Tapan, to the ^forthermost bounds of Haverstraw, and they are hereby required and Impowered to Assemble and meet together at the most Convenient place in the said Districts or Pre- cinct on the first Tuesday in April Annually, & there by pl)irality Voices to Elect & Chuse among them, one Supervisor, one Collector

two AsBessOFB, one Constable & two Overseers of the Highways, & the »aid ofQcers so Chosen shall be of the Principal Inhabitants and Fre holders within the Districts abovesaid and also be Invested with all the Powers & be Obliged to such Services & Duties as all other suc like OfQcers in the County of Orange aforesaid are Impowered & Obliged to do, & the Assessors & Supervisors so Chosen shall Act In Conjunction with the rest of the like Officers in the said Count when and as often as Occasion shall require, any thing to the Con- trary hereof in any wise notwithstanding.

[CHAPTER 380.]
[Cbftpter 380, at Livingston & Smitb and Van Schaack, where the titl only Is prtntd^. Printed la fall In Bradford, 1732 ed.. p. 183. by chapter B52.]

An Act to Elect Supervisors In Dutchess County.

[PaBBed, June 24. I71D.]
WHEREAS by an Act made in the Twelfth Year of the Reign of the late Queen Anne entituled an Act for Dutchess County to Elect
130

.., Google

a SnperriBca: a Treasarer, Assessors and Collectors, the Coun^ since beiog Increas'd in Inhabltunta & Settlements made, now toe the more Ease & better defraying the publick Charge of the said County.

HE it tlierefore Enacted by the Govemour Council &, General Assembly, & it is hereby Enacted by the authority of the sam^ that from & after the publication of this Act, the said County shall be divided into three Divisions. The South Division to b^n at the South side of the Highlands & Northward to the Wapaingers Cre^ the Midle Division to Ijegin at the aforesaid Wapaingers Creek, & so Northward to the Cline sopaa Island, & the North Division to begin on the Northside of the Midle Division, and ending on the Norther- most bounds & extent of the County, & for the Iwtter advantage & more easy adjusting the Accounts of Taxes in the said County & |)ayment8 of the County Cliarge.

Ite it Enacted by the Authority aforesaid, That the Inhabitants of every respective Division are hereby required and authorized yearly and every Year upon the publick Election, being the first Tue dny in April, to Elect and appoint in every Division a Supervisor f Ihe said County, who sliall have the same power, function and author ity to raise publick money to defray the necessarj' Charge of the County and also adjust the Charges of the same, as all other Super- viaon of .this Colony by law have, or ought to have.

(OHAPTEB 381.]

An Act for Naturalising Tedeus Beek- mao Jan Van Taerlingh and Piet^ Vander LyiR

tPaBB«d, June 24. ITld.]

WHEREAS Tedeus Beekman Jan Van Taerlingh and Pleter Vander Lyn have by their petitions to the General Assembly of the province of New York Desired they may be Naturalized and become. his Majesties Good Subjects ■

BE IT THEBEFOBE ENACTED by his Excellency ye Govemoar Council and General Assembly and by the Authority of the same

Digi-jzedbyGoOgiC

That tlie said Tedeus Beekman and Jan Van Taerlingli and Pieter Vander I^n are hereby Declared to he Naturalized to all iatents CoBBtruGtious and purposes whatsoever And from henceforth are and at all times hereafter shall be Entituled to have and Enjoj all the Bights Libertys privileges and advantages which his Majesties Natural Born Subjects do Enjoy or of right onght to have and enjoy as fully to all intents ConstnictionB and purposes whatsoever as if the Said Tedens Beekman Jan Van Taeilingh and Pieter Vander- Lya had been Natural Bom Subjects.

PROVIDED ALWAYS and it is hereby Enacted that the Said Tedeus Ucekmao Jan Van Taerlingh and Pieter VanderLyn shall

take the oaths appointed by Law. instead of the Oaths of Alegtance and Supremacy Subscribe the Test and make repeat and Swear to and subscribe the Abjuration oath in any of his Majesties Courts of Record within this Colony which Said Courts are hereby required upon application to them made to administer the Same and take Subscriptions and cause the names of the a'd Tedeus Beekman Jan Van Taerlingh and Pieter Vander Lyn so Swearing and Subscribing To be Entered upon Record for which they and each and every of them ai-e hereby required to pay the Sum of Six Shillings Currant Money of the province of New York to the Judge of the Court and three Shillings to the Clerk of the Court in which they or any of them shall So Swear and Subscribe as aforesaid.

AND be It further Enacted by the authority aforesaid that if ye s'd Tedeus Beekman Jan Van Taerlingh and Pieter VanderLyn having BO Sworn and Subscribed as aforesaid shall demand a Certificate erf their or any of their being Entered upon Record as af ores'd t Court is hereby directed and required to Grant the Same under the hand of the Judge, and seal of the said Court in which the said T Beekman Jan Van Taerlingh and Pieter VanderLyn or any of them Shall So Swear and Subscribe as aforesaid Countersigned by the Clerk of the s'd Court for which Certificate the Said Tedeus Beekman Jan Van Taerlingh and Pieter VanderLyn or any of them requiring the same Shall pay over and above the Nine Shillings beforementioned the Sum of Six Shillings, one half to ye Judge of the s'd Court, and the other half to ye Clerk thereof, w'ch s'd Ce cate shall at all times be a Sufficient proof of the person or pers being Naturalized by this Act as if the record aforesaid were actually produced by the s'd Tedeus Beekman Jan Van Taerlingh and Pieter VanderLyn.

DigizedbyGoOgiC

LAWS OF THE COLONY OP NEW YORK.

[CHAPTER 382.]

An Act for Settling the Estate of Thomas Lewis Late of the City of New York Deceased.
[Passed, June 24, 1719-1
EAS Thomas Lewis late <rf the City <rf New York Deceased in his life time and at the day of his Death was Seized

of and in Sundry Lands and Tennants ajid other Beate Estate within this Province of New York hy virtue of Sundry grants thereof to him made and to his Heires and assies forever by Several! Ooveroors and Commanders in Chief of this Province under the Crown of England and by divers other mean Convey-ances in the law and being So Seised he the Said Thomas Lewis on or About the thirteenth Day of September in the Year of our Lord one thousand Six hundred and Eighty four being then of Sound Memory and understanding did make a certain Instrament la writing under his hand before William B(^ardns then Notary I'ublick in the City of New York and Martin Clock and Gerritt Daykinck Inhabitants of the Said City who Subscribed their numes as Witnesses thereunto and that in the Dutch Tongue which he Called his last Will and Testament and therein and tliereby did make grant and give onto his wife QeeMe Lewis alt his goods moveable and Immoveable (by which words the Dutch understand a Personall and Beale Estate as houses lands goods and Chatties) Actions and rights as he Should Leave by his decease none Excepted and y't during her Life to Oovem and administer and deal! therewith as he himSelf being alive might or Could do and after her Decease he Oranted the Same to his Children by name Lodwick, Barent, Leonard, Katharine, and Thomas Lewis Junior without any Distinction between the Sons and Daughters and that the Eldest Son Should not pretend any prerogativ<^ therein Since which he the Said Thomas Lewis dyed and Geesie his Said Wife proved the Said Instrument or Will and had letters of Probate Granted unto her on the Same on the first Day of Aprill in the Year of our Lord one thousand Six hundred and Eighty Six and being fully persuaded that by virtue thereof She had Good rip;ht to Dispose of the Lands and Tenements of hrr Said husband jand that the Same was bis intent and meaning at the time he Signed the Said Instrument or Will has Since bis Decease Disposed of and Conveyed Sundry parts of the lands and Tenements of Ihe Said Deceased by Deed and Deeds under her hand and Seale to the Purchaser and purchasers thereof their

reepective Heirs and Aadgnes for ever and haa Expended the purchase money thereof in paying the Debts of her Said Deceased huBband and towards the bringing np of her Said Children And buing Lately advised that She the Said Oeesie Lewis is not Suffi-ciently empowered by the Said Instrument or Will to Convey the Estate aforesaid by reason of Sundry iuLperfections therein Con-

tained and that by the Strict rules of the Lawes of Oreat Brittuin the heir at law of the Said Thomas Lewis Deceased has a right to reclaim the Said lands and Tenements So Sold and Conveyed by her as aforeSaid and the Said purchasers having bona fide paid their money for the Same (which by her the Said Geesie has been laid out in manner aforesaid) and have Since been at Oreat Charges and Expences in building thereon Sererall Moa- siiages houses and Tenements therefore for the quieting the pur- chasers aforesaid and Every of them in the enjoyment and peace- able Possession of the lands respectively by them purchased of the Sjiid Geesie Lewis and which did belong to the Said Thomas Lewis in his Life time and their h^es and assigns for- ever against the right or Claim of the heir at Law of the Said Thomas Lewis only itee it Enncted and it is hereby Enacted by his Excellency the Ooveraor and Council! and General assembly and it is hereby Enacted by the Authority of the Same that all and every the Deed or Deeds Conveyance or Conveyances heretofore made by the Said Geesie Lewis Since the Death of her said hus- band for any part or parcel of the Lands and Tenements of the Said Thomas Lewis Deceased Shall be and hereby are Declared to be Good and Effectuall in the Law to the purchaser or pur- chasers thereof to have and to hold the respective lands and Tenements unto him or them the Said purchaser or purchasers thereof their heirs and Assigns to the only Sole and proper use benefit and behoof of him or them their respective heires and Asaignes forever Against all Title Interest property Claim or Demand of the heires of the Said Thomas Lewis or any of them any Law Usage or Cuatome to the Contrary thereof in anr way notwithstanding And Whereas there are Yett Sundry Lands and Tenements Belonging to the Estate of the Said Thomas Lewis Deceased in the possession of the Said Geesie Lewis which ought after her Decease According to the Intent of the Said Thomas Lewis Deceased in ye aforeSaid Instrument or will Declared to be Divided amongst the Children or their respective heirs and y't Lodawick one of the Sonns of the Said Thomas Lewis Deceased is Since dead without Leaving Issue and that Barent Thomas and

Digi-jzedbyGoOJ^Ic

Cutliarine three other of the Children of the Said Thomas Lewis Deceased are allso Dead Leaving Issue ever; one of them and

that Leonard Lewis is the only Suniving of the Children of ilie Said Thomas Lewis Deceased and that reasonable provision ought lo be made for the Bubsistance and Maintenance ot tbe ISuid Geesie who is now very antient Bee it further Enacted by the Authority aforesaid that all and e\'ery and Singular the lands Tenements And hereditaments of the Said Thomas Lewis Dc'ceased now undisposed of by the Said Gee«ie and now in ht-r jiossession Shall be and hereby are Declared to be Vested in the Said Geesie Len'is Diiring her natural) Life to have hold aud i-eceive the rents Licomes and profflts thereof and of every part thereof to her own proper use and behoof During her natural! Life as aforesaid the Title Interest property Claim and Demaud of the heii-es of the Said Thomas Lewis or any of them or any Law usage or Custome to the contrary hereof in any wise not-withstanding And to the End the Design and Meaning of the Said Thomas Lewis Deceased in making the Said Instrument or Will may be entirely Complied with Bee it further Enacted and it la hereby enacted by the Authority aforesaid that after the Decease of the &id Oeesie Lewis all the Lands Tenements and heredita-ments and other the Beall Estate of the Said ThMnas Lewiif I'Joceased hereby Vested in the Said Oeesie Lewis During her naturall Life Shall be Divided and Shared in manner and form following after all lawfuU Debts first paid that is to Say one full qnarter part thereof the whole to be Divided in to four Eqaall parts unto the heires of the Said Barent Lewis to the only Sole and proper use benefltt and behoof of them their heires and Assignes forever one other full qnarter part thweof the whole be Divided into four Equall parts unto the Said Leonard Lewis his heirs and Assignes to the only Sole and proper use benefit and behoofe of him the said Leonard Lewis his heires and Assignes forever one other full quarter part thereof the whole to be Divided into four Equall parts unto the heires of the Said Thomas Lewis Jun'r Deceased to the only Sole and proper use benefitt and behoof of them their heiree and Assignes for ever and the remain-ing full quarter part thereof unto the heires of the Said Katharine Lewis Deceased to the only Sole and proper Use benefit! and behoof of them their heires and assignes for ever the "Ktle Inter-est property claim and Demand of the heires of ye a'd Thomas Lewis or any of them or any Law usage or Custome to the Con-trary hereof in any Ways notwithstanding.

Digi-jzedbyGoOgiC

[CHAPTEB 383,]

[Chapter 383, of Livingston & Smitb and Van Scliaack:, where the tit only Is printed. Tlila act U not In Bradford, 1732 ed. Expired June 24, 1720.]

An Act to enable the Justices Inhabiting in the Parish of Rye & the Vestry Men of the said Parish or the Major part of them to raise a Certain (i\im of money for the lieeping in repair the Parish Church of ye s'd Parish.

[Passed, June 24, 171&.I
WHEREAS the Parish Church in the Parish of Bye in the County of West Cheater is very much gone to decay, & if not timely repair will be Totally mined in Order therefore to prevent the same, & kee it in good repair for the furtue. Be it Enacted by the GoTeruour Council & General Aiisiembly & it is hereby Enacted by the authority of tlie same, That it shall & may be Lawful for the Justices of t Peare Inhabiting in tht- Polish of Rye & the Vestrey Men of the sa Parish or the Major imrt of them to Assess raise & le^'ye upon the said Inhabitants by even & equal portions any Sum not exceeding the Sum of Thirty four pounds Currant money of this Province, wliieh Sum so Aaseast by the Jui>tices & Veatreymen aforesaid Shall be Col- lected & Gathered by the Constables of the Parish aforesaid by Warrant under the hand & Scale of any two of the Justices Inhabit- ing as aforfsaid, & upon neglect or refusal of the payment of all o of the Sum or Sums of money Assest as aforesaid, it shall be Lawfu for the Constables appointed to gather the said Assessment to make distress & Sale of the Goods of any Person so neglecting Or refusin returning the Overplus to the Owner thereof if any be after the sai Assessment and the Charges of Distress is Deducted. This Act to continue for one Year & do longer.

(CHAPTER 384.]

[Chapter 384, of Livingston & Smith and Van Schaack, where the act

printed In full. Printed In (ull In Bradforu, 1732 ed., p. 178.

Smith and Van Schaack state that this act was continned bj the King

Council January 23, 1723.1

An Act for runing and Ascertaining the Lines of Partition & Division betwixt this Colony & the Colony of Connecticut.

[Passed, June 25, ITIO.]
WHEREAS at a Council held at Fort James (now Fort George) In this Colony of New York on the Twenty third day of November,

Digi-izedbyGoOgiC

One TbouBand Six hundred Eighty three, at which Council Golooel Thomas Dongan then Governour of this Province & the Council of the same on the one part, Robert Ti-eat Esq'r then Oovem'r of the Colony of Connecticut, Major Nathan Gold, Captain John Allen Secretary & Mr. William Pitkin Commissioners Jointly Empowered by the Government of Connecticut on the other part, did Conclnde & agree, Touching & Concerning the runing and Ascertaining the Lines of Partition & Division between this Province & the Colony of Connecticut Pursuant to which agreement Commissioners & Surveyors were appointed and Commissionated, to wit, John Youngs, John Pell Phillip Wells and Robert Voi^laiu, on the part & behalf of the Province of New York and Kathaniel Gold, Jonathan Selleck, Daniel Sherman & John Hariman on the part & belialf of the Orfony of Connecticut, which Commissioners & Surveyors appointed And Commiaaionated on the part & belialf of each of the Governments before mentioned Did repair to a certain place lying on the East Side of the Mouth of Byram Biver & Imowne by the name of Lyons point, & by Virtues of the powers & Authorities in them Lodged, did agree determine & Ascertain the said Lines of Partition & Division between the Province of New York and Colony of Connecticut aforesaid, & did begin at Lyons Point on the month of the said Byram Biver & Did Actually Survey, run. Distinguish, Determine & mark out Such part of the said Lines of Partition and Division as Did Ascertain the most Southerly part of this Province bordering on the Colony of Connecticut & part of the most Easterly part of this Province bounding on the Said Colony, Sc Did also Ascetain Determine & fix a point or place at Eight Miles Distance on a North West Course from the Sound from whence a Line should run Parallel To the Sound So farr Easterly until it brings Hudson's

Biver from thence the Distance of twenty miles together with an addi tion allowed as an Equivalent in Lieu ot a Concesrion then made on the part of this Province & from thence a Line Parallel to Hudsons River, until it came so farr Northerly aa the Line of Partition or Division between the Colony of Connecticut & the Colony of Maasa- chusets, which Line aforesaid to be run Paralell to Hudsons River unto the Line of the Massachusets Colony, was to be the Line of Partition & Division, between this Province & the Colony of Con- necticut, all which Said matters And things agreed on, done. Deter- mined & flxt as aforesaid, was by the said Commissioners & Sur- veyors (appointed & Commissioned as aforesaid) reported & Sub- mitted to the Governments of New York & Connecticut for their

Digi-jzedbyGoOgiC

Allowance or Disapprobation ot tlie Bame, & tlie OoTernours of tK>tli tlie Colonies, towit, Coll. Thomas Dongan Gorernour of the Province of New York & Robert Treat Esq'r Govern'r of the Colony of Connec- ticot, Did meet at the Towne of Milford in the said Colony of Con- necticat, & there on the Twenty fourth day of Felwuary in the Year One Thousand 61x hundred Eighty four, both the said Gover- nours Did In the presence of John Palmer John Bprag & John Youngs of the Province of New York & Nathan Gold, William Jones, John Allen, John Nash & William Pitkin of the Colony of Connecticut approve of Ratifie, Oonflrme & agree to what had been done by the CommisBioners & Surveyors aforesaid, & ordered the same to be Entred as of Record in the Publick Blisters of the Province of New York & Colony of Connecticut, which was accord- ingly done, & appears of Record In the Secretaries Ofilce of this Province, all which said matters & things done & agreed on by the Comm'rs aforesaid & rattified & agreed tc^ by the Govem'rs afore- said, aa well as the Articles of Agreement Betwixt the said Govern'ra was by his Ma'ty King William the third of Glorious ft Immortal Uemory with the advice of his most honourable Privy Council on the Twenty Eight day of March One Thousand Seven hundred, approved of & Confirmed as by the said Order of Council & his said Ma'ties Letter of the Twenty Nineth day of March to his Govemour of New York Entred in the Secretaries OfBce of this Province may more folly & at large appear.

And Whereas that part of the Lines of Partition & Division

betwixt this Province & the Colony of Connecticut which were to mn Parralell to Hudsons River as aforesaid were never Actually Survey'd & markt ont nor the Places Ascertained ft DiBtlnquished through which the said Lynes should pass ft th« marks of such part of the Lines of Partition or Division as were by the Surveyors aforesaid then run markt out ft Distingnish'd are by Length of time wome out, or by the Contrivances & wicked practices of evil Disposed Persons defaced or altogether taken away, so that without runlng them anew, the places thro' which Such Lin^ Did or should run, are not nor can not be discovered & Ascertained, by reason of which Uncertainty Several persons li\ing near to the places, where it Is Suppos'd the said Lines have – & will run Elude the Laws in force In both Governments by pay– ing Obedience to neither pretending Somp times to be within the Province of New York, at other times to Be, within the Colony of Connecticut as it best Serves their purposes to evade paying
181

:yG00t^lc

tbeir Publick Taxes & doing & performing Sach ServiceB as are done & performed by other his ^Ma'ties Subjects Id both the Bald Colonies of New York & Connecticut and Several Persons Owners of Considerable Tracts of Land & willing to Settle & Improve the Same, are deferred from eo doing, least their Settlements ft Improvements, should on the discovery of the true places where the Lj'nes aforesaid should run, prove to be in another Colony, than that under which they had a right to Settle; which has proved a great hinderance to the further Selling & Improving that part of this Province lying near to & adjacent to the Colony of Connecticut and Inconraged Several Persons belonging to the Colony of Connecticut to Incroach upon this Province, In Ord« therefore to prevent the Confusions & disturbances that will otherwise unavoidably follow, to Encoun^e the further Settle– ment & Improvement of this Province & that Such Persons as are already Settled near or adjacent to the Lynes of Partition & l>ivislon, betwixt this P.–ovince & the Colony of Connecticut, may peaceably and quietly enjoy the fruits of their Labour & Industry according to their Several Bights. Be it Enacted by the Govern nour, Council & General Assembly & It is hereby Enacted by the Authority of the same, That his Excellency the Oovemour of this

Province op the Govern'r & Gomander in Chief of this Province for the time being. Do by Commission under the great Seal of this Province authorize & Empower two or more Such Persons aa to the said Govern'r or Commander in Chief, with the Advice of Hia Ma'tys Council Shall seem moat Conrenlent ft fit in ConjunctioB with the Surveyor General of this Province or his I>eputy approv'd of by the Govemonr or Commander in Chief for the time being with the Advice & Graisent of the Council to run, marii: out, Distinguish ft Ascertain the Lynes of Partition ft Division between this Province ft the Colony of Connecticut according to the agreements before mentioned, which were approved ft allowed of by the late King William ft In no other manner than it was agreed ft approved of as aforesaid & the said Lynes wh«i run ft the Places Distinguish'd, thro' which they shall pass are hereby Declared & Enacted to be the Lynes of Partition & Division betwixt this Colony & the Colony of Connecut, and all Persons whatsoever Bodies Corporate and Politick are hereby required to take notice thereof & Govern themselves accordingly, any lew or Usage to the Contrary hereof notwithstanding.

And whereas it is the design. Intention ft Earnest Desire oi the Legislature of this Province that the Lynes of Partition ft Divi^n

between the Coloniea of New York & Connecticnt flf(»e8aid be not only run truly & fairly, but Amicably & in Conjunction with CommiasionerB & Suireyors to be Legally & Sufficiently Impow- ered by the Oovernment of Oonnecticat if that Oorernment Shall so think fit. Be it therefore Enacted by the Qoremour, Council A General Aasembly of this Province irf New York & it is hereby Enacted, by the authority of the same, That before the Commis- Bioners & Borreyor General (or Deputy approved of as aforesaid) appointed & Commiasioned nnder the great Sea] ot this Province Enter u>pon & begin to run & Ascertain the LyneB of Partition & Division aforesaid timely notice {not less than Nine months before such beginning to run) Shall be Sent to the Govemoui* of Connecticut from the Govern'r or Commander in Cheif of this Prov- ince by BOme Credible Person (who shall make oath of the Deliv- ery of the same) of the time when the said Lynes of Partition & Division are appointed to be run & Ascertained, in order that Commissioners & Surveyors may be appointed by the Government (■f Connecticut if they think fit to Act in Conjunction with the CommiBSioners & Surveyor General CiHumissioned by the Gover-

nour of this Province as aforesaid to run & Ascertain the said Lynes according to the Agreem'ts made & rattifled by Dongan & Treat Governours of New York & Connecticut before mentioned & approved of & ConSrm'd by his late Ma'ty King William as Afore-said, & in ca«e the Government of Connecticut, Shall not think fit to appoint & Legally & Sufficiently Impower & authorize any Persons to Act in Conjunction with the CommiBsioners appointed by this Province as aforesaid, it Shall then be Lawful for the Persons C(Hnmisaionated on the part & behalf of this Province to run & Ascertain the said Lynes of Partition & Division between this Province ft the Colony of Connecticut & to put in Execution the Several Directions in their said Commission con-tained, according to the true Intent & meaning of this Act.

PEOVIDBD alwaies that this Act, nor any part thereof, shal be in force until his Ma'ty his Heires or Successors Shall be Gra-ciously pleased to give the Boyal Assent thereto.

:yG00t^lc

D„r„.db,G00glC

INDEX —Vol. I.

Accounts; ^^ ,

public, act to appoint commlselonera to take and state. .. . 1700

continued 1702

act appointing; connalBslonerB to take and state 1700

com mlsB loners appointed to take and state lliXi

defects supplied 1703

act appointing commissioners to take and state 1712

Actions:

limitation of certain 1«84

act for preventing doubts and mistakes In process and
proceedings 1702
to prevent removal of, If twenty pounds or over, from
mayor's court of New York and other courts 170U
preventing multiplicity of law suits 1714
for shortening law salts 1714
Administration:
letters of Ifflfii
Albany:
Dongan Charter ltiS6
act raising 150 men for defense leiHl '
for raising 200 men for defense 1602
to raise 220 men for defense lf»2
to raise 80 men for defense 16B2
Jurisdiction of mayor's court Itt02
act raising 6,000 pounds for payment of 800 men for
defense IBWJ
for raising 170 men for defense IGM
raising 100 men (or defense 16»4
for raising 800 pounds for paying soldiers for defense. . 16U5
to enable to defray charge 1696
raising 1,000 pounds for defense 16U5

raising 100 men for defense 16U6

to defray necessary charge 1B»7

raising 320 pounds for defense 1687

to enable, to defray necessary charge 1609

., Coogic

Albanj — (Continued):

act lor repairing of fort at 1701 474

for raising money to defraj neceBaary charge 1706 004

for watching and guarding 1709 701

for repairing fort IB cat lone 1710 71T

appropriation for defense 1711 750

act for paying 1,500 ounces of plate, for securing frontlera about 1712 157

tor better repairing fortlHcBttous 1712 773

to encoumge trade witb Indians at 1714 828

revived 1717 917

for repairing fortifications 171S 885

to erect houses for accommodation of Indians trading at 171« 890

for repairing the fortlflcatious of 1716 tOS

(See Albany county; Albany city and county.)

Albany city and county:

act defraying necesaary charges 1891 342

to enable, to defray neceBsary charge le&i 332

taxes to pay arreara to representatives ; 170B 702

act for electing or appointing four asBeesors 1712 777

(See Albany and Albany county.)
Albany county:

erection 18Ma 122

boundaries IGBl 268

act to compel owners of unimproved land to pay taxes 1701 473

to enable Justices of peace to repair or rebuild Jail 170S 529

additional sum for 1705 576

for building Jail and city and county hall. 1705 579

to prevent slaves running away from 1705 582

revived 1715 8S0

regulating tuner fences 1706 6US

to prevent sale of liquor to Indians in 1709 ^T

revived 1709 685

revived 1711 740

■i revived 1711 751

revived 1712 735

;; anneslng a portion of Manor of Livingston 1717 915

granting to freeholders of CatskiU and Coxbackey, tha

privilege of choosing a supervisor 1718 988

for building bridge over KInderbooks creek 1719 lOM

(See Albany; Albany city and county.)

. tiOOglc

dying seized of lands, «tc., deemed to hare been naturalized 1715 MB

Apprentices:

act concerning 1684 157

act concerning 16M 159

Acsemblj;

first 1083 111

dei.'lai'ed to be a rlgbt of subjects IBUl 244

act regulating elections of representatives Itftm 405

repealed 171MJ 524

elections of representatives 1701 452

representatives In, Increased 1702 478

act for furnishing a room for. In city ball of New York 1704 669

act to relieve 1709 674

to enable Justices to nominate. In case of death 1709 677

court of, law for executing Judgments 1684 163

nlmlished 1684 171

Assl^fuiuents:

of specialties 1684 IKi

Attorney s-at-law :

act for regulating and retaining IHQS 351

continued 1699 409

relative to the practice of law 1714 811

Auction:

act to regnlate sale of goods by. In New York 1709 6!K!

laying a duty on goods sold by 171!) TfH

laying a duty on goods sold by 1715 863

laying a duty on goods sold by 1717 904

revived 1719 1021

Ballast:

act to prevent damage by casting Into rivers 1684 167

Baptism:

of slaves 1706 597

Barratry, Champerty:

act against 1S8« 14S

Digi-jzedbyGoOgiC

charter IffTS 101

Beer:

act eDcouraging brewing of ITOO 439

Bills of credit:

act for currency of, for 5,000 pounds 1T09 eeQ

for 4,000 pounda 1709 688

for S14.545 1T0» S»

for treasurer issuing, to pay for expedition to Canada. . 17(19 G9S

to retrench the Interent of 1710 722

for the currency of, for 26,000 ouneee of plate 1711 737

to enforce currency of, for 27,680 pounds 1714 815

explained 1715 84S

see In relation to 1717 938

for Issue of 1715 »17

explained 1718 1010

to make, to value of 41,617^ onncea of plate 1717 U3S

Boundaries:

act to ascertain Connecticut 1719 1039

Brewers:

act concerning 1684 153

Brick:

eijse of 1703 ESt

British officers:

act for paying 1712 756

Burials:

act concerning 1684 152

By-laws;

act against, unlawful 1691 326

Canada:

act to detach 487 men for expedition to 1709

bills of credit to pay expense of expedition to 1709

act for raising forces to assist In expedition to 1711

1 to appoint commissioners to purchase provisions, etc.,

for expedition to reduce 1711

relative to 1711

foi rewarding volunteers on expedition against 1711

against embezzling clothing, etc., for expedition

a^alnxt 1711

foi security and defense of colony dturlng expedition to, 1711

. '.iooglc

act to ascertain assise of 1703 S51

lajlQK a doty od empty. Imported Into colony 1719 1021

CatsklU:

allowed to choose a superrlsor 1718 998

CatUe:

law concerning 1684 152

act for encouraging retnm of strayed 171S 1003

Cbancery:

court estaMsbed. Jurisdiction 1001 230

court of Jurisdiction 1692 307

Cbartera:

Duke of York's, first 166* 1

second 1674 104

Benckes and Eversten's 1673 101

Oolve's 1674 102

of liberties and prlvUeges 16S3 111

Dongan's, New York 16B6 181

Albany 1686 103

Chlmrgeons and mldwlves:

law concerning 1684 146

Chnrch:

act to enable French Protestants of New York city to build

larger 1703 526

Cities:

rights and, etc., conflrmed 1691 224

Coin:

act against forging, counterfeiting or clipping 1702 521

revived 1708 G21

partly repealed 1710 714

to prevent corruption of 1708 620

to prevent exportation of 1709 678

Collectors:

act for raising a yearly rate to pay 1697 379

to enable Justices to nominate. In case of death 1700 677

GommlsslonB:

Andres', as governor '. 106

Dongan's 1686 177

AndroB' 1688 216

Governor Slonghter'a 1669 221

132

J by Google

Commission ers: ^... ^^^

to take aod state public accounts 1700 430

continued 1702 493

act appolntlug, to take and state public accoauts 1700 441

appointed to take and state public accounts 1702 MS

defects snppUed 1703 HS

act appointing, to take and state accounts of colooj 1712 7T0

Dominated, to farm tbe excise 1716 901

Common Pleas:

establishment and jurisdiction 1691 22S

Jurisdiction 1692 305

Connecticut:

act to ascertain boundary between New York and 171B 1039

Constables:

choice of 1684 IW

Conveyances:

frauds In 1683 141

Cornfields:

law concerning 1684 152

Cornwall county:

erection 1683 122

boundaries ...' 1601 368

Coroners:

not to be elected except on writ 170S ffi3

Counterfeiting:

foreign coins, act against 1702 521

revived 1708 621

partly repealed 1710 714

Counties:

erection of 1683 123

treasurers to be choeen 1681 237

province divided Into 1681 267

treasurer to be chosen by Justices 1701 457

County rates:

act for. repealed 1683 1H

Courthouses:

Justices of the peace authorized to build and repair 1719 VS^

Courts:

act to settle 1683 123

of jufllllce. act to explain act relating to 1684 141

Justices', absence of Justice 10S4 IM

., Google

INDEX.

ConrU — (Contlinied) :

law for execntlDg jadgment of former coorts at t
And sessloDB —.

alterlDg time of sessions Id Weetcbester comitj

confirming Judgments In former court of asatEee..

asalzM, abolished ... *

removal of seeslons from GraTeeend to Flatbusb. .

proceedings and jDrtsdlctlon of, montbly

cstabllBlimcnt and Jurisdiction of

establlflbment sjid JnrlBdlctlon

continued -

continued „

Coxsackle:

allowed to choom a superrlaor

Cursing. (See Swearing.)

Damages:

regulating, occurring ander Lelsler 1601

repealed . „ v ^^^

Deceits:

law to prevent t 13U4

act for preseiratlon 1706

revived 1716

for preservation . . . . : 17Utt

partly repealed '..... 1713

preservation of, in Ulster county _ iTlfl

Desertions:

act to prevent IBW

to prevent 1700

Disorders;

law for qnletlng 16H1

last clause of act repealed 1701

Dongan:

Oovemor, instractlons .

presents to ^ 1683

speedy collection of Ifi84

commission 1686

Instmctlons 16H6

charter granted to New York 16HB

charter of Albany 1686

Dongan laws 1

Lc;–,:uJbyC00gIC

DrtiDtonness:

law prohlblUng 1685 1T4

Duke of York:

flret grant to 1664 1

Be<Kind grant to 1074 UM

Duke of Vork'a laws 6

absence 1

actions 7

admlnlstrattoD 8

amendments to 71–100

amerciaments .* ., 11

appearances n it

appeals .^ 11

apprleementB 12

arrest .•. 13

asBeesments 14

assaults 15

attachment and summom 15

attorney IS

asBizee 16

bayle 17

barratry 17

ballast IT

bills 17

bond slavery IS

bounds .' IS

brewers IS

births and marriages 18

burials , . .' 19

capital laws 20

cattle, com fields, fences 21

causes ai

church 2*

church wardens 26

charBce, pnbllc 3B

children and servants 28

cbinirgeons, mldwlvcs, physicians 27

constables 38

conveyances 30

counsel SI

condemned 31

coMrts 27, Tl

Digi-jzedbyGoOgiC

Duke of York's la:wB—(Oontuiaed),

defamation 32

dowry 32

fast days and tliaiiksglTlDg 32

fees 32-3B

fomtcatlon 35

forgery 35

fires 36

fugltWes 86

horses and wares 37

Impresses 38

Innkeepers 3V

Indians 40

Jurors and Juries , 12,71

Justices of peace 43

lands '. 44

laws 44

Ueing 46

• marriages 19–45

masters, servants 47

military affairs ^SH

oaths 66–70

ofScers and offices 55

order to put same In force 1074 107

overseers 55

orphans 56

payments 56

pipe staves 56

precedents

public affairs

packers, cask and cooper ganger. ,

pounds

prisons and stocks

public charges

records

sales

sheriff

townships

warrants

weights and measures

...Google

Duke of Tork'B lavs — (Continued): „^_ ..,„

witnesses 65,71

wolves 65

wrecks U6

Duke's county:

erection 1683 122

boundaries 1691 268

Dutchess county:

erection 1883 122

boundaries leei 268

act to raise men In, for defense of Albany 16^ 286

power to elect a supervisor, treasurer, assessors and col-
lectors 1713 80O

act for building a county house and prison 1T15 86$

for building county honae and prison In 1T17 914

for destroying wolves In 1719 1027

to elect supervisors In 1719 1033

Dutch government:

revocation lUO

restoration ISTB 101

Duties. (See IVixes.)

B.

Bastchester:

decUred a distinct parish 1700 440

Embezzlements:

act for preventing 1699 400

Estates:

law for qnletlng 1684 154

for supervising Intestates' 1692 300

Excise. (See Liquors.)

Executions:

regulation of 1683 134

law to prevent, superseding executions 1684 1611

Fairs;
act providing for 1692 296-9
Fees:
confirmation of nsnai 1083 134
to be exacted only pursuant to laws of colony 1708 623
person acqnlttefl of crime not to pay 1708 623
act establishing, for public officers 1709 638

..■, Coo^l

INDEX 1055

Fences:
law coDpeinlng 16Si 152
towns may regulate 1691 221
In Ulster county 1701 451
act regulating inner, in Alttany county 1700 «05
regulating 1714 HSH
to regulate ferry between New York and Long Island;
charges flxed 1717 tBJ5
Firewood:
law for cording 18B4 164
Flatbush:

conrt of sessions removed to 1685 176

Forfeitures:

act against unreasonable 1694 S26

Forgery;

law to prevent 1684 148

act agalDst forging foreign cotu 1702 &Z1

revived 1708 621

partly repealed 1710 713

ForttficatioQs:

act to pr6tect 1711 745

(See Altiany; Schenectady, etc.)
Foxes:

act for destruction of. In Westchester county 1716 S03

for destruction of 1717 931

Frauds:

act to prevent, In conveyances 1683 141

preventing 1699 409

Freeholders:

grants, rights, confirmed 1691 224

Frontiers:

defense of. <See Albany; Taxes.)

protection of 1708 618

partly repealed 1713 781

Government:

bill defraying chargea 1683 116

Governor:

presents to 1683 137

present fo 1684 165

nll^wance to 1692 308

Oraota: „^,

first to Duke of York 1664

second to Duke o(York : l©74

GniTeseDd;

remoral of court of »

Ooardlaus:

when cboseo . ,

H&wkers. (See Peadlers.)
HaTerstraw:

act to enable, to elect town ofBcera 1710

Hides:

act to prerent exportation of raw 1717

Htghwaye:

towns may regulate 1Q81

repair of, In Ulster county 1701

act for laying out and maintaining 1703

supplemental act 1704

continued 1705

explained 1708

supplemental act 1713

supplemental act 1719

tor keeping In repair the post road from New York

to Rings Bridge 1813

Horses:

act to prevent small Btalllons running at large 1718

Immorality:

act suppressing 1706

Indian:

purchase of lands of IBSl

act for better securing the fidelity of the fire nations. . . . 1700

repealed, November 2d 1700

providing for fort, for security of five nations 1700

to require persons to pay arrears of tax for 1703

explained 1704

ratslnfc sum for present to five nations 1708

to prevent sale of liquors to, in Albany county 170R

revived 1709

revived ' 1711

.., C A.>(.>glc

INDEX. 105T

Indiaoi — (Continned);

ftct to prevent Bale of liquor to,ln Albany coaatj, tbib. rxau.

revived 1711 751

revived 1712 755

appropriating money for preeente to the five nations, 1714 814

to encourage trade with 1714 828

revived 1717 017

to prevent sale or gift of liquor to 1716 888

to erect houses for accommodation of, at Albany.... 1716 Sao
Instructions:

Dongan's 1686 178

Andros' 188S 217

Interest:

usury act 1717 909

partly repealed 1718 1004

Intestates:

estates of, law for eupervLslng , 1682 300

Islip:

act to enable, to elect asaesaorB, etc 1710 722

Jacob Lelsler:

regulating damages In dlsordei∗ under rule of 1691 262

repealed 1689 38C

act for paying debts Incurred during revolution of 1702 470

Jails:

Justices of the peace authorized to build and repair 1719 1025

Jesuits:

act against 1700 428

Judges:

annual salary for 1GS4 167

Judgments:

law to prevent arrests of 1CS4 162

of court of assizes, conflrmed 171

Jurors:

reKulatInK and returning of good and sufficient 1G99 387

revived 1710 709

revived 1719 1021

Justices of peace:

act for allowances 16S3 124

law to prevent absence from courts HW4 15(1

Jurisdiction 1091 227

1S8

DgizedbyGoOgiC

Justices of peace — (Contliiucd): ∗«»■■

jurladlctloa IfieS

innr nominate Rsseseors and collectors. In case of death. . 1709

{ authorized to build and repair Jails and eourtboueee 1T19

Kings Bridge:

tolls on 1713

Kings conuty:

erection 1683

boundaries 1601

act that collectors pay over money to county treasurer. . . 1712

for destrnctlon of foxes and wild cats 1717

Kingslowa:

act for regulating elections of trustees and magistrates. . 1702

Laborers:

law concerning 16St

Lampblack ;

granting monopoly of manafacture of, to John Parmlter. . 1712

revived , 1717

I>aDds:

frauds in conveyances 1683

at what a.ce may be cooTeyed 1684

purchase from Indians ICM

act vacating and annulling several extravagant grants. , , 169»

repealed 17D2

partition of. held In Joint-tenancy or In common 1708

continued 1715

revived and amended 1718

act for better settlement of; confirmation of title to 1710

Law:

proceedings In, act to regulate , 16S1

act regulating practice 1714

Law suits:

act to prevent multiplicity of 1714

Bhortening 1714

Leisler, Jacob:

assembly of ISM

act preventing vesattons suits arlsin;; from admlniatnt-

tlon of 1699

Digi-jzedbyGoOgiC

act problblting manufacture of, within city ot New York,

or wltbib one-balf mile of city ball 1703

Lfneeed oil:

act to enable Lanser to manufacture 1684

Liqnora:

duties on, excise of, fixed 11199

excise of, fixed 1701

act to prevent sale of, to Indians In Albany county 1700

revived 1709

revived 1711

revlveil 1711

revived 1712

laylnK duty on liquors retailed 1700

laying duty on 1710

continued 1711

laying an excise on 1710

continued 1713

relative to 1713

commissioners appointed to let to farm tbe excise on.... 1714

continued 1715

act to prevent sale or gift of, to Indians 1716

nominating commissioners to farm tbe excise of 1716

for letting to farm tbe excise of, for five years 1717

duty on Iniportatlon, see Taxes and the several acts for raising revenue thereunder.
Long Island:

change of name to " Island of Nassan " 1093

ferry fo New York, act to regulate 1717

Uaglstrates:

election of, In New York- 1702 490

Malt:

act enconraglng making of 1700 439

Manor of Livingston:

act annexing a portion of, to Albany county 1717 916

Manors:

rights coDflrmed 1691 224

Markets:

act fixing market days 1692 296

Digi-jzedbyGoOgiC

Marriagea; „„ p„,

law coDcemlDf; 1684 loO

Masters ;

law oouoernlDC IBM 157

^[ayo^8' courts:

jurisdiction 1602 306

SlensureB:

established 1703 5M

Itleetlng-liouoeH:

act to enable towus to butld and repair 1699 427

Militia:

settlement 1684 161

law amng persons refuslus to serve In, Lelsler's assembly, 1G90 219

act aettlintc 1691 231

ameuded 1701 454

for better settling, and repealing all former acts... . 1702 500

act supplemental 1703 .>1C

revived 1706 591

revived and amended 170S 611

revived 170» 673

revived and amended 1710 TOO

revived 1711 74.'S

revived 1712 778

revived 1713 781

revived 1715 86S

revived ITIO 887

revived 1717 917

revived 1718 1001

MinlHter:

in New York, act for maintenance. 17(16 543

Minlatrj:

act for settling and maintaialnK 1693 328

explained 1700 576

act against counterfeiting 1702 521

revived 170S 621

partly repealed 1710 714

to prevent corniptlon of current coin 1708 fl20 –

exportation of coin 1709 678

MortiTflftes:

a law concerning former [Dutch] ; 1684 109

Mntiny:

aft to prevent 1700 434

LuizcdbyGoOglC

Names of persona: ^^^

Adolpb, ADgenlte W3

Adolph. Dirk «61

Aeiiseu, Gerret 45U

Aertsen, Jacob 450, 48S, 535

I Allen, Jolin Iit4(i

AUlson, Thomas WIT

Anderson, Edward WH

Anderson, Josbua WJK

Anderson, William 534, 768

Andriese, I—ammert 9T5

Andriese, ffemmetie OilK

Andriese, Enoch »7I>

Andrlee, XicUolas UT7

AndroB 106, 107, 21B, ai7

Anmot, John 'J70

Arctaer, John 138

Asfordby, William 138

Ate, Hendrlk 964

Atkins, William »70

Atwood, William 4(10, 486, 487

Babin^on, Samuel 756, 96(1

Bagley, Timothy 756

Bally, John 257, 384

Bally, Oliver 87«

Baker, John 970

Balgge. Edward 973

Bancker, Evert 413, 5.15

Barberle, John 518, 526, 548, 960, 683, 986, 9*3.

Bams, Catbarlna 963

Barneson, Cornelius 376

Bartlet, Isaiah B71

Barton, Noah 965

Barton, Ellsha 9ffi

Barton, Roger 971

Bastlde, Joseph 974

j Baunt, Peter 893

Bnster, Thomas 485

Baxter, Captain 363

Bayard, Jacobus 953

ibvCoot^lc

N&mee of petBOns — (Continiied): nam.

Bayard, Nicholas 186, 413. 531. 590. 702

Bayard. Samuel Ittl

Baj—eux, Thomas 1113

Bayly. Tlmotliy Wifl

Bayly. Nathaniel WW

Baakeman, Wllltam K7

B^'kpUKOve, Stephen 970

BveckinaD, Samuel 978

Beekman, Adrian 630

Beekman. Gerrardus 257. 3»*, 485. 628, 775,883, 9W

Beekman. Henry 460. 069, lows

Beekman, Johannes 053

Beekman, Tedeua 1034

Beekman. William 13S

Bellomont, Countess ot 086

Bellomont, Earl of 396

Bennet, John 756, 9(16

Berian. John IS.'i

Berry, Cornelius J 138

BIckley. Major 950

Blln|>, John KH

Bishop, Thomas 0^

Blackhal, Alexander 75«

BlagK. Benjamin 257. 3*4

Blank, Nicholas 257, 3W

Blauvelt, Isaac 790

Bleecker, Jan Janse 202. 917

Bleecker. Ruth 485

Bleeker. Johannes 449. 485, 967

Bleeker, Rutger 947

Blood. Andrew 966

Blood, Edmund 75B

Blovelt. Johannes 53.'i

Blycker, John Jansen 138

Boel. Henrlcus 999

Boel. Tobias 090

Bodyn. Mary, widow 881

Bogardus. Peter 483

Bogardnn. Schlbolett 050, KS3

Bogardns, 'William 1086

Digi-jzedbyGoOgiC

Namee of perxoiiB — (CoDtinued): paoi.

BOH<?li, Justice • I • <...<>■<•••... 1 1 ■• . 006

Bosfi, Jolin Peterse 977

Boiftaert. Coenraet 1H9

Bogaert, Nloolae \fH

Bogart, Peter 962, »74

Bogart, Wlllemple U 1007

(Bowne, Andrew 187'

Bradocli, John «55-

Bradford. WlUiam 588, G30, 009. 883, W9, 055, 98T

BralHler, Abrnbam 257, !Wt

Brasler. Abraham, widow 976, »7I

BraRler. Henry 768

Bratt, John 771

Bratt. Mary 771

Brestede, Simon 063

Broadhead, Charles , 982, 1008

Bront. Daniel Hendrlokse 075

Breeste, Symon 051

Bries, Mary 071

BrodburM, Jonathan tM8

Broech, Weseeltcn 138

BrockhoBt, Major 368

Bronck, John TW

Bninb, John 535–

Buckhout, Mattya 76S.

Buekhurst, Philip 75(t

Budd, Joseph 835, 002, 000

Burger, Oerrit 988

Burger, Ellzaheth 067

Burger, Johannes 630, 962

Burger, Mary 964

Burrows, Edward 534

Burntt. Thomas 758

' Busch. Johannes 790

' Burt, Samuel 802

Bussey, Rol>ert 068

Byerly, Thomas 065. 060

Byrank, Erert 485

Cambors, Thomas 138

Canon, John 082

Cannon, Andreiv 20&

C.-izuJbyCoOgle

Nuum of persons — (Continued): rt^

Caron, Nlcolaa 9U0

Caeeow, Jacob tiW

Catt, Cornelius »7-l

Cbambers, Thomas 871

Chambers, William 630, 0S(

CIminpauty, Jobn 488, 881. 897

Clialiman, RIcUard 857

ChurcbiU, Anna 963. 875

Ohnrchlll^ William 257. 381. 6^ 841

daessien, Lawrence 470, 4SH. 700

Clarke, George 960. 085, 98«

Clark. Thomas ■ 308

Clements, J 265. 79*

Clock, Martin 103C

Clopper, Kaltle 87m

Clute, John ; 973 ■

Cock, David 904

Cock. Jobannes 535, 964

Cockeveer, John 9(53

Codrinfrtou, Thomas 285, 020

Codwlne, John C 949

Codwlse. Margaret E 910

Coe. Jolm K7, 384, 4S.>

Coel, Cornollua lOOS

Coeman, Andrlee 97S

Coertlandt. Johannes 961

Coerten, Henry 978

Coerten. MInardt 257, 3S4

Cooker, Cutliarlna 9H

Coesaert, David 968

Colo, Edward 951

C«le, Elizabeth KJl

Colve 102

Congraves, Cjiptaln 950

Cooper, Cnleb 911

Cooper, Christian SiS

Cooper. Helena 685, 9S1

Cooper, John _. 79fi

Corbott. Abrnhnm 1S7

Corhett, John 838. 902, 911

Corbett, Mary 911

Lc;–,:.tll:yG00gIC

Nam< 8 of persons — (CoDtiniied); 9iaa.

Cornbury, Edwuril 308, tUS

Ooroel, Ooruellus B78

Cornell, PeWr 9T4

Cometlse, Jacobus 0TB

Cornwall, Rich 370

Corsen, CnroelluB 138

Corsen, Jneob 48.")

Cortlandt, Stephenue 368

Cortillenu, Peter 534

Cortllllnn, Jacqnis 205

Coyeman, Andriea 952, 980

Crannell, Robert 883, 954, 957

Crego, Richard 869

Crego, Sarah 860 '

Crook, ,Tohn 053

CrosB, Anna 670

Ciuger, .lohn 770, 819, 822. 835, 853, 002, 942, 1020

Cure, John 068, 984

Cowenhoren, —Tacob 9'T>

Cuyler, Henry 018

Cuyler. John COO. 629, 686, 689, 600, 703, 974

Cuyper. Ciimellus 090

Cuyper. John 485

Danlpls. Annette 951

Daulelo, John 056

Danlelfle, David 060

Darhin?, Robert 50ft

Davenport, Mary 1028

David, John 526

Davla, Edward 068

Dayklnck. O.errltt 1036

D'BooRh. Gerrlt 067

Do Bniyne. John 1S7

Decfcer. Eva '. 071

De Graw. Wlllem 964

De Honeur. John 984

De CamiereK. Abraham 000

Decay, HIllfKond OKi

Decay. TeunlHse 1S7

De Qraeuw. Garret 839

Dekey, Helena 976

184

..iCoot^lc

10C6 " INDEX.

N&mes of persons — (Contmued): rin.

Dekey, Jncobus 874

D'Key. Teunle 869

D'Lagrauzie, Johannes &i7

D'ljagranzle, Omle 9i7, 954

D'ljamatre, Isaac - - . . STTi

I)e Lancny, Stepben 518, 548, ftw

Delllus, Godfrey 413

Delavall, John 1S7

P'Groot, Jobn 982

Delancj, Peter 187

Denham, Isaak 968

Demeyer. Nicholas 187

D'Mllt, Peter 981

De Myer, William ■«»

De Pew, John 951, 974

Depelster. Abraham 187, 486, 506. 599, 624, 629, G54, 953. 960

986, 989

D'Peyste?. Anna 9.">S

D'Peyster, Cornells fttl

DoPeyater. John 654, 605, 698, 727. 744

D"Ilelmer, Isaak fti8

d" Warhatn, Ellsi. , 970

d'Warhani, Mary – 970

De Witt, Boudewyn 485

de Voor. Daniel 9W

Pewsbury, John 588

Dlngman, Jacob (Ki5

Dlrbse, Takel 979

DisboronKli, Ella 9T0

Dixon, .Tames JWi

Drate, John 2K>

Drake, Joseph 535, 796

Drolllet, Paul 526, 902

Do Bols, Jacobus .• 1008

Doughty. William 076

Duchaln. Jeronlmus 9T4

Dnck, Man)ie1I Gantalls 970

Dunbar, ,r.imeB 7S6

Dimbar. .John 981

Dnry, JooBt 974

Dnxbory, Ellas 265

Digi-jzedbyGoOgiC

Namee of penona— (Continued); p^m.

Duf king, Mary, widow 9TS

Dyer, Jobn 948, 968

Dyer, Thomas 961

Duyklne, Oarrlt 257, 384

Ebbett8, Daniel 686, 69^

Edsall, Rlcliurd 978

] Elbertce, Aert, children 96T

Ellison, John 630

Embrle. John 971

Elmedoys, Conrad 489

Blswortb, Clement 534

Elsewortb, George • 978

Elten, Cornellua 1009

EnwoutBe, John 977

Evano, John, Capt 414

Evans, John 414

Kvaus. Thomas 967

Fancull, Benjamin 913

Panevlll, Benjamin 903

Faueonnler, Peter 628, 983

P'eurt, Barth «30

Fieldlnc, Deborah 962

Fielding, Nicolas 952

fflsiher, Elizabeth 874

Fietpher, Col 412, 524

Fordhani, Joseph 138

fforeest, Elizabeth 973

ffortnne. Jacob 975

ffoster, Altle 976

ffoster. John 979

ffranclaoo, Peter 969

Franks, Jacob 918

Freeman, Bernardua 469, 488, 961

French, Phillip 476

Fresneau, Andrew 913

Funda, Jellls 979

Funnetl, Benjamin 948

Snrt, Magdalena 954

ffyu, Anna 971

Gansell. John 969

Garlands, Thomas 766

1 1., Google

Namra of persODB — (Oontinued): ttum.

Gartou, Aana »S!

Oarton, Tliomaa li(H. ll»8

f iattbeeck, Abrabam , U3I

(iee, Abrahnm T56

Gerretnen, Adrian 7*1

<!errttRe, ACrliin 202, 791. 07tt, lOWt

(JerrltBe, EaeelUe 96*

(Jerrltso, Legei' 9T3

Gerritse, I—uycaes 9T8

fierrltue, anm'll »tW

(JIbb, Andrew KS5

Ollbert, Cornelia 9«1

Qlen, Johaunee S 79«

Godfrey, John 365

GoederiB, Rebecoa 967

Goes, Jan W2

Goes, Jan Tyse SS2

Goes, Mntbye «*<)

Gold. Nathan IMU

Gorltz. Martin 138, 2ij5

Governeure, Abrabam 257, 384, 431, 442, 4«1, WW

Governeur, Isaac 9S4

GraUam. James ItiT

Gray, AucuRtus 52iJ

Greceraet, Sarah 1»7»

Groiindman, Martin 756

nnellct. Peter »*S

Guellek. Samuel yiS

Halth, John 796

Hall, James •. 756

Halenbeeck, Jan CaRperae »7ft

Hallitt, William ^65

Hanse. Hendrick aS2, 97S

Hnnse, John, children VTt

Hanse. Jorie 876

Hansen, Carel Wfti

Haneen, Hendrick 449. 485. 601. 624. 728, 789. R70. 881

Hanson, Mlchfiel 237, 3SI

Hardenbergh, Jnpie 875

Ha rdenber^h. Johannes 836, 902

Hardenbrock. Johannes 41H

Lc;–,:.tll:yG00gIC

Naoeaof peraooB– (CoDtlnued): f^oe.

Hardenbrook, Johannes 8((7

UarmetiHen, Xannlng B30

HarinluBe, Naning 1157

Harris, John ^2

HarriH. Walter 756, UtHJ

Harrison. Benjamin 971

Hatrlabn, FranciB U31

Harluian, JohQ 1010

Harvey. Mathlass 13a

Haasbroek, Joseph ■, , , TWi

Haebrook. Abraham 535

Haskoll, John am

HayneB, WllUam 265

Hearing, Cornelina 483

Hearing, Peter 535

Hearst, J 265

Heatbcote, Caleb 415, 628, 775, 796

HeaTylnnd, Joseph B35

Heereniane, Egbert 4fl2

Helton, Barent 9G7

Hebon, Jobannea &ISJ

Hegerman, Joseph 265, 534

Hegeman, Lui^resla 859

HeUen, William 756, 968

HelmeR, Thomaa 531

Hemstead, Benjamin 96S

Hendcok, Edward DBo

HendrlrkDe, Jaeob : . . il74

Hendiicksen, Ryck 788

Henry, John 964

Herlngh, Peter T«6

Hermans, Volkert 975

Herring, Peter »90

Hesbo, Barent 97S

Hetelj'n. Daniel 981

HIekbey, Capt 948, 950

Hicks, Isaac 835, »M

Hicks, Jacob 87,t

HiBbou, John, Jr 081

Hobnrt. Joslah 138

HlckB, Isaac »90 '

Digi-jzedbyGoOglC

Kftoaea of persona — (Contdnaed): Fua.

HogaD, William gos, 982

Hoogland, Adrian 983

UoIUndt, Henry 852

Hooglandt, JohaDnem 85t)

Holerou, John 981

Holef , Albertus 971

Hopkius, 'William 971

Howell, Theophilua 4«S

HudBOii, Robt 902

Huniphrey s. Tbo 970

Hunt, John 265

Hunter, Robt., Governor 750, 753, 761, S9ft, 9S9

Hutclilufi, John 531, 661, 5d0

Hjbon, Barent 950

IneoldeHbr, Richard, Col 684, 958

Ires. Tbomaa 630

Jackson, Anna 00*. »77

Jeokeon, Jobn 138, 534, 798

Jacobse, Cornell§ OSo

Jaeobso, Peter 977

Jamain, Nicholas 951

Jamison, David 518, 518

Janne, Ilendrick 9S2

Janne, Johannes lKi8

Jaoiie, I^mbert 973

JauBen, Evert 950

Jansen, Ilendrlcic 237, 381. 974

JanHeQ,* John 949

Jansen, Johannes 695, 902, 923, 942. 919. 9<K, W91

Jarroet, Allane ««

Jea, Abraham 96K

JohDHe, Johannes 951)

JohnKin, John . r 98-">

Johnstone, John 860

Johnston, John MS

Jones, Daniel 9CS

Jones. William 1011

Joost, John 138

Jordam. Elizabeth 95S

Juynns, John 138

Keny, Alexander 966

Digi-jzedbyGoOgiC

Kettletan, Abraham OTO

Kettletas. Gerrltt 970

Kej-serlcb, Iteymer 974

IvIerBoii, Jobn 975

Kip, Abrahum W8

Kip. Hendricus 072

Kip, Jacob 059, 002, 9S0. OftO

Kip. Johannes 187

Klrteo, WllHam 1001

Kltcblner. Richard 758, OOB

Knight. Jatu 187

Kool, Jacoi 963

Kuyper, Cornelius 973

Lakeman, Abraham 265. 836

Lakermau, Abraham 090

LamuerRe. Cornelias ; IOCS

I^ngestrandt, Jobs 060

Langevelt, Cornelius 079

Lauser, Isaac 330

Lansing, John 202

La Roach, Thomas 993

Larsillore, Nicolas 074

Laqueer, Johannes 073

Lasslng, Catrlna 979

Lawrence, Abraham 065

Lawrence, Elizabeth, widow 976

Lawrence, Jacob , OWi

Lawrence, John , 138

Lawrence, John 485, 9^

Lawrence, William 257, 384, 976

I^acock, Robt 257, 384

Legg, William 265

Leisler, Jacob 257, 384

Lcfipinard, Abeltle 077, 978

Levy, Moses 018

Levy, Samnel 018

Lewis, David ' yU5

Lewis. Leend't 836, 949, 050

Ltfwis, Leonard 431, 442, 461, 902, 923, 974, 089

Lewis, Thomas H)3«

Lfsplnard, Antbony 9H

Lc;–,:.tll:yG00gIC

Namea of ptnoos — (Contmued); piob.

Livingston. GUbert »31

Livingston, PLIlIp 902

Livingstone, Philip 835

Livingston, Robert 202. 206. 461. 535. 687, (67, 982. iwa

LlvlQgMton, Robert, Jr WSi

Loats. John IW9

Loo. Mnttbew WIH

Lott, Eugelbert 9Ti

Lovelaw, Lady 697, 9ili

Ijjw, Matthew 756

Lowrler, Belltle »56

Lowrlei-. Mlhlel 956

Loyd. ThomaB 360

lioysen, Peter 966

Ludlow, (Jabrlel 677, 685, 841. 883, 360

Lukati, John 9117

Lurting, Robt C96, 030, G55, file, 698. 727, 744,819,822. 870

Luf kasBe, Claes 978

Luykasse, Peter 968

Lyrtecker, Xeltle 979

Lyell. Darld 981

Mack Donnell, John 971

Manning, Nlcholaue 534

Mapes, Thomas 138

Marlus, Peter 265

Marston, Johannes 981

Marshall, Jarvla 181

Marten. Raloffe 138

Martin. Hannah 873

Matchcraft. Mnry 974

Matthews. Peter 951

Mathews. William 75«

Mauriie, Jacob 257, 384. 979. 1001

Mayer. Peter 97S

Mayson, Johannes 9S1

Meble, Casparla 973

Mennen, Albert , . . 796

Merrlt. Edward 967

Merrlt, .Tennle 958

Merrlt, WllUam 414

Metzeker, Abram 491, 964

Cr—i^edbyGoOgk

Meyer, Andrles 078

Meyer, Henry »69

Meyer. Jacob JKJl

Mllbourn. jRcob 257, 384, 396. 980

Mtnner, Albert 535

Mlnvlelle, David »13

Mlaerol, Mary KKS

Moene, Aeltie, widow WT7

Moene. Jacob 1∗1^

Moll, Abraham 708

Moll, JacobuB B81

MompesBon, Martha 883, 960

Mompenson, Boger 685, 810

More. fFranclB HTit

Morgan. Charles 978

Morgan, John 485

Moor, William , 76«

Moris. William 13S

Morris, Lewis 883, 960, 062, 990

Moryne, Peter 984

Mott, JnmeH 485

Mulford, Samuel 485

MuUlne, Jacob 257 884

Myndertse, Frederick 948

Nack, Andrles 981

Naek, Jan 978

Nack, Mflthys 961

—Naitel, Jurlan 962, 97«

Nanfan, John 396

Nash, Jolm 1041

Nenn, Ellas 520

Neel, ffrancis 965

Newklrk. Jennetse 1008

N<H7kel. Andrew 788

NlcollB, Andrew 966

NIcolls, William 376, 98&

Nlssepflt, Jasper 5ZB

Norrls. Isaac 3G3

Norton, GeoPRe 630

Norwood, Cornelia 984

Noion. Tho WIB

135

Nys, Jolianncs WfS

Ogden, SuBannnh VTl

ODkelbflRh. Gerrit WJ3

Oosterliout, Lawrence lOUS

Opionous. I'eter 035

Pachecop, Bodrlgo Ul'J

Pnliitpr, John WM

I'almer. John ISS

PaluitT, John —MS. ICMI

Palmller. Thomaa »a6

Parmiter, Jonn TSEt

Parmlter, Rusannab 1174

Parker, Janien 203

Peartroe, WlUlam G27, 775, VSO

Pelrson, Joseph 534

Pell. John 138. IMO

Peltroau. Ellas VT9

Pellro. Ellaa 630

Peercp, Kaoneke t)63

PwTce. Sai—ah WS

Perrer, Mr l»l

Perse. William l»>

Penllon. Jncob 5»1

Phenlx. Alexander ««a

Phenli, Anna 958

Phllllpse, Adolph 265, 535. 830. TUC WW, OK, 986

PhlUlpine. Anibroase «»7. 988, H>tt5. 1023

PtiiUlpse, Frederick TSS

Pier, Hans « BTl

Pleterse, Peter 1008

Pleret, Pleter 52<!

Plenton. Nathaniel '26S

Plnhorne, WlUlam 413

Pit, Jarab WO

Pit, Jan t)H3

Pitkin. WlUlam 1040

Piatt, EplnctlB 13S

Plenler. Cornelius 257. 384

Polam. Cornells IWl

Pout. CornelluB 841. 883, MO, WO

Post, WlUlam 974

Digi-jzedbyGoOgiC

NuneBof penons— (Contiaiiecl): rAos.

Poulllon, Jaques 485

Pouton, HIcbard 257. 3IH

Pretty, Rleliard 202. 257. 3SJ

Pro.vooat. Abrabam Wj3

Provoost, David 431, 442, 461. 596, 770, 810. 822. 8,13. IM2, 950

962. a77. »B1. 1020

Provoost, Jobanoes 257. 3m

Provooet, Bamuel JMO, «&U

Pruyn, (Trans 978

Quackenbose, Peter 04S

Ray, Richard 984

Read, Jobn liao

Reade, John 853

Realomout, Jacob 965

Reed, Lawrence 265. 596, 654, 698

Rees, Johannes 970

Remsen, Daniel 982

Renslaer, Henry 396, 000

Rpyndere, Bareut 491. 596

Reyserlok. Renyler 962

Richards, Samuel 999

Richardson, WiUtam V^H

Rlddenhaes, Abel 971

Rleiner. Isaak D 053

Riggs. John 95B

Rlngo, Albertua 077

RoheFBon. J 265

Robert, Daniel 992

Roberts. Thomnn 630

Robinson. Cornelius 375

Robinson, John 187

Robinson. John and Marfiaret 375

Robinson. Joseph 963

Romeii, Peter BBS

Roaevelt. John 752

Rosevelt, Nicolas 983

RoBle, Jean 978

Ronle, John 388

Rust, Nicolas 982

Butgers. Harmanus 940

Rutsen, Jacob TBI. MB, 988

.Google

N&mes of peisona — (Coatmued)'. rut∗.

Rutsea, JobaDuis 836. SOB

Rj-ckman. Albert 202,265, 978

Ryerse, George 9H2

Ityerseu, Gerrit aB

Salm, Elizabeth »73

Salomon, Jacob B70

Sandore, Jacob 13S

Sehepnioes, Dlrck 4W

Scbepmoen, Johanaes lOMS

Sebei'merhorn, Ryer 48S, 952

Sohujler, Abraham B»9

Schuyler. Capt. Areut i«S6

Schuyler. David 202. SOU, TOO, USS. asi

Schuyler, Jobn OSH. a52. I6S

Schuyler, Myndert CiOO. G55, «90, 702, 796. iW5

Schuyler, Peter 202. 265, 370. 761. 949. 950. 950. WW. 961

Schuyler, Phillip 770, 835. twl

Schuyler. Major :6«8

Bebrlng. Coruellus -iSl. 442, 461, [f»t

Sellick. JoDathan HMO

Sells, Wllllaiti «*»

Shadwell, Jolin aW

Sharp, Cesar 1^2

SbanuiBS, William 9fiu

Shephel-d. Ruth !KH

Sherlock, Thomas VtX

Shermnn, Daniel jimt

Shoemaker. Egbert 7WI

SlckellR. Zachariaa 971

Skllman, TbomoB UOl

Shimematifl, Herman Wfl

Shurmans, ffrederlk 963

Shute, John, Clilldren 9H9

Slckells, Lammert 9tn

Skoute. John KSO

Skoiite, Sarah KM

Sllngerlnndt, Cornells M8

Blosa, John 8iJ

Sloughter. Henry Ztl

Siuyck. Ant le, Widow UTU

Smith. George ffiS

IbyCoOgIC

NameB of persons — (Contlaued): rtow.

Smith, Joseph 257, 884

Smith, JouathaD 2«5

Soet, Albertle , WS2

Splcer, Snmuel 13»

Splinter. Abraham 903

Sprng, John J81. l(Ml

Spronc, Gabriel tf74

Staats, Abraham JM8

Stanta, Jacob »U5

Staata. Joachim 202, 257, 384, 463

StaatB, Samuel 257, 384, 486

Steel, Sam'l 810

Stevens, Eilward 138

SfereuB, John 630

Stephenson, John 796, 976

StepheDHon, L 265, B76

Stepheoaon. Thomas 534, 796

Stenwyek. Cornelius 138

Stokes, Elizabeth U56

Stoaks. William '. Ml

Stlllwell. John tWO

Slllwell, Nicolas 2bb

Stlllwell, Richard 138, 835. B02

StoU, Joast 257, 384

Story, Robt 360

Stuekey. Andrew »84

Suedkcr, Itiaac 973

Suydmnu, Henry 975

Swartwout. Anthony 257. 3B4, 'JTl

Swartwout. Bernardua It80

Swartwout, Roeloff 257, 384. 980. IOCS

Swartwoiit, Thomas '. 459, 930

Swenm, Barent 974

Swlnton. Isaac 202

Symense. Ilrederlck 974

SymoDD. Gerrlt IBS

SyiDonse. Johannes WIS

Symonse. Volkert 981

Syms. LancaBter 630, KS6

TarbiiH, Johanniis 635

TeU. Anna, —widow »77 .

Digi—jzedbyGoOglc

NfuoM of p«nou — (GontiDUed): rus.

Teller, Racbel »7G

Ten Brofk, Johannes »81

Ten Brock. Weesell ai5

Ten Broeck, Weasel flOl

Ten Eyeic, Belltle BSD

Teneyck, Coouraed 911

1 Ten Eyck, Geertie V9a

' Ten Eyck, Johannes 950

Ten Eyck, Matthtas 981, 1008

Tennisen, Dennte aj5

TenuiHsen, John :W5

Terbonh. Johannes 950, OBO

Tenyed, Matthias ao

Theale. Joneph 2'io

TheobaldM, John »8

Thomne. Sophia Vil

Thoniasse, Jobs D70

Thompson, Gabriel 671

Thoorn. John »B1

Thong, Walter 983

TIbont, Johannes 965

TUna, Tennis 969, 974

TItworst, WUtlam 975

TotblU, Jane »M

Townsend, Thomas 13S

Toy. Daniel 9M, 979, 980

Trenr, Robert IIMO

TrevlB, Phillip WB

Tudor. Mary iKfl

Turtle, John 534

Tysc, WlUlam W»

Van Ale. Johannes 9T9

Tan Ale. Lawrence ao2

I Van Ale, William 961

' Van Amhem, Sarab »«3

Van Bleerknm, Johannes ttll

Van Borsum, Wybmgh 958

Van BruRh, Johannes 187

Van BruRh, Peter 449, 600. 70S, 728, 789. TO6. SIO

Van Boskerk, Thomas 96»

Van Bounnell, Snsannah « MB

.., C A.>(.>glc

Names of persons — (Contianed): paob-

^■an Brunt, Cornelius 485, »75

Yqu Brunt, Jooat 796, 975

Van Cleek, Bnrent TWi

Van Clelf, Geesle b70

Van CUffe, Delrk 7«s ■

Van Cllirt, Baltus KJO

Van Cortlaud, JaoobuR SHK

Van Cortlandt, Stephen WU

Van Cowenhoven, Jobn Gerrltse 1*75

Van Dam, Rip 431, 442. 401, 518, 548, 952, 000, 983, 883

Van den Bcrgli, Hubert IHJ7

Van der Heul, John 71K!

van der Iloeven, Cornells B5B

Vander Lyn, Pieter 1034

Tan ildPool, Gerrit 876

Vander Spiegel, Anna WTO

Vander Spiegel, Henry WO

Van der Water, Benjamin 908

Van Deusen. Abraham 97V

Van Deunen. Johannes 977

Van Doom, Jacob 971

Van Der Veer, Jan 983

Vandewater, Benjamin 534, 796, 975

Van der Werf. Maike 964

Van Dyck, Hester ffranse 968

Van Dyck, Jacobus 851

Van Dyck, Mary 971

Van Dyck, Orseltle 873

Van Dyck, Tlek 870

Van Epps, John 138

Van fielder, Johannes 491

Van fliesen, Johanuefi 491

Van Hook, Evert 491

Tan Hook, Lawrence 491

Van Hoorn, Gerrit 990

Van Hoorn, Butger 963

Van Home, John 628

Van Inburg, Guysbert „ 984

Van Jnrburg, Gysburg ', 491

Van r^oon, John 901

Tan Noorstrandt, Aron 960

Digi-jzedbyGoOgiC

imes of peiBODB — (Contioued): fu».

Van Noordstrnnt, Jacob -481

Van KanitslKei-, KlUlan 370, 53S, <K», 699. 706, SU5, Ur.2. Uttl

Vao RolIeKum, Calherina 980

Van Sc'baick. AntUouy »52

VaD Scbalck. I.erinus SKi, OSl

■\'on Sclioeuhoeven, Jacobus WS<)

Van Shyven. Iba »B4

Van Slyck, CorpellB (KM

Van Slyke, HarmanuB 93fl

Van Taerllnftli' Jan V&i

Van Tlenhoeveu, Suaannah il67

Van THIbruRb. Peter C29

Van Tuyl. Otto ftW

Van V«'iir<1en, tiendrick BSD

Van Vorst, Jellls KM

Van WoKlium, Peter MT

Van Zant. Johannes IiM)7

VelKhte, Hendriek *85

Verbrakel. Gerrlt Ki«

Verdon, Jaeob f 75

Vermillion, J 257. 3S4

Veri)lank, Itiaac i – 202

Vlele, Cntbarlua 967

VIele. KUzabetb. widow HBO

VIeLe. Oerret 491. 958. 9<rT. 990

Volkertse. Dirk 974

Vorklaln. Robt IMO

Voebrnub, Jacob 796

Vromnn, John 97S

Waldron. Joliannea 491

Waldmn. r.animert W5

Waldron. Snm'll 607

Waldron, William 920

Waif era, .Tohn (M

Walters, Robt 48G, 596, 630. 664, 695. 698. T27, 744. 819, 822

853. H2. 960, 98.~>, IfOy

Watts, Robert 770

Webber, Wolfert IST

Webley, Walter 138

Weekea. John 485

Wells. Pblllllp 138. low

D,g,;,zeclbyG00gIC

— (Continued): Pias.

Weemes, Coll. James 958

WendaR, AbraSam 7T0, 958, 976

WendaU, Johanaea 202

Wendell, Phillip 977

Wenham, ThomaB 476, 518, 548. 628, 630

WeSBels. Dtrlck 202, 370, 536, 655. 69&, 895, 947, 882

WessellB. ITrans 957

WefwelB. Dirk, widow of 961

■n'espellet. Major 368

Went, John 187, 190

Westphael, Simon '. 971

■Whltebeeck, JnhauncB 9S0

Whitebeeck, Volkert 980

White. John »4T

■Whllehead, Daniel 729

Whitehead. JonatbnD. 720, 957. 67«

Whitehead. Thomas 72», 9BS

WIckham, Joseph 796

"Wlleman, Henry 968. 9*!2

Willemse, Johannes 981

Wlllemse. Peter 981

Wlllet. CoraellUB 961

Wniet, Capt. Rd 59«(

WlUett, Capt. Thomas 967, 976. WXJ

WlUet. William 99–1

Wllllnms, George 9(W

Williams. Thomas 257, 384, 483

WIIlfamB, Thomas 902, 965

Wilkinson, William 756, 966

Wlllse, Uarte 975

WIllBon, Ebenezer 392

Wilson, Ebeneaer 976

Wynanfse, Melftert ; 202

Wyncvmp. Evert 981

Wyncoop, Johannis 460

Wynne, ffrans 970

WynRart. Nicolas 979

Woertman, Teunis 969

Wood, Sasanna 963, 975

Wonterse, Gerrlt 9f»

"WrlKht, Sarah '. 966

136

IbyCoOt^lc

N&mes of i>ereoiiB — (Continued):

Ydeson, Teunis Os:t

Young, Benjamin 796

YoungB, John IWO

Naturallzntlon;

att for 1683 123

of ProtestantB of foreign birth 1715 85S

naturalizing certain persons ITIS OSO

BpeciRl act 1719 10S4

Navigation:

law for encouragement 1684 165

act for encouragement 1715 808

Negroes. (See Slaves; Taxes.)
New York:

I>onxan's cliarter 18S6 181

bnlldlugs, streets, laues. wbarvee, etc., in 1681 269

lurisdlctlon of mayors' courts 1692 305

ministry in. act for settling 1603 328

Mplained 1705 576

act to enable, to relieve i>oor lC»:i 348

to pay debts, erect public buildings, etc 1699 435

taxes and duties In 1701 449

act declaring and explaining ilberlles of. In relation to the

election of magistrates 1702 430

better support of poor In 1702 507

act to enable, to raise money for neoossary charges 1702 514

to supply vacancies In elective offices 1*02 515

establishment of grammar free schools 1702 .MS

act to enable French Protestants to build larger chorch In, 170n 536
prohibiting distilling of rum or manufacture of lime

within one-lialf mile of city hail 1708 538

for maintenance of minister In 170i) - 543

Church of England In, relative to 17(H KM

ftct to enable mayor, etc., tv carry on fortiflcaltons 1706 592

raising 3.000 pounds for fortifying 1708 593

to enable mayor, etc.. to raise 600 pounds for neces-
sary charges 1708 625

to oblige inhabitants to make good their quotas

of faxes 1715 877

to enable mayor, etc.. to raise 500 pounds for altering

sewer In Broad street 1717 907

ferry to Long Island, act to regulate 1717 925

(See New York cotinty.)

Lc;-,:.tll:yG00gIC

New York county:

erectioa 1683 121

boundariea IfflU 2«8

NIcoUb:

proctamatlon revoking Dutch goTernment. . . ; 166S 100

act to enconrage tbe making of lineeed oil 1712 7B2

OraDge county:

erection 1C88 122

boundaries ICOl 2«8

act to compel on-ncrs of unlmproTed land to pay tasee.. 1701 478

to determine bounife of 1709 WW

for destroying woItbs In 1715 878

to enable Hareretraw to elect town oflScers 1710 1033

Orphans:

law concerning 1681 164

Oysters:

act for preBerving ITIS 840

Pardon:

of persona dcflve In disorders 1691 25ft

act Indemnifying certain person excepted from pardon

of leOl 1699 384

ParUtlon:

of lands beld in Joint tenancy or in common 1708 633

coutluned 1715 882

rehired and amended 1718 1006

Peddlers:

act for licensing 1714 805

rerived 1718 090

Perjury:

act to prevent 1C83 129

Pilotage:

act settling 1604 324

establishing 1718 1001

Digi-jzedbyGoOglC

Pirates: ,^g_

act to punlsb , 1692

for punishing 1S89

Poor;

act for maintenance 1683

(or maintenance 1691

repealed la part 1701

explained and anieudckl 17il3

reUef or, In New York 1605

act for more effectual maintenance ITOl

better support of, In New York clt7 1702

Porpoises:

monopol7 of fishery of, granted to De Graenw 1714

Post-otnce:

law encouraging 1G92

continued . . > 1G95

continued 1699

continued '. . 1702

continued 1705

net for encouragement 1706

Priests:

popleb, act against 1700

Privateers:

act to restrain 16&2

to restrain 1699

Proceedings:

iu law, act to regulate 1684

Judicial, act continuing 1702

Prucess:

act continuing 1702

Proclamation:

NIcolls, revoking Dutch government 1665

of AndroB 1674

Province:

divtxlon Into counties 1683

Provisions:

act relative to transportation of 1709

Public charges:

act for defraying 1683

D.cnzedbvGoOglc

QoecDS county; ^^^

erection 1683 122

boundartea J. . . . 1681 268

act for settling mlnlBtry In 1093 S28

' explained 1705 578

to prevent damages bj swine 1708 616

.' revived 1714 fill

to enable Bupervlsors to repair or rebuild a county ball

and Jail 1708 621

for deetrnctlon of foxes and wild cats 1717 931

to prevent rams running at large In Hempstead 1719 1029

act to prevent running at large in Queens county 1719 1029

Real estate:

law for quieting title 1684 15i

(See Lands.)

Renslaerwick, Manor of:

act for defraying expenses 'Of I70S 584

to defray necessary charge 1706 603

Bepresen t a 1 1 ves :

allowance 1683 121

allowance 1691 230

act regulating elections of ." 1609 4(W

repealed 1702 . 524

elections of 1701 452

allowance to 1701 466

number Increased 1702 478

Bevenue laws. (See Taxes.)
Hlcbmond county:

erection 1683 122

boundaries 16SI 26S

act for nettling ministry In 1693 329

explained 1705 576

to compel owners of unlmprovrd land to pay taxes. . 1701 473

for building county Jail and county house In 1704 573

to prevent damages by swine 1708 616

revived 1714 811

for collecting arrears of taxes 1714 809

highways in 1719 1024

D,g,;,zeclbyG00giC

RlghtB and prfTllegee: vulb. ri^.

wbat are 1681 244

Blvera:

casting ballast In 1684 167

Roade. (See Hlgbwars.)
BomaD Catholics:

act against priests and Jesuits 1700 42d

Bum;

act prohibiting distilling of, near city ball In New York. . 1708
(For duties on importation see " Taxes," under various revenue acts.)
Rye:

support of parish cburcb 1719 1088

Sabbath. (See Sunday.)
Schenectady:

act for repairing Tort at 1701 i'i

to furnish town fcuard with firewood, and to repair guard-houses and gateR 1706 001

act for repairing fortlflcatlons at 1710 717

appropriation for defense of 1711 750

act for better repairing fortlflcatlons 1712 773

for repairing fortifications 1715 879

for allowance to reprefim tat Ives of 1717 021

for allowance to representatives of 1718 997

for raising sixty ounces of plate for 1719 lOK

Schools:

establishment of grammar, In New York city 1702 51C

Seamen:

act for encouragement and protection 16% SK

encouraging 1700 43S

revived 1709 680

restricting the granting of credit to, by tavern-keepers, etc 1715 see

Servants:

fuglllvea, law relating to 1681 147

law concerning 1684 157

Settlement:

act of less 136

Digi-jzedbyGoOgiC

court of, law for executing thp Jad^uiput of 1684 163

nlttrfng time of. iu WeHicbester 1684 109

[removal from Gravese;id to Klntbuvb 1CS5 17∗1

■ eMtabllshment and jurisdiction 1691 227

Jurisdiction 1C02 304

act encourngіng return of, to onuf i-s 1718 1003

Slnves;

law concerning 1684 157

duties levied on 1702 481

act regulatlDK 17IK RID

revived and continued 1705 r>S9

revived 1710 102S

to prevent ruDDliig a^vay of, from Albany ITTT" r>82

revived 1715 881

to encourage baptizing of 1700 ~<i7

not to be witnesses 1706 —"9S

act to prevent consiilracles of 1708 631

duties on the Importation of 1700 675

relative to 170B 684

continued and nmended 1710 714

amended 1711 736

' act for preventing and punlnlilng conspiracy and Insurrec-
tion of 1712 761

'explained 1717 022

duties on 1714 80?

not to sell oysters 171S S4n

relative to duties on 1716 S90

duty on 1718 1012

(For duty on Importation, see Taxes, and the several acts
for raising revenue thereunder.)
Soldiers:

act to prevent desertions 1699 417

to prevent desertions 1700 43^5

South Carolina:

act relieving Inhabitants from Import duties for six

months 1715 884

Specialties;

assignments lflS4 1K3

Staten Island:

erection of Tjatterlps on 1703 n!>C

Digi-jzedbyGoOylc

StallioDB: „^. p^„_

act to preveat email, running at large, and to geld all

borses underelzed 1718 906

Suffolk county:

erection 1683 122

boundaries ie»l 2«8

act to enable lellp to eleot'two asseBson, collector, con-
stable and supervlBor 1710 722

for raising arrears due to forces rained for expedition

against Canada 1712 753

for deetructlon of foxes and wild eata 1717 931

Suits:

act preveiitlng rexatlous, arising from Lelsler's adminis-

tration 1699 393

regaled 1702 52t

Sunday:

law against breaking 1685 173

act against profanation of 1685 356

Supreme Court;

establishment and Jurisdiction 1691 229

Jurisdiction, terms, etc 1692 306

Swearing:

law prohibiting 1685 174

an act to ease persona tliat are scrnpulous 1681 257

act to prevent damages by 1683 131

law concerning 1685 177

act to prevent damagea by, In Westchester, Queens and

Bicbmond counties 1708 616

revived 1714 811

Taxes:

law Imposing 1684

laws of 1600, lelsler's assembly 1690

for support of poor lOOi

act explained 1703

law raising 2,000 pounds for maintaining 100 fusUeera 1691

necessary charges la Albany 1691

law of 1691 1681

certain, to be paid over to Governor 1681

Digi-jzedbyGoOgiC

Vazes — (Continned) : ,,m^ ^^^

law of 1682 for defraylDK necefwaiT charges 1662 287

coDUoned 16»8 325

continued and amended 1689 419

conUnned 1702 517

for allowance to Governor 1692 808

act for paying debts of govemment 1692 312

continued 1694 331

continued 1694 342

continued - 1696 367

for raising 6,000 pounds to paj 300 men for defense of

Altany 1692 315

duties on goods brought Into their majesties beam 1693 322

act for ralBing 1,000 pounds 169S 352

raising 864 pounds, 15 shillings for maintaining com-
pany of fuslleere under Major Schuyler 1695 354

for raising 700 pounds 1695 35S

for paying 120 men for defense of province 1696 364

for raising 100 men for defense 1696 369

for raising a yearly rate to pay collectors 1697 379

raising fund for allowances to Governor and Lieu-
tenant-Governor 1699 396

an act raising duty for defraying dehts 1699 403

in New Tort city 1701 449

act granting additional duties 1701 467

continued 1702 487

for paying debts of gOTernment, Incurred during

Lelsler's administration 1702 479

to raise 1,800 pounds for raising end paying 150

fnslleers 1702 463

a portion refunded 1708 627

relative to 1712 775

raising 2,000 pounds for a present to the Oovemor. . . . IT02 508

raising 1,600 pounds for two batteries at the Narrows. 1703 350
raising 1,300 pounds for employing 100 men for

defense of frontiers 1703 562

to raise sum for defense of frontiers 1706 598

raising fund for defense of frontiers 1708 607

to raise 253 pounds. 16 shillings to discbarge Lord

Combury from his contract with Mr. Hansen 1708 624

fbr defraying necessary charges 1708 628

levying 6.000 pounds 1709 654

L Q -i:

ibvCoot^lc

lOflO INDEX

Taxea — (Contlnned) :

act lerying 4,000 pounds i 1709 68S

(or defraying neceBBary charges 1709 682

for levying 10,000 oudccb of plate 17W 693

arrears, act to collect 1710 720

act for levying 10.000 pounds 171J 73«

to raise 2,8S5 ounces of plate 1711 7M

to compel manors In Westchester county to pay

arrears of 1711 751

collection of dues in arrears 1712 757

act for supply lo be granted to ber majesty; duties on

imports, etc 1713 779

laying a duty on goods sold at auction, vendue or

outcry 1713 780

duties on Imports, etc., levied 1714 S<n

explained 1716 898

act for a supply to be granted to her raajesty 1714 812

duties levied on imports and esports 1715 817

explained 1718 lOlO

act relieving Inhabitants of South Carolina- from Import

duties for six months 1715 S8I

compelling veBsels to pay a certain duty 1716 898

explained 1718 H>10

duty on goods sold at auction 1717 9M

revived 1719 1021

act levying duties, etc., to pay debts of government 1717 938

supply granted to his majesty; duties on imports and

exports, slaves, etc ■ ■ 171* 1013

act laying duty on Importation of empty casks 1719 1022

Tonnage:

act declaring sloop of Jacob Moene free from duty of. . . . 1717 913

declaring sloop Oood Intent free from duty of 1717 913

exempting the Pink Charlotte from duty of ' 1717 91S

exempting sloop of Col. Johnston's from duty of.... 1717 91^

exempting the Iieghom, from duty of J717 919

exempting the sloop Mary and Hannah from duty of, 1717 930

rights confirmed 1601 ' 224

may regulate highways, fences, etc 1691 22S

act to enable, to build and repair meeting-houses and

public buildlnsB 1S99 427

Digi-jzedbyGoOgiC

law for eacouragetnent 1684 16.1

TrespaBsefl:

act preventiug 1699 401

Ulster county:

erection 1683 122

boundaries 1891 268

act to ralB« men iu, for defense of Albany 1692 286

fences In 1701 451

highways and roads Id, repair 1701 471

destruction of wolves 1701 472

Kingston In, act for regulating elections of trustees and magtstrates , 1702 488

act to oblige, to pay debt to Rateen and Genitse 1713 7SI

for retwlrlng county house and prison 1715 871

for preserving deer 1716 888

for settling the boundaries of certain ^auts In Marble Town 1718 1008

Usury:

act restralDing taklnfr of 171T 909

partly repealed 1718 1004

.Tacancles:

act .to enable New York to supply. In elective offices 1702 615

Vagabonds.

act preventing 1683 131 •

to prevent 1691 237

repeale<l In part 1701 466

explained and emended 1703 636

Vessels:

duty on tonnage 1709 67B

retative to 1709 684

continued and amended 1710 714

amended 1711 73B

to pay a certain duty 1716 898

explained 1718 1010

Digi-jzedbyGoOglC

w.

Weights and measures: ^^^ rxos.

eotabUshed 1703 554

Westchester, Burroueb of:

allowance to burgess of 1705 588

Westcheeter county:

erection 1683 122

time of aessloDS in, changed 1684 Ifl^

boundaries 16ftl 268

act for settling ministry In 1603 32S

explained 1705 576

Eastcbester In, declared a distinct parish 1700 440

destruction of wolves 1701 472

act to compel oTrnera of unimproved land to pay taxes. . . . 1701 47

to prevent damages by swine 1708 616

revived 1«4 811

to compel manors In, to pay arrears of taxes 1711 751

Cor destruction of wolves aad foxes 1716 808

support of parish church of Bye 1710 103S

Whales:

cast on shore '. 1090 400

Whaling:

act for encouragement of 1708 610

revived 1716 887

Wild eats:

act for destruction of 1708 618

partly repealed ms 781

for destruction of 1717 881
Wills:
probate of 1602 300
Wolves:
bounties 1683 1S3
act for destruction of 1602 272
for destruction of, In Westchester and Ulster counties, 1701 472
for destruction of IKS 497
for destruction of 1708 618
partly repealed inS 781
for destroying, in Orange county 1715 878
for deotructlon of, In Westchester county 1716 803
destruction of. In Dutchess county 1719 lOBT
Woods:
act to prevent burning of 1710 71C

Digi-jzedbyGoOglC

D„r„.db,G00glC

D«m,db, Google

biGooglc

D„r„.db,G00glC